

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

Fifteenth Congress
Third Regular Session

COMMITTEE REPORT NO. 2695

Submitted by the Committee on Revision of Laws on 06 FEB 2013

Re : House Bill No. 6909

Recommending its approval in substitution of House Bill Nos. 1400, 3996, 4003, 4033, 4043, 4057, 4064, 4090, 4142, 4294, 5263, 5664 and 5931

Sponsors : Representatives Marlyn L. Primicias-Agabas, Rufus B. Rodriguez and Jeci A. Lapus

Mr. Speaker:

The Committee on Revision of Laws to which were referred House Bill No. 1400, introduced by Reps. Rufus B. Rodriguez, Maximo B. Rodriguez Jr., Ben P. Evardone, Josephine Veronique R. Lacson-Noel, Daisy Avance-Fuentes, Arnel M. Cerafica and Jane T. Castro, entitled:

"AN ACT INCREASING THE PENALTIES FOR CARNAPPING AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 6539, AS AMENDED, OTHERWISE KNOWN AS THE 'ANTI-CARNAPPING ACT OF 1972'"

House Bill No. 3996, introduced by Reps. Irwin C. Tieng, Rex Gatchalian, Michael Mariano M. Velarde Jr., Niel C. Tupas, Nur G. Jaafar, Emmeline Y. Aglipay, Francisco T. Matugas, Isidro T. Ungab, David L. Kho, Roilo S. Golez, Pablo John F. Garcia, Ronald M. Cosalan, Eleandro Jesus F. Madrona, Orlando B. Fua, Rodolfo C. Fariñas, Rodante D. Marcoleta, Aurelio "Dong" D. Gonzales Jr., Rodel M. Batocabe, Danilo Ramon S. Fernandez, Federico "Miro S. Quimbo, Mylene J. Garcia-Albano, Emil L. Ong, Eduardo R. Gullas, Roy M. Loyola, Mark Aeron H. Sambar, Teodoro B. Baguilat Jr., Antonio A. Del Rosario, Jeffrey P. Ferrer, Juan Edgardo M. Angara, Mark Llandro L. Mendoza, Arthur R Defensor Jr., entitled:

"AN ACT AMENDING SECTION 14 OF REPUBLIC ACT NO. 6539, OTHERWISE KNOWN AS THE "ANTI-CARNAPPING ACT OF 1972", AS AMENDED BY REPUBLIC ACT NO. 4659"

House Bill No. 4003, introduced by Rep. Salvio B. Fortuno, entitled:

"AN ACT MAKING THE CRIME OF CARNAPPING, UNDER CERTAIN CIRCUMSTANCES, A NON-BAILABLE OFFENSE, AMENDING FOR THE

PURPOSE REPUBLIC ACT NO. 6539 AS AMENDED OTHERWISE KNOWN AS THE "ANTI-CARNAPPING ACT OF 1972"

House Bill No. 4033, introduced by Rep. Josephine Veronique R. Lacson-Noel, entitled:

"AN ACT AMENDING SECTION 13 AN 14 OF REPUBLIC ACT NO. 6539, AS AMENDED, OTHERWISE KNOWN AS THE "ANTI-CARNAPPING ACT OF 1972," BY INCREASING THE PENALTIES THEREOF"

House Bill No. 4043, introduced by Rep. Jose Carlos Loreto, entitled:

"AN ACT INCREASING THE PENALTY FOR THE CRIME OF CARNAPPING AMENDING FOR THAT PURPOSE SECTION 14 OF REPUBLIC ACT NO. 6539"

House Bill No. 4057, introduced by Karlo Alexei B. Nograles, entitled:

"AN ACT INCREASING THE PENALTY FOR THE CRIME OF CARNAPPING AMENDING FOR THAT PURPOSE SECTION 14 OF REPUBLIC ACT NO. 6539"

House Bill No. 4064, introduced by Rep. Winston "Winnie" Castelo, entitled:

"AN ACT INCREASING THE PENALTY FOR THE CRIME OF CARNAPPING AMENDING FOR THAT PURPOSE SECTION 14 OF REPUBLIC ACT NO. 6539"

House Bill No. 4090, introduced by Reps. Maria Isabelle "Beng" G. Climaco, Ma. Amelita A. Calimbas-Villarosa and Cinchona Cruz-Gonzales, entitled:

"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"

House Bill No. 4142, introduced by Reps. Cesar V. Sarmiento and Ma. Amelita A. Calimbas-Villarosa, entitled:

"AN ACT MAKING THE CRIME OF CARNAPPING, UNDER CERTAIN CIRCUMSTANCES, A NON-BAILABLE OFFENSE, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 6539 AS AMENDED ALSO KWOWN AS THE ANTI-CARNAPPING ACT OF 1972"

House Bill No. 4294, introduced by Rep. Augusto Boboy Syjuco, Ph.D., entitled:

"AN ACT AMENDING REPUBLIC ACT NO. 6539, AS AMENDED, OTHERWISE KNOWN AS THE "ANTI-CARNAPPING ACT OF 1972"

House Bill No. 5263, introduced by Rep. Catalina C. Bagasina, entitled:

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

House Bill No. 5664, introduced by Rep. Jorge "Bolet" Banal, Bernadette Herrera-Dy and Angelo B. Palmones, entitled:

"AN ACT INCREASING THE PENALTIES FOR CARNAPPING, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 6539, AS AMENDED, OTHERWISE KNOWN AS "THE ANTI-CARNAPPING ACT OF 1972"

and House Bill No. 5931, introduced by Rep. Jeci A. Lopus, entitled:

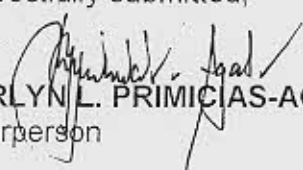
"AN ACT AMENDING CERTAIN SECTIONS OF RA 6539, OTHERWISE KNOWN AS THE ANTI-CARNAPPING ACT OF 1972, AND FOR OTHER PURPOSES"

has considered the same and recommends that the attached House Bill No. 6909 entitled:

