

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
First Regular Session

House Bill No. 4090

INTRODUCED BY: HON. MARIA ISABELLE G. CLIMACO

EXPLANATORY NOTE

The recent unscrupulous and abhorrent news of carnapping incidents truly outrages the sensibility of the public. More appalling on these incidents is that victims were not only divested of their motor vehicles but were haplessly killed and worse, their bodies incinerated beyond recognition. Although Republic Act No. 6539 otherwise known as the "Anti-Carnapping Act of 1972" is currently enforced, there is an indication that our law seems to be inept in sowing upon criminal minds the supremacy of law and order.

Noteworthy that, as a country of democracy, it essentially entails *the maintenance of peace and order, the protection of life, liberty and property, and the promotion of welfare* in order for all the people to enjoy the blessing of democracy (Section 5, Article II of the 1987 Constitution). However, these can only be realized if there will be a stronger measure in deterring the commission of crimes and penalized offenses in our country, more particularly carnapping. Albeit that it is in implementation that should be crucially endeavored to thwart the increasing criminality in our country, it should not be ignored that a more efficient and effective measure should be at hand.

As the news has reported, the masterminds behind these recent killings and carnappings had been arrested for similar offenses as well as for other felonies. But by reason of their entitlement to right to bail, these masterminds could freely roam our country and most likely, rehash the very same offenses or felonies they have already been indicted for several counts, and sadly, still counting.

In light of these matters, the passage of the amendments on the penalties on Section 14 of R.A. 6539 is impelled and earnestly sought for the furtherance of the rule of law. In effect, the increase in the penalty to life imprisonment will ensure a better restraint on commission of carnapping as this will be placed on the list of non-bailable offenses.


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AN ACT PROVIDING FOR STRONGER DETERRENCE FOR THE OFFENSE OF CARNAPPING BY INCREASING THE PENALTY IMPOSED AND DEFINING THE OFFENSE OF CARNAPPING BY A SYNDICATE AND ITS QUALIFYING CIRCUMSTANCES AMENDING FOR THAT PURPOSE SECTION 14 OF REPUBLIC ACT NO. 6539 OTHERWISE KNOWN AS THE ANTI-CARNAPPING ACT OF 1972 AND FOR OTHER PURPOSES.

Be it enacted by the Senate and House of Representatives in Congress assembled:

1 **SECTION 1. Amending Section 14 of Republic Act No. 6539.** -
2 Section 14 of Republic Act No. 6539 otherwise known as the “Anti-
3 Carnapping Act of 1972” is hereby amended to read as follows:

4 **“Section 14. Penalty for Carnapping** – Any person who is found
5 guilty of carnapping, as this term is defined in Section Two of this
6 Act, shall, irrespective of the value of motor vehicle taken, be
7 punished by imprisonment for not less than [fourteen years and
8 eight months to seventeen years and four months] SEVENTEEN
9 YEARS FOUR MONTHS AND ONE DAY TO TWENTY YEARS, when
10 the carnapping is committed without violence or intimidation of
11 persons, or force upon things; and [for not less than seventeen
12 years and four months and not more than thirty years] BY THE
13 PENALTY OF TWENTY YEARS AND ONE DAY TO LIFE
14 IMPRISONMENT, when the carnapping is committed by means of

1 violence against or intimidation of any person, or force upon
2 things; and the PENALTY OF LIFE IMPRISONMENT SHALL BE
3 IMPOSED when the owner, driver or occupant of the carnapped
4 motor vehicle is killed in the commission of the carnapping.

5 "WHEN THE OFFENSE IS COMMITTED BY A SYNDICATE,
6 WITHOUT VIOLENCE AGAINST OR INTIMIDATION OF PERSONS,
7 OR FORCE UPON THINGS, THE PENALTY OF TWENTY YEARS
8 AND ONE DAY TO LIFE IMPRISONMENT SHALL BE IMPOSED
9 UPON ALL MALEFACTORS CONSTITUTING A SYNDICATE. WHEN
10 THE OFFENSE IS ACCOMPANIED BY VIOLENCE AGAINST OR
11 INTIMIDATION OF PERSONS, OR FORCE UPON THINGS, OR BY
12 CRIMES PUNISHABLE UNDER THE REVISED PENAL CODE, OR
13 BY OFFENSES PENALIZED UNDER SPECIAL LAWS BY A
14 SYNDICATE, THE ACCOMPANYING ACTS SHALL BE TREATED AS
15 QUALIFYING CIRCUMSTANCES. IN SUCH A CASE, THE PENALTY
16 OF LIFE IMPRISONMENT SHALL BE IMPOSED UPON ALL
17 MALEFACTORS CONSITUTING A SYNDICATE.

18 "THE OFFENSE IS DEEMED COMMITTED BY A SYNDICATE
19 WHEN TWO OR MORE MALEFACTORS TAKE PART IN THE
20 COMMISSION OF CARNAPPING."

x x x

21 **SECTION 2. *Separability Clause.*** – If any provision, part or portions of
22 this Act shall be held invalid, the provisions, parts or portions of the Act
23 not otherwise affected thereby shall remain valid and effective.

1 **SECTION 3. *Repealing Clause.*** – All laws, executive issuances, orders
2 and rules and regulations contrary to or inconsistent with this Act, or
3 any part thereof are hereby repealed, amended or modified accordingly.

4 **SECTION 4. *Effectivity.*** – This Act shall take effect upon its approval
5 and upon publication in the Official Gazette and two (2) newspapers of
6 general circulation.

Approved,