

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
Second Regular Session
HOUSE BILL NO. 5263

Introduced By **HONORABLE CATALINA CABRERA-BAGASINA**
Association of Laborers and Employees (ALE) Partylist

EXPLANATORY NOTE

This bill seeks to increase the penalty for the crime of carnapping and making it a non-bailable offense. With the recent incidents of carjacking, it is high time to amend Republic Act No. 6539 "Anti-Carnapping Act of 1972" so as to foil all carnapping syndicates nationwide.

Based on 2011 Report of the Philippine National Police (PNP) Headquarters Highway Patrol Group, The recorded carnapping incidents for the first 4 months of 2011 have attained a considerable decrease of 56.26% or 368 incidents less compared to the same period of 2010. Moreover, Stolen While Parked (SWP) vehicles registered the highest this year with 207 cases while those that were Seized at Gunpoint with Intimidation (SAGI) or Forcibly Taken vehicles has 60 incidents. Failed to Return (FTR) cases is marginal at 19 incidents.

With the proper amendments in place, the crime of carnapping will be decreased drastically if not fully eradicated.

Thus, the passage of this bill is earnestly sought.


HON. CATALINA CABRERA-BAGASINA

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AN ACT
INCREASING THE PENALTY FOR REPUBLIC ACT NO. 6539 "ANTI
- CARNAPPING ACT OF 1972"

Section 1. Section 13 of Republic Act No. 6539 is hereby amended to read as follows:

Any person who violates any provisions of this Act shall be punished with imprisonment for not less than **PRISION MAYOR IN ITS MEDIUM PERIOD** and a fine equal in amount to the acquisition cost of the motor vehicle, motor vehicle engine or any other part involved in the violation: *Provided*, That if the person violating any provision of this Act is a juridical person, the penalty herein provided shall be imposed on its president or secretary and/or members of the board of directors or any of its officers and employees who may have directly participated in the violation.

Any government official or employee who directly commits the unlawful acts defined in this Act or is guilty of gross negligence of duty or connives with or permits the commission of any of the said unlawful act shall, in addition to the penalty prescribed in the preceding paragraph, be dismissed from the service with prejudice to his reinstatement and with disqualification from voting or being voted for in any election and from appointment to any public office.

Section 2. Section 14 of Republic Act No. 6539 is hereby amended to read as follows:

Penalty for Carnapping. **THE PENALTY OF RECLUSION PERPETUA SHALL BE IMPOSED TO ANY PERSON WHO IS FOUND GUILTY OF CARNAPPING, AS THIS TERM IS DEFINED IN SECTION TWO OF THIS ACT AND IRRESPECTIVE OF THE VALUE OF MOTOR VEHICLE TAKEN.** When the carnapping is committed by means of violence against or intimidation of any person, or force upon things; and the penalty of **RECLUSION PERPETUA WITHOUT THE BENEFIT OF PAROLE** shall be imposed when the owner, driver or occupant of the carnapped motor vehicle is killed in the commission of the carnapping.

Section 3. Separability clause. If any provision of this Act is declared invalid, the provisions thereof not affected by such declaration shall remain in force and effect.

Section 4. Repealing clause. All laws, executive orders, rules and regulations, or parts thereof, inconsistent with the provisions of this Act are hereby repealed or amended accordingly.

Section 5. Effectivity. This Act shall take effect upon its approval.

Approved,