"AN ACT AMENDING REPUBLIC ACT NO. 6539 OTHERWISE KNOWN AS "THE ANTI-CARNAPPING ACT OF 1972"

be approved in substitution of House Bill Nos. 1400, 3996, 4003, 4033, 4043, 4057, 4064, 4090, 4142, 4294, 5263, 5664 and 5931 with Reps. Rufus B. Rodriguez, Maximo B. Rodriguez Jr., Catalina C. Bagasina, Jorge "Bolet" Banal, Bernadette Herrera-Dy, Jeci A. Lopus, Irwin c. Tieng, Rex Gatchalian, Salvio B. Fortuno, Josephine Veronique R. Lacson-Noel, Jose Carlos L. Cari, Karlo Alexei B. Nogales, Winston "Winnie" Castelo, Arnel M. Cerafica, Maria Isabelle "Beng" G. Cllimaco, Ma. Amelita A. Calimbas-Villarosa, Cesar V. Sarmiento, Augusto Boboy Syjuco, Ph.D., Ben P. Evardone, Daisy Avance Fuentes, Angelo B. Palmones, Mariano Michael M. Velarde Jr., Neil C. Tupas Jr., Cinchona Cruz-Gonzales, Jane T. Castro, Nur G. Jaafar, Emmeline Y. Aglipay, Francisco T. Matugas, Isidro T. Ungab, David L. Kho, Roilo S. Golez, Pablo John F. Garcia, Ronald M. Cosalan, Eleandro Jesus F. Madrona, Orlando B. Fua, Rodolfo C. Fariñas, Rodante D. Marcoleta, Aurelio "Dong" D. Gonzales Jr., Rodel M. Batocabe, Danilo Ramon S. Fernandez, Romero Federico "Miro S. Quimbo, Mylene J. Garcia-Albano, Emil L. Ong, Eduardo R. Gullas, Roy M. Loyola, Mark Aeron H. Sambar, Teodoro B. Baguilat Jr., Antonio A. Del Rosario, Jeffrey P. Ferrer, Juan Edgardo M. Angara, Mark Llandro L. Mendoza, Arthur R Defensor Jr., and Marlyn L. Primicias-Agabas as authors thereof.

Respectfully submitted,


MARLYN L. PRIMICIAS-AGABAS
Chairperson

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

Fifteenth Congress
Second Regular Session

House Bill No. 6909

In Substitution to House Bill Nos. 1400, 3996, 4003, 4033, 4043, 4057, 4064, 4090, 4142, 4294,
5263, 5664 and 5931

INTRODUCED BY REPRESENTATIVES RUFUS B. RODRIGUEZ, MAXIMO B. RODRIGUEZ, CATALINA CABRERA-BAGASINA JORGE "BOLET" BANAL, BERNADETTE R. HERRERA-DY, JECI A. LAPUS, IRWIN C. TIENG, REX GATCHALIAN, SALVIO B. FORTUNO, JOSEPHINE VERONIQUE R. LACSON-NOEL, JOSE CARLO L. CARI, KARLO ALEXEI B. NOGRALES, WINSTON "WINNIE" CASTELO, ARNEL M. CERAFAICA, MARIA ISABELLE G. CLIMACO, AMELITA A. CALIMBAS-VILLAROSA, CESAR V. SARMIENTO, AUGUSTO BOBOY SYJUCO, PH.D, BEN P. EVARDONE, DAISY AVANCE-FUENTES, ANGELO B. PALMONES, MARIANO MICHAEL M. VELARDE, JR., NEIL C. TUPAS, JR., CINCHONA CRUZ-GONZALES, JANE T. CASTRO, NUR G. JAAFAR, EMMELINE Y. AGLIPAY, FRANCISCO "LALO" T. MATUGAS, ISIDRO T. UNGAB, DAVID L. KHO, ROILO S. GOLEZ, PABLO JOHN F. GARCIA, RONALD M. COSALAN, ELEANDRO JESUS F. MADRONA, ORLANDO B. FUA, RODOLFO C. FARINAS, RODANTE D. MARCOLETA, AURELIO "DONG" GONZALES, JR., RODEL M. BATOCABE, DANILO RAMON S. FERNANDEZ, ROMERO FEDERICO "MIRO" S. QUIMBO, MYLENE J. GARCIA-ALBANO, EMIL L. ONG, EDUARDO R. GULLAS, ROY M. LOYOLA, MARK AERON H. SAMBAR, TEODORO BRAWNER BAGUILAT, ANTONIO A. DEL ROSARIO, JEFFREY P. FERRER, JUAN EDGARDO M. ANGARA, MARK LLANDRO L. MENDOZA, AND ARTHUR R. DEFENSOR, JR. AND MARLYN L. PRIMICIAS-AGABAS

AN ACT

PROVIDING FOR A REVISED CARNAPPING ACT, REPEALING FOR THE PURPOSE REPUBLIC ACT NO. 6539, OTHERWISE KNOWN AS "THE ANTI-CARNAPPING ACT OF 1972"

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 Revised Carnapping Act

2 Section 2. *Definition of terms.* As used in this Act, the following terms shall mean:

3 a) *Body-building* is a job undertaken on a motor vehicle in order to replace its entire body with a new
4 body.

5 b) *Carnapping* is the taking, with intent to gain, of a motor vehicle belonging to another without the
6 latter's consent, or by means of violence against or intimidation of persons, or by using force upon
7 things.

8 c) *Defacing or tampering with a serial number* is the erasing, scratching, altering or changing of the
9 original factory-inscribed serial number on the motor vehicle engine, engine block or chassis of any
10 motor vehicle. Whenever any motor vehicle is found to have a serial number on its motor engine,
11 engine block or chassis which is different from that which is listed in the records of the Bureau of

1 Customs for motor vehicles imported into the Philippines, that motor vehicle shall be considered to
2 have a defaced or tampered with serial number.

3 d) *Dismantling* is the tearing apart, piece by piece or part by part, of a motor vehicle.

4 e) *Identity-transfer* is the act of transferring the engine number, chassis number, body tag number,
5 plate number, and any other identifying marks of a motor vehicle declared as "total wreck" or is
6 beyond economic repair by concerned car insurance companies and or law enforcement agencies,
7 after its involvement in a vehicular accident or other incident, and register the same into another
8 factory made body of vehicle or unit, of the same classification, type, make or model.

9 f) *Motor vehicle* is any vehicle propelled by any power other than muscular power using the public
10 highways, but excepting road rollers, trolley cars, street-sweepers, sprinklers, lawn mowers,
11 bulldozers, graders, fork-lifts, amphibian trucks, and cranes if not used on public highways, vehicles,
12 which run only on rails or tracks, and tractors, trailers and traction engines of all kinds used
13 exclusively for agricultural purposes. Trailers having any number of wheels, when propelled or
14 intended to be propelled by attachment to a motor vehicle, shall be classified as separate motor
15 vehicle with no power rating.

16 g) *Overhauling* is the cleaning or repairing of the whole engine of a motor vehicle by separating the
17 motor engine and its parts from the body of the motor vehicle.

18 h) *Repainting* is changing the color of a motor vehicle by means of painting. There is repainting
19 whenever the new color of a motor vehicle is different from its color as registered in the Land
20 Transportation Commission.

21 i) *Remodeling* is the introduction of some changes in the shape or form of the body of the motor
22 vehicle.

