

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS

Second Regular Session

House Bill No. 5403



Introduced By HONORABLE MARIA EVITA R. ARAGO

EXPLANATORY NOTE

This bill seeks the imposition of higher penalties for crimes against property involving portable communication devices. Several tools of communication have become indispensable to our modern life. These include cellular telephones, laptops, personal digital assistants, portable computers, two-way very high frequency (VHF) or ultra high frequency (UHF) radios and other portable communication equipments utilized to transmit messages, documents, photos, images, videos, or information through air, radio or satellite frequencies. Reports from law enforcement agencies, however, show an alarming high incidence of thievery of these gadgets, especially of cellular telephones.

The increase in the occurrence of these illegal activities and at times with unfortunate fatal consequences means that there is an urgent need to protect our people from thieves of cellular phones and other portable devices. The taking of communication gadgets through theft or robbery has proliferated in our country. These equipments are easy to sell and fencing of these illegally acquired items is now commonplace

The existing penalties under the Revised Penal Code are apparently insufficient to deter criminal activities of this nature and pose a threat to the personal security of our people.

This bill seeks to punish the malefactors, with stiffer penalties, who take away mobile phones and other portable communication gadgets which have become important instruments of modern life. It is believed that stiffer penalties will serve as deterrence to the commission of these offenses and will help promote justice and public order and safety.

In view of the foregoing, I urge my colleagues to support the passage of this bill.


MARIA EVITA R. ARAGO
Representative
3rd District, Laguna

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**AN ACT PROVIDING STIFFER PENALTIES FOR THE CRIME OF THEFT
AND ROBBERY OF PORTABLE TELECOMMUNICATION DEVICES AND
PORTABLE COMPUTERS**

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

1 **SECTION 1. Short Title.** - This Act shall be known as the "Anti-Theft and
2 Robbery of Portable Telecommunication Devices and Portable Computers Act of
3 2011."

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5 **SEC. 2. Definition of Terms:**

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7 A. "Portable telecommunication device" shall refer to a device that transmit,
8 emit or, receive voice, data, electronic messages, text, written or printed
9 matter, fixed or moving pictures or images, words, music or visible or audible
10 signals or sounds, or any information, intelligence and/or control signals of
11 any design/format and for the purpose of accessing public telecommunication
12 services by wire, radio, spectral, visual, optical, light or other electronic,
13 electromagnetic and technological means including but not limited cellular
14 telephones, personal digital assistants, portable computers, two-way very
15 high frequency (VHF) or ultra high frequency (UHF) radios.

16 B. "Portable Computer" shall refer to an electronic device that is capable of
17 accepting data, programs and/or instructions, executing the programs and
18 the ability to process data and other results, such as but not limited to
19 laptops, notebooks and tablets.
20

21 **SEC. 3. Penal Provision.** - Any person convicted of the crime of theft and
22 robbery as defined under Chapters One (1) and Three (3) of Title Ten of the Revised
23 Penal Code of a portable communication device or portable computer shall be
24 punished by the penalty next higher in degree than those respectively specified in
25 the aforementioned articles. *Provided*, that the additional penalty specified herein
26 shall no longer be made applicable if the impossible penalty is in its maximum
27 period.

28 **SEC. 4. Repealing Clause.** - All laws, decrees, orders, rules and regulations
29 or other issuances or parts thereof inconsistent with the provisions of this Act are
30 hereby repealed or modified accordingly.

SEC. 5. Separability Clause. - If any portion of this Act is declared unconstitutional, the remainder of this Act or any provision not affected thereby shall remain in force and effect.

SEC. 6. Effectivity. - This Act shall take effect fifteen (15) days following the completion of its publication either in the Official Gazette or in a newspaper of general circulation in the Philippines.

Approved,