

FIFTEENTH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES
Second Regular Session



HOUSE OF REPRESENTATIVES

H.B. 5606

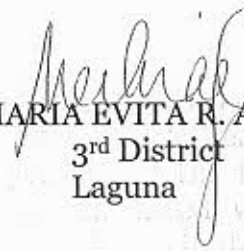
INTRODUCED BY REPRESENTATIVE MARIA EVITA R. ARAGO

EXPLANATORY NOTE

The Filipino family is the core group that weaves and holds our values and society together. Our strong family ties predominantly define us and our mutual affection for children is borne out of our natural instinct to protect the young and the helpless. Parents and the individuals exercising parental authority are entrusted with the responsibility of supporting, educating, guiding and protecting the children in their care. It is therefore a great abhorrence when individuals, especially the parents, entrusted with the care of children, should neglect, abandon or cause the exploitation of these children.

This bill seeks to impose lengthier period of imprisonment and an increase in the amount of fines arising from the neglect in the care of children to be imposed against delinquent parents. It is hoped that the passage of this bill into law will make parents who shirk in their responsibilities in the care of their children be suitably penalized. It is likewise hoped that the passage of this bill will result in the lessened number of cases of neglected and abandoned children in our country.

In view of the foregoing, the immediate passage of this bill is earnestly sought.


MARIA EVITA R. ARAGO
3rd District
Laguna

Fifteenth Congress)
Republic of the Philippines)
Second Regular Session)

House of Representatives

H.B. No. 5606

Introduced by Representative Maria Evita R. Arago

AN ACT
TO STRENGTHEN THE PENAL PROVISIONS WITH RESPECT TO
DELINQUENT PARENTS, AMENDING FOR THE PURPOSE ARTICLES
276, 277, AND 278 OF ACT NO. 3815 OTHERWISE KNOWN AS THE
REVISED PENAL CODE, AS AMENDED

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

Section 1. Article 276 of Act No. 3815, as amended, is hereby amended as follows:

*“Article 276. Abandoning a minor. – The penalty of *arresto mayor* and a fine of at least Ten Thousand Pesos (P10,000) but not more than Fifteen Thousand Pesos (P15,000) shall be imposed to anyone who shall abandon a [a child under seven years of age] **MINOR**, the custody of which is incumbent upon him.*

THE PENALTY OF PRISION CORRECCIONAL IN ITS MINIMUM PERIOD AND A FINE OF AT LEAST FIFTY THOUSAND PESOS (P50,000) BUT NOT MORE THAN ONE HUNDRED THOUSAND PESOS (P100,000) SHALL BE IMPOSED IF THE PERSON CONVICTED OF THE PENALTY UNDER THIS ACT IS THE PARENT OF THE MINOR.

When the death of the minor shall result from the abandonment, the culprit shall be punished by *prision correccional* in its medium and maximum periods[;]. **IF THE CULPRIT IS THE PARENT OF THE DECEASED, HE OR SHE SHALL BE PUNISHED BY PRISION CORRECCIONAL IN ITS MEDIUM PERIOD TO PRISION MAYOR IN ITS MINIMUM PERIOD [;]. [b]But if the life of the minor shall have been in danger only, the penalty shall be *prision correccional* in its minimum and medium periods. IN THE LATTER CASE, IF THE CULPRIT BE THE PARENT OF THE MINOR, HE OR SHE SHALL BE PUNISHED BY PRISION CORRECCIONAL IN ITS MEDIUM AND MAXIMUM PERIODS.**

IN ADDITION, THE PARENT OF THE MINOR SHALL BE DEPRIVED OF THEIR PARENTAL AUTHORITY, HEREDITARY RIGHTS AND CUSTODY OVER THE MINOR.

The provisions contained in [the two preceding paragraphs] **THIS ARTICLE** shall not prevent the imposition of the penalty provided for the act committed, when the same shall constitute a more serious offense.”

SECTION 2. Article 227 of Act No. 3815, as amended, is hereby amended as follows:

38
39 "ART. 277. *Abandonment of minor by person entrusted with his custody;*
40 *indifference of parents.* - The penalty of *arresto mayor* and a fine of at least
41 **FIFTY** [ten] thousand pesos [(P10,000)] **(P50,000)** but not more than **ONE**
42 **HUNDRED** [Fifteen] thousand pesos **(P100,000)** shall be imposed upon
43 anyone who, having charge of the rearing or education of a minor shall deliver
44 said minor to a public institution or other persons, without the consent of the one
45 who entrusted such child to his care or, in the absence of the latter, without the
46 consent of the proper authorities.

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48 The same shall be imposed upon the parents who shall neglect their
49 children **OF SCHOOL AGE** by not giving them the **COMPULSORY**
50 **ELEMENTARY** education which [their station in life] **THE PHILIPPINE**
51 **CONSTITUTION** requires [and financial condition permits]."

52
53 **SECTION 3.** Article 278 of the same Code is hereby amended to read as follows:

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55 "Art. 278. *Exploitation of minors.* - The penalty of prision correccional in
56 its minimum and medium periods and a fine not exceeding [500] **ONE**
57 **HUNDRED THOUSAND PESOS (P100,000)** shall be imposed upon:

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59 xxx

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61 **6. ANY PARENT WHO SHALL GIVE HIS UNEMANCIPATED CHILD**
62 **CORRUPTING ORDERS, COUNSELS OR EXAMPLE, SHALL BE**
63 **PUNISHED BY ARRESTO MAYOR IN ITS MAXIMUM PERIOD AND A**
64 **FINE OF AT LEAST FIFTY THOUSAND PESOS (P50,000.00) BUT**
65 **NOT MORE THAN ONE HUNDRED THOUSAND PESOS (P100,000).**
66 **THIS SHALL INCLUDE CASES WHICH HAVE RESULTED FROM**
67 **CULPABLE NEGLIGENCE OF THE PARENT."**

68
69 **SECTION 4.** Separability Clause. - If for any reason any section or provision of
70 this Act is declared unconstitutional, other provisions hereof which are not affected
71 thereby shall continue to be in full force and effect.

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73 **SECTION 5.** *Repealing Clause.* - Any laws, decrees, or rules and regulations which are
74 inconsistent with or contrary to the provisions of this Act are hereby amended or
75 repealed.

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77 **SECTION 6.** *Effectivity Clause.* - This Act shall take effect upon its publication in at
78 least two (2) national newspapers of general circulation.

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81 *Approved,*