23 j) *"Second hand spare parts"* are the parts taken from a scrapped vehicle used in assembling
24 another vehicle.

25

26 k) *Total wreck* is the state or status of a motor vehicle after a vehicular accident or other incident, so
27 that it is rendered inoperational and beyond economic repair, due to the extent of damage in its body,
28 chassis and engine.

29 l) *Unlawful transfer or use of vehicle plates* is the use or transfer of a vehicle plate issued by the Lto to
30 a certain vehicle to another vehicle. It is presumed illegally transferred when the motor vehicle plate
31 does not correspond with that as appearing in the certificate or registration of the motor vehicle to
32 which it was issued."

33

1 Section 3. – *Registration of Motor Vehicle Engine, Engine Block and Chassis.* – Within one year after
2 the approval of this Act, every owner or possessor of unregistered motor vehicle or parts thereof in
3 knock condition shall register with the Land Transportation Office the motor vehicle engine, engine
4 block and chassis in his name or in the name of the real owner who shall be readily available to
5 answer any claim over the registered motor vehicle engine, engine block and chassis. Thereafter, all
6 motor vehicle engines, engine block and chassis not registered with the Land Transportation
7 Commission shall be considered an untaxed importation or coming from an illegal source or
8 carnapped, and shall be confiscated in favor of the Government.

9
10 All owners of motor vehicles in all cities and municipalities are required to register their cars with the
11 local police without paying any charges.

12
13 Section 4. *Permanent Registry of Motor Vehicle Engines, Engine Block and Chassis.* – The Land
14 Transportation Office shall keep a permanent registry of motor vehicle engines, engine blocks and
15 chassis of all motor vehicles, specifying therein their type, make and serial numbers and stating
16 therein the names and addresses of their present and previous owners. Copies of the registry and of
17 all entries made thereon shall be furnished the Philippine National Police and all Land Transportation
18 Office regional, provincial and city branch offices: *Provided,* That all Land Transportation Office
19 regional, provincial and city branch offices are likewise obliged to furnish copies of all registrations of
20 motor vehicles to the main office and to the Philippine National Police.

21 Section 5. *Registration of Sale, Transfer, Conveyance, Substitution or Replacement of a Motor*
22 *Vehicle Engine, Engine Block or Chassis.* – Every sale, transfer, conveyance, substitution or
23 replacement of a motor vehicle engine, engine block or chassis of a motor vehicle shall be registered
24 with the Land Transportation Office. Motor vehicles assembled and rebuilt or repaired by replacement
25 with motor vehicle engines, engine blocks and chassis not registered with the Land Transportation
26 Office shall not be issued certificates of registration and shall be considered as untaxed imported
27 motor vehicles or motor vehicles carnapped or proceeding from illegal sources.

28 Section 6. *Original Registration of Motor Vehicles.* - Any person seeking the original registration of a
29 motor vehicle whether that motor vehicle is newly assembled or rebuilt or acquired from a registered
30 owner, shall within one week after the completion of the assembly or rebuilding job or the acquisition
31 thereof from the registered owner, apply to the Philippine National Police for clearance of the motor
32 vehicle for registration with the Land Transportation Office. The Philippine National Police shall, upon
33 receipt of the application, verify if the motor vehicle or its numbered parts are in the list of carnapped
34 motor vehicles or stolen motor vehicle parts. If the motor vehicle or any of its numbered part is not in
35 that list, the Philippine National Police shall forthwith issue a certificate of clearance. Upon
36 presentation of the certificate of clearance from the Philippine National Police and after verification of
37 the registration of the motor vehicle engine, block and chassis in the permanent registry of motor

1 vehicle engines engine blocks and chassis, the Land Transportation Office shall register the motor
2 vehicle in accordance with existing laws, rules and regulations."

3 *Section 7. Duty of Collector of Customs to Report* – The Collector of Customs of a principal port of
4 entry where and imported motor vehicle, motor vehicle engine, engine block, chassis or body is
5 unloaded, shall, within seven days after the arrival of the imported motor vehicle or any of its parts
6 enumerated herein, make a report of the shipment to the Land Transportation Office, specifying the
7 make, type and serial numbers, if any, of the motor vehicle, engine, engine block and chassis or body,
8 and stating the names and addresses of the owner or consignee thereof. If the motor vehicle engine,
9 engine block, chassis or body does not bear any serial number, the Collector of Customs concerned
10 shall hold the motor vehicle engine, engine block, chassis or body until it is numbered by the Land
11 Transportation Office.

12 *Section 8. Duty of Importers, Distributors and Sellers of Motor Vehicles to Keep Record of Stocks.* –
13 Any person engaged in the importation, distribution and buying and selling of motor vehicles, motor
14 vehicle engines, engine blocks, chassis or body, shall keep a permanent record of his stock, stating
15 therein their type, make and serial numbers, and the names and addresses of the persons from whom
16 they were acquired and the names and addresses of the persons to whom they were sold, and shall
17 render a accurate monthly report of his transactions in motor vehicles to the Land Transportation
18 Office.

19 *Section 9. Duty of Manufacturers of Engine Blocks, Chassis or Body To Cause Numbering of Engine*
20 *Blocks, Chassis or Body Manufactured.* – Any person engaged in the manufacture of engine block,
21 chassis or body manufactured in a convenient and conspicuous part thereof which the land
22 Transportation Office may direct for the purpose of uniformity and identification of the factory and shall
23 submit to the Land Transportation Office a monthly report of the manufacture and sale of engine
24 blocks, chassis or body.

25 *Section 10. Clearance and Permit Required for Assembly or Rebuilding of Motor Vehicles.* – Any
26 person who shall undertake to assemble or rebuild or cause the assembly rebuilding of a motor
27 vehicle shall first secure a certificate clearance from the Philippine National Police : Provided, That no
28 such permit shall be issued unless the applicant shall present a statement under oath containing the
29 type, make and serial numbers of the engine, chassis and body, if any and the complete list of the
30 spare parts of the motor vehicle to be assembled or rebuilt together with the names and addresses of
31 the sources thereof.

32 In the case of motor vehicle engines to be mounted on motor boats, motor bancas and other
33 light water vessels, the applicant shall secure a permit from the Philippine coast Guard, which office
34 shall in turn furnish the Land Transportation Office the pertinent data concerning the motor vehicle
35 engines including their types, make and serial numbers.

1 Section 11. *Clearance Required for Shipment of Motor Vehicles, Motor Vehicle Engines, Engine*
2 *Block, Chassis or Body.* – Any person who owns or operates interisland shipping of any water
3 transportation with launches, boats, vessels or ships shall within seven days submit a report to the
4 Philippine National Police on all motor vehicle, motor vehicle engines, engine block, chassis or bodies
5 transported by it for motor vehicle, motor vehicle engine, engine block, chassis or body to be loaded
6 on board the launch, boat, vessel or ship. All inter island and international shipping vessels shall not
7 carry on board vehicles without clearance from the Philippine National Police."

8 Section 12. *Defacing or Tampering with Serial Numbers of Motor Vehicle Engines, Engine Blocks and*
9 *Chassis.* It shall be unlawful for any person to deface or otherwise tamper with the original or
10 registered serial number of motor vehicle engines, engine blocks and chassis.

11
12 Section 13. *Identity-transfer.* It shall be unlawful for any person, office or entity, to cause and/or allow
13 the sale, registration, and/or transfer into another name, the chassis number, engine number and
14 plate number of a motor vehicle declared as "total wreck" or beyond economic repair by concerned
15 car insurance company, and/or law enforcement agencies, due to its involvement in a vehicular
16 accident or for some other causes.

17
18 Section 14. *Transfer of vehicle plate.* It shall be unlawful for any person, office or entity to transfer or
19 use vehicle plate from one to another without securing the proper authority from the LTO.

20
21 Section 15. *Sale of Second Hand Spare Parts.* It shall be unlawful for any person, office or entity to
22 buy, sell any second hand spare parts taken from a carnapped vehicle.

23
24 Section 16. *Penalty for Carnapping.* The penalty of *reclusion perpetua* shall be imposed to any person
25 who is found guilty of carnapping, as this term is defined in Section Two of this Act and irrespective of
26 the value of motor vehicle taken. When the carnapping is committed by means of violence against or
27 intimidation of any person, or force upon things; and the penalty of *reclusion perpetua* without the
28 benefit of parole shall be imposed when the owner, driver or occupant of the carnapped motor vehicle
29 is killed or raped in the course of the commission of the carnapping.

30
31 Section 17. *Penal provisions.* - Any person who violates any provision of this Act shall be punished
32 with imprisonment for not less than *prision mayor in its maximum period* and fine equal in amount to
33 the acquisition cost of the motor vehicle, motor vehicle engine or any other part involved in the
34 violation: *Provided,* That if the person violating any provision of this Act is a juridical person, the
35 penalty herein provided shall be imposed on its president or secretary and/or members of the board of
36 directors or any of its officers and employees who may have directly participated in the violation."

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

6
7 Section 18. *Aliens.* – Aliens convicted under the provisions of this Act shall be deported immediately
8 after service of sentence without further proceedings by the Bureau of Immigration.

9
10 Section 19. *Reward.* – Any person who voluntarily gives information leading to the recovery of
11 carnapped vehicles and for the conviction of the persons charged with carnapping shall be given
12 monetary reward as the Philippine National Police may determine. The Philippine National Police
13 shall include in its annual budget the amount necessary to carry out the purposes of this section. Any
14 information given by informers shall be treated as confidential matter.

15 Section 20. *Separability Clause.* - If any provision of this Act is declared invalid, the provision thereof
16 not affected by such declaration shall remain in force and effect."

17 Section 21. *Repealing Clause.* – Republic Act No. 6539 otherwise known as "The Anti-carnapping
18 Act of 1972 is hereby repealed. All laws, executive orders, rules and regulations or parts thereof,
19 inconsistent with the provisions of this Act are hereby amended or repealed accordingly.

20 Section 22. *Effectivity Clause.* - This Act shall take effect fifteen (15) days from its publication in the
21 official gazette or at least two (2) newspapers of general circulation.

22 Approved,

FIFTEENTH CONGRESS)
REPUBLIC OF THE PHILIPPINES)
FIRST REGULAR SESSION)

HOUSE OF REPRESENTATIVES

Introduced by Representative Rufus B. Rodriguez and
Representative Maximo B. Rodriguez, Jr.

House Bill No. 1400

EXPLANATORY NOTE

This bill seeks to increase the penalties for violation of Republic Act (RA) No. 6539, as amended, otherwise known as "*The Anti-Carnapping Act of 1972.*" This bill aims to solve the rampant theft of cars and other motor vehicles.

Oftentimes, we read from the newspapers or hear over the radio news about cases of carnapping. The incidence of carnapping has become rampant in Metro Manila as well as in other provinces.

Carnappers today are even more sly and innovative. They have resorted to using advanced and high technology gadgets in their illegal operations. They have become bolder. It is no longer safe for the common citizens to leave their vehicle in parking areas such as those in airport, shopping centers or churches.

After three decades, it is high time to amend RA 6539. By increasing the penalties for violating the Anti-Carnapping Law, the same will serve as an effective deterrent to those who continue to engage in this nefarious trade.

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


RUFUS B. RODRIGUEZ


MAXIMO B. RODRIGUEZ, JR.

FIFTEENTH CONGRESS)
REPUBLIC OF THE PHILIPPINES)
FIRST REGULAR SESSION)

HOUSE OF REPRESENTATIVES

Introduced by Representative Rufus B. Rodriguez and
Representative Maximo B. Rodriguez, Jr.

House Bill No. 1400

AN ACT
INCREASING THE PENALTIES FOR CARNAPPING, AMENDING FOR THE
PURPOSE REPUBLIC ACT NO. 6539, AS AMENDED, OTHERWISE
KNOWN AS "THE ANTI-CARNAPPING ACT OF 1972"

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

SECTION 1. Section 13 of Republic Act No. 6539, as amended, otherwise
known as "*The Anti-Carnapping Act of 1972*," is hereby further amended to
read as follows:

"Sec. 13. **Penal Provisions.** – Any person who violates
any provision of this Act shall be punished with imprisonment for
not less than [two] **SIX (6)** years [nor] **AND ONE (1) DAY BUT**
NOT more than [six] **TWELVE (12)** years and a fine [equal]
DOUBLE 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.

x

x

x "

SEC. 2. Section 14 of the same Act, as amended, is hereby further amended
to read as follows:

"Sec. 14. **Penalty for Carnapping.** – Any person who is
found guilty of carnapping, as this term is defined in Section Two
of this Act, shall, irrespective of the value of motor vehicle
taken, be punished by imprisonment for not less than [fourteen
years and eight months] **SEVENTEEN YEARS AND FOUR**
MONTHS and not more than [seventeen] **TWENTY** years and
four months, when the carnapping is committed without violence
or intimidation of persons, or force upon things; and by
imprisonment for not less than [seventeen] **TWENTY** years, and
[four months] **ONE DAY** and not more than thirty years, 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* [to death] shall be imposed when the

owner, driver or occupant of the carnapped motor vehicle is killed or raped in the course of the commission of the carnapping or on the occasion thereof."

SEC. 3. This Act shall take effect fifteen (15) days after its publication in any two (2) national newspapers of general circulation.

Approved,

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
First Regular Session

House Bill No. 3996

Introduced by HON. IRWIN C. TIENG
and HON. MARIANO MICHAEL M. VELARDE

EXPLANATORY NOTE

Carjacking has become an even more gruesome crime these days. People lose not only their cars but their lives as well. Targets of this terrifying scourge nowadays are car dealers who try to sell rather ordinary cars. The victims are not only shot but apparently charred beyond recognition. It has become such that selling cars these days seems a death-defying chore.

With the increasing incidence of carjacking and other motor vehicle related crimes, the need for a more effective and efficient system of penalizing and preventing these crimes arises. The ruthless carjackers and killers deserve heavy penalty.

This bill seeks to amend the Republic Act No. 6539 ("The Anti-Carjacking Act of 1972") by increasing the imposable penalty to curb these brutal and merciless criminals and protect the society.

Thus the immediate passage of this bill is earnestly sought.



IRWIN C. TIENG

MARIANO MICHAEL M. VELARDE

REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
QUEZON CITY

FIFTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 3996

Introduced by HON. IRWIN C. TIENG
and HON. MARIANO MICHAEL M. VELARDE

AN ACT AMENDING SECTION 14 OF REPUBLIC ACT NO. 6539
OTHERWISE KNOWN AS THE "ANTI-CARNAPPING ACT OF 1972" AS
AMENDED BY REPUBLIC ACT NO. 7659

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

SECTION 1. Amendment - Section 14 of Republic Act No. 6539, otherwise known as the "Anti-Carnapping Act of 1972" as amended by Republic Act No. 7659 is hereby amended to read as follows:

"Sec. 14. *Penalty for Carnapping.* - **THE PENALTY OF RECLUSION PERPETUA SHALL BE IMPOSED UPON** any person who is found guilty of carnapping, as this term is defined in Section Two of this Act, *[shall,]* irrespective of the value of motor vehicle taken, ***be punished by imprisonment for not less than fourteen years and eight months and not more than seventeen years and four months, when the carnapping is committed without violence or intimidation of persons, or force upon things; and by imprisonment for not less than seventeen years and four months and not more than thirty years, 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* to death shall be imposed when the owner, driver or occupant of the carnapped motor vehicle is killed or raped in the course of the commission of the carnapping or on the occasion thereof."

SECTION 2. Repealing Clause. - Any laws, executive orders, presidential decrees, ordinances, rules and regulations or parts thereof which are inconsistent with any of the provisions of this Act are hereby repealed or modified accordingly.

SECTION 3. Effectivity. - This Act shall take effect fifteen (15) days after its complete publication in the Official Gazette or in at least two (2) national newspapers of general circulation.

Approved,

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

FIFTEENTH CONGRESS
First Regular Session

HOUSE BILL No. 4003

Introduced by: **REPRESENTATIVE SALVIO B. FORTUNO**

EXPLANATORY NOTE

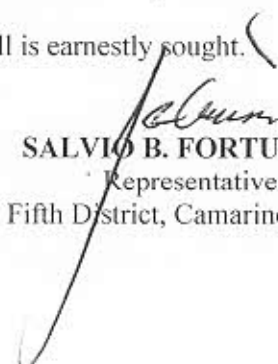
The recent spate of carnappings that hugged banner headlines in national dailies the past few days had brought to the fore the issue as to whether or not the present law on the matter remains applicable at this time to deter the commission of such crime. The grisly manner in which the crimes were committed in succession had caused tremendous pressure to the authorities, excruciating pains to the victim's families and fear and outrage to the people, particularly those in the car dealership industry. Even the restoration of death penalty has again resurfaced to the national consciousness as one of possible deterrents as it would strike fear to the hearts of the criminals. But this ticklish issue has again resurrected those pro-life and pro-death penalty advocates fueling heated debates that may cause divisiveness among our people.

Republic Act No. 6539 otherwise known as the "*Anti-Carnapping Act of 1972*" was enacted primarily to arrest the growing number of cases committed at that time. The law imposes a penalty of imprisonment of fourteen (14) years to seventeen (17) years when carnapping is committed without violence or intimidation of persons, or force upon things, not less than seventeen (17) years to not more than thirty (30) years when the crime is committed by means of violence against or intimidation of persons, or force upon things, and *reclusion perpetua* to death when the owner, driver or occupant of the carnapped motor vehicle is killed or raped in the course of the commission of such crime or on occasion thereof.

Based on the gravity of the penalty imposed under the aforementioned law, the commission of carnapping has already been considered as heinous crime more than four decades ago. However, carnapping cases remain unabated. In fact, record reveals that a combined 1,739 motor vehicles and motorcycles were reported stolen in 2010.

This bill therefore seeks to make the crime of carnapping as a non-bailable offense. The paramount objective of this bill is to deter further commission of such crime because the suspect cannot be able to continue his nefarious activities while languishing in jail. It must be noted that one of the suspects in the gruesome killing of car dealer Venson Evangelista and possibly Lozano, has fifteen (15) car theft cases pending in various courts. Yet, he remains scot-free.

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


SALVIO B. FORTUNO
Representative
Fifth District, Camarines Sur

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

FIFTEENTH CONGRESS
First Regular Session

HOUSE BILL No. 4003

Introduced by: **REPRESENTATIVE SALVIO B. FORTUNO**

AN ACT
MAKING THE CRIME OF CARNAPPING, UNDER CERTAIN
CIRCUMSTANCE, A NON-BAILABLE OFFENSE, AMENDING FOR THE
PURPOSE REPUBLIC ACT NO. 6539 AS AMENDED OTHERWISE KNOWN AS
THE "ANTI-CARNAPPING ACT OF 1972"

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

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

"SEC. 14. *Penalty for Carnapping.* – xxx xxx xxx

THE PROVISION OF THE LAW TO THE CONTRARY NOTWITHSTANDING, NO BAIL SHALL BE RECOMMENDED WHEN THE CARNAPPING IS COMMITTED BY MEANS OF VIOLENCE OR INTIMIDATION OF ANY PERSON, OR FORCE UPON THINGS, OR WHEN THE OWNER, DRIVER OR OCCUPANT OF THE CARNAPPED MOTOR VEHICLE IS KILLED OR RAPED IN THE COURSE OF THE COMMISSION OF THE CARNAPPING OR ON THE OCCASION THEREOF."

SEC. 2. This Act shall take effect fifteen days after its publication in at least two (2) newspapers of national circulation.

Approved,

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
First Regular Session

House Bill No. 4033

Introduced by Honorable **JOSEPHINE VERONIQUE R. LACSON - NOEL**

EXPLANATORY NOTE

This bill seeks to amend Republic Act No. 6539, as amended, otherwise known as "The Anti-Carnapping Act of 1972," by imposing *reclusion perpetua* as a penalty for the crime of carnapping, which will result in the eradication of bail bonds among violators.

Carnapping has become one of the most dangerous and life-threatening crimes in the Philippines. Despite the efforts of law enforcement to exterminate this crime, the incidence of carnapping continues to plague the country. Further, the existence of bail bonds for the crime of carnapping also contributes to the challenge for law enforcement. If alleged criminals can simply post bail for such a heinous crime before being sufficiently investigated, then law offenders can continue to roam the streets and case proceedings can become delayed.

This bill aims not only to solve the rampant theft of motor vehicles but to also answer the need for a more effective and efficient system of penalizing and preventing this crime.

Thus, the immediate passage of this bill is earnestly sought.


JOSEPHINE VERONIQUE R. LACSON - NOEL

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
First Regular Session

House Bill No. 4033

Introduced by Honorable **JOSEPHINE VERONIQUE R. LACSON - NOEL**

AN ACT
AMENDING SECTION 13 AND 14 OF REPUBLIC ACT NO. 6539, AS
AMENDED, OTHERWISE KNOWN AS "THE ANTI-CARNAPPING ACT OF
1972," BY INCREASING THE PENALTIES THEREOF

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

SECTION 1. Section 13 of Republic Act No. 6539, as amended, otherwise known as "The Anti-Carnapping Act of 1972," is hereby further amended to read as follows:

"Section 13. **Penal Provisions.** Any person who violates any provisions of this Act shall be punished with imprisonment for not less than [two] **SIX (6)** years [nor] **AND ONE (1) DAY BUT NOT** more than [six] **TWELVE (12)** years and a fine [equal] **DOUBLE** 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 the same Act, as amended, is hereby further amended to read as follows:

“Section 14. ***Penalty for Carnapping.*** Any person who is found guilty of carnapping, as this term is defined in Section two of this Act, shall, irrespective of the value of motor vehicle taken, be punished by imprisonment for not less than [fourteen years and eight months] **TWENTY YEARS AND FOUR MONTHS** and not more than [seventeen] **FORTY (40)** years and four months, when the carnapping is committed without violence or intimidation of persons, or force upon things; and by imprisonment for not less than [seventeen] **TWENTY-THREE (23)** years, and [four months] **ONE DAY** and not more than [thirty] **FORTY-THREE (43)** years, when the carnapping is committed by means of violence against or intimidation of any person, or force upon things; and the penalty of life imprisonment [to death] shall be imposed when the owner, driver or occupant of the carnapped motor vehicle is killed in the commission of the carnapping.

ANY PERSON CHARGED WITH CARNAPPING AS PENALIZED HEREOF SHALL BE DENIED BAIL WHEN EVIDENCE OF GUILT IS STRONG.”

SECTION 3. Any laws, executive orders, presidential decrees, ordinances, rules and regulations or parts thereof which are inconsistent with any of the provisions of this Act are hereby repealed or modified accordingly.

SECTION 4. This Act shall take effect fifteen (15) days after its publication in the *Official Gazette*.

Approved,

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

15TH CONGRESS
First Regular Session

HOUSE BILL NO. 4043

Introduced by **REP. SALVADOR H. ESCUDERO III**

EXPLANATORY NOTE

Carnapping is a criminal offense that is oftentimes committed with great ease and success. In fact, the use of a stolen vehicle serves as a means of committing other crimes such as robbery, murder and kidnapping. And sadly, the current law that seeks to address carnapping proves insufficient, if not inutile.

Republic Act No. 6539 or the Anti-Carnapping Act of 1972 defines the crime of carnapping. However, the penalty prescribed therefor in relation to Section 13, Article III¹ of the Constitution, entitles an accused to post bail as a matter right. Consequently, carnapping is viewed as a less serious crime, which may be done repeatedly in the absence of immediate incarceration upon indictment and pending trial of the accused.

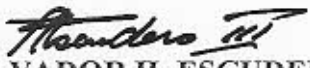
Albeit, there is a graduation of penalties under Section 14² of the said law, the act of carnapping *per se* is punishable "by imprisonment for not less than fourteen years and eight months and not more than seventeen years and four months, when the carnapping is committed without violence or intimidation of persons, or force upon things." As such, it falls short of the minimum period for *reclusion perpetua*, which is at least twenty years and one day, for the first requisite to deny bail as a right under the abovesited constitutional provision to be present.

¹ All persons, except those charged with offenses punishable by *reclusion perpetua* when evidence of guilt is strong, shall, before conviction, be bailable by sufficient sureties, or be released on recognizance as may be provided by law. The right to bail shall not be impaired even when the privilege of the writ of *habeas corpus* is suspended. Excessive bail shall not be required.

² *Penalty for Carnapping.* Any person who is found guilty of carnapping, as this term is defined in Section two of this Act, shall, irrespective of the value of motor vehicle taken, be punished by imprisonment for not less than fourteen years and eight months and not more than seventeen years and four months, when the carnapping is committed without violence or intimidation of persons, or force upon things; and by imprisonment for not less than seventeen years and four months and not more than thirty years, when the carnapping is committed by means of violence against or intimidation of any person, or force upon things; and the penalty of life imprisonment to death shall be imposed when the owner, driver or occupant of the carnapped motor vehicle is killed in the commission of the carnapping.

It is thus submitted that the penalty be increased by making twenty years and one day the minimum penalty imposable for the crime of carnapping thereby satisfying the period covered by *reclusion perpetua*.³

In view of the foregoing, this bill is being advanced for study and deliberation. And accordingly, its approval.


SALVADOR H. ESCUDERO III

³ Twenty years and one day to forty years. Article 27, Revised Penal Code.

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

15TH CONGRESS
First Regular Session

HOUSE BILL NO. 4043

Introduced by **REP. SALVADOR H. ESCUDERO III**

AN ACT
INCREASING THE PENALTY FOR THE CRIME OF CARNAPPING
AMENDING FOR THAT PURPOSE SECTION 14 OF REPUBLIC ACT NO. 6539

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

SECTION 1. Section 14 of Republic Act No. 6539 is hereby amended to read as follows:

*“Section 14. Penalty for Carnapping. Any person who is found guilty of carnapping, as this term is defined in Section two of this Act, shall, irrespective of the value of motor vehicle taken, be punished by imprisonment for not less than **TWENTY YEARS AND ONE DAY** [fourteen years and eight months] and not more than **THIRTY YEARS** [seventeen years and four months], when the carnapping is committed without violence or intimidation of persons, or force upon things; and by imprisonment for not less than **THIRTY YEARS AND ONE DAY** [seventeen years and four months] and not more than **FORTY YEARS** [thirty years], when the carnapping is committed by means of violence against or intimidation of any person, or force upon things; and the penalty of life imprisonment to death shall be imposed when the owner, driver or occupant of the carnapped motor vehicle is killed in the commission of the carnapping.*

**ANY PERSON CHARGED WITH CARNAPPING AS PENALIZED
HEREOF SHALL BE DENIED BAIL WHEN EVIDENCE OF GUILT IS STRONG.”**

SEC. 2. All laws, presidential decrees, executive orders, proclamations and/or administrative regulations which are inconsistent with the provisions of this Act are hereby amended, modified, superseded or repealed accordingly.

SEC. 3. *Effectivity Clause.* This Act shall take effect fifteen (15) days from its publication in the Official Gazette or at least three (3) newspapers of national circulation.

Approved,

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

Fifteenth Congress
First Regular Session

Introduced by Rep. Karlo A. B. Nograles

House Bill No. 4057

EXPLANATORY NOTE

This bill seeks to increase the penalties for violators of "The Anti-Carnapping Act" or Republic Act (RA) No. 6539. It aims to prevent the rampant incidents of carnapping in the Philippines by providing stiffer penalties to offenders.

Since 1972, RA No. 6539 has been in place to protect the Filipino people against theft of motor vehicles. Motor vehicles are oftentimes utilized in committing crimes or as getaway vehicles in the perpetration of other crimes.

Nowadays, carnappers have become more violent and blatant in breaking the law. This representation believes that by strengthening Section 14 (Penalty for Carnapping) of Republic Act 6539, we can minimize the incidents of crime.

It is, therefore, earnestly requested that this bill be urgently approved.



KARLO A. B. NOGRALES
Representative
1st District, Davao City

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

Fifteenth Congress
First Regular Session

House Bill No. 4057

Introduced by **REP. KARLO A. B. NOGRALES**

**AN ACT INCREASING THE PENALTY FOR THE CRIME OF CARNAPPING AMENDING
FOR THAT PURPOSE SECTION 14 OF REPUBLIC ACT NO. 6539**

SECTION 1. Section 14 of Republic Act No. 6539 is hereby amended to read as follows:

*“Section 14. Penalty for carnapping. Any person who is found guilty of carnapping, as this term is defined in Section Two of this Act, shall, irrespective of the value of motor vehicle taken, be punished by imprisonment for not less than **TWENTY YEARS AND ONE DAY** (fourteen years and eight months) and not more than **THIRTY YEARS** (seventeen years and four months), when the carnapping is committed without violence or intimidation of persons, or force upon things; and by imprisonment for not less than **THIRTY YEARS AND ONE DAY** (seventeen years and four months) and not more than **FORTY YEARS** (thirty years), when the carnapping is committed by means of violence against or intimidation of any person, or force upon things; and the penalty of life imprisonment to death shall be imposed when the owner, driver or occupant of the carnapped motor vehicle is killed in the commission of the carnapping.*

ANY PERSON CHARGED WITH CARNAPPING AS PENALIZED HEREOF SHALL BE DENIED BAIL WHEN EVIDENCE OF GUILT IS STRONG.”

SECTION 2. All laws, presidential decrees, executive orders, proclamations and/or administrative regulations which are inconsistent with the provisions of this Act are hereby amended, modified, superseded or repealed accordingly.

SECTION 3. Effectivity Clause. This Act shall take effect fifteen (15) days from its publication in the Official Gazette or at least three (3) newspapers of national circulation.

Approved,

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 4064

Introduced by Rep. Winston "Winnie" Castelo

EXPLANATORY NOTE

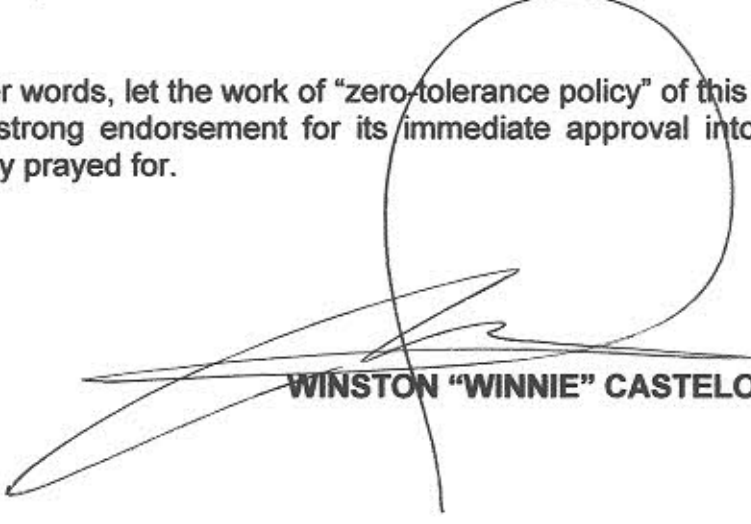
There are writings on the wall, matter-of-factly.

Everyone is batting for heavier punishment for carjacking or carnapping, first from the victims but even more so with potential victims, meaning, the general populace of peace and freedom loving people.

The upsurge of carjacking cases in recent weeks create the 'shark-attack-effects' in our political beach that it seems, everyone is now afraid to swim, in a manner of speaking. But since our is a democracy, people just have to lead normal lives and in fact, enjoy Constitutionally-guaranteed rights to property and to life to the fullest without the spectre of harm, injury or death.

Thus, carjacking as a crime must now carry much longer and heavier punishment than what Republic Act No. 6539 so stipulates. Under the proposal that simply counterparts the same and similar measure filed by Senator Francis 'Chiz' Escudero, this bills further seeks to make the crime as non-bailable offense.

In other words, let the work of "zero-tolerance policy" of this genre of crime begin. The strong endorsement for its immediate approval into law is hence most earnestly prayed for.



WINSTON "WINNIE" CASTELO

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 4064

Introduced by Rep. Winston "Winnie" Castelo

AN ACT
INCREASING THE PENALTY FOR THE CRIME OF
CARNAPPING AMENDING FOR THAT PURPOSE SECTION 14 OF
REPUBLIC ACT NO. 6539

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

SECTION 1. Section 14 of Republic Act No. 6539 is hereby amended to read as follows:

*"Section 14. Penalty for Carnapping. Any person who is found guilty of carnapping, as this term is defined in Section Two of this Act, shall, irrespective of the value of motor vehicle taken, be punished by imprisonment for not less than **TWENTY YEARS AND ONE DAY** {fourteen years and eight months} and not more than **THIRTY YEARS** {seventeen years and four months}, when the carnapping is committed without violence or intimidation of persons, or force upon things; and by imprisonment for not less than **THIRTY YEARS AND ONE DAY** {seventeen years and four months} and not more than **FORTY YEARS** {thirty years}, when the carnapping is committed by means of violence against or intimidation of any person, or force upon things; and the penalty of life imprisonment to death shall be imposed when the owner, driver or occupant of the carnapped motor vehicle is killed in the commission of the carnapping.*

**ANY PERSON CHARGED WITH CARNAPPING AS PENALIZED
HEREOF SHALL BE DENIED BAIL WHEN EVIDENCE OF GUILT IS
STRONG"**

SECTION 2. All laws, presidential decrees, executive orders, proclamations and/or administrative regulations which are inconsistent with the provisions of this Act are hereby amended, modified, superseded or repealed accordingly.

SEC 3 *Effectivity Clause. This Act shall take effect fifteen (15) days from its publication in the Official Gazette or at least three (3) newspapers of national circulation.*

Approved,

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.


MARIA ISABELLE G. CLIMACO

Representative
1st District, Zamboanga City

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

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,

Fifteenth Congress
First Regular Session

HOUSE BILL NO. 4294

Introduced by Honorable Augusto Boboy Syjuco, Ph.D.

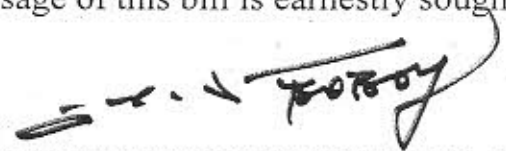
EXPLANATORY NOTE

This bill aims to amend Republic Act No. 6539, otherwise known as the "*Anti-Carnapping Act of 1972*," by allowing the accused, in case of bailable act of carnapping, to post a bail bond equivalent to twice the fair market value of the carnapped motor vehicle.

The recent carnapping incidents that were perpetrated by notorious criminal syndicates have spread across the country. The gruesome murders of carnapping victims have caused fear among the people and tainted the image of the Philippines before the international community. The situation is very alarming because these incidents have shown the wanton disregard of the perpetrators to our laws and the duly constituted authorities.

Thus, we need to act now in order to stop these senseless carnapping. With the approval of this bill, it is expected to serve as a deterrent to criminal elements who remain at large and are on the loose to prey upon their next victim.

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


AUGUSTO BOBOY SYJUCO, Ph.D.

Fifteenth Congress
First Regular Session

HOUSE BILL NO. 4294

Introduced by Honorable Augusto Boboy Syjuco, Ph.D.

AN ACT
AMENDING REPUBLIC ACT NO. 6539, AS AMENDED, OTHERWISE
KNOWN AS OF THE "ANTI-CARNAPPING ACT OF 1972"

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

SECTION 1. Section 14 of Republic Act No. 6539, as amended, is hereby further amended to read as follows:

"SECTION 14. Penalty for Carnapping. – Any person who is found guilty of carnapping, as this term is defined in Section Two of this Act, shall, irrespective of the value of motor vehicle taken, be punished by imprisonment for not less than fourteen years and eight months and not more than seventeen years and four months, when the carnapping is committed without violence or intimidation of persons, or force upon things; and by imprisonment for not less than seventeen years and four months and not more than thirty years, 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* to death] LIFE IMPRISONMENT shall be imposed when the owner, driver or occupant of the carnapped motor vehicle is killed or raped in the course of the commission of the carnapping or on the occasion thereof.

IN CASE OF A BAILABLE ACT OF CARNAPPING, THE ACCUSED SHALL BE REQUIRED TO POST A BAIL BOND EQUIVALENT TO TWICE THE FAIR MARKET VALUE OF THE CARNAPPED MOTOR VEHICLE."

SEC. 2. *Repealing Clause.* – All laws, decrees, executive orders, rules and regulations or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 3. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in two (2) national newspapers of general circulation.

Approved,

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

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

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,

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 5664



INTRODUCED BY: REP. JORGE "BOLET" BANAL

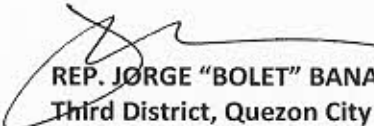
EXPLANATORY NOTE

Section 13, Article III of the Constitution states that all persons shall, before conviction, be bailable, and the exception is in the case of those charged with offenses punishable by *reclusion perpetua* when evidence of guilt is strong.

For almost 40 years, carnapping in this country has not been considered as a non-bailable offense. We have seen how the situation has emboldened criminal offenders; they can easily post bail using the proceeds from their illegal activity and once out of jail they simply continue with their *modus operandi*. Moreover, recent carnapping incidents have been violent, further proof that criminal elements do not feel threatened by the state of our current law.

It is therefore necessary to introduce further amendments to the Anti-Carnapping Act of 1972 in order to increase the penalties and provide a better deterrent against carnapping and related offenses.

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


REP. JORGE "BOLET" BANAL
Third District, Quezon City

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 5664

INTRODUCED BY: REP. JORGE "BOLET" BANAL

**AN ACT INCREASING THE PENALTIES FOR CARNAPPING, AMENDING FOR THE
PURPOSE REPUBLIC ACT NO. 6539, AS AMENDED, OTHERWISE KNOWN AS "THE
ANTI-CARNAPPING ACT OF 1972"**

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

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

"Sec. 13. Penal Provisions. – Any person who violates any provision of this Act shall be punished with imprisonment for not less than [two years nor] SIX YEARS AND ONE DAY BUT NOT more than [six] TWELVE years and a fine [equal] DOUBLE 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, as amended, is hereby amended to read as follows:

"Sec. 14. Penalty for Carnapping. – Any person who is found guilty of carnapping, as this term is defined in Section Two of this Act, shall, irrespective of the value of motor vehicle taken, be punished by imprisonment for not less than [fourteen years and eight months] SEVENTEEN YEARS AND FOUR MONTHS and not more than [seventeen years and four months] TWENTY YEARS when the carnapping is committed without violence AGAINST or intimidation of persons, or force upon things; and by imprisonment for not less than [seventeen years and four months] TWENTY YEARS AND ONE DAY and not more than thirty years when the carnapping is committed by means of violence against or intimidation of any person, or BY USING force upon things; PROVIDED: THAT [and] the penalty of *reclusion perpetua* [to death] shall be imposed WHEN THE CARNAPPING IS COMMITTED WITH THE USE OF A FIREARM OR OTHER DEADLY WEAPON, OR when the owner, driver or occupant of the carnapped motor vehicle SUFFERS ANY OF THE PHYSICAL INJURIES PENALIZED IN ARTICLE 263 OF THE REVISED PENAL CODE OR is killed or raped in the course of the commission of the carnapping or on the occasion thereof."

Section 3. This Act shall take effect fifteen (15) days after its publication in any two (2) national newspapers of general circulation.

Approved,

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

FIFTEENTH CONGRESS
Second Regular Session

House Bill No. 5931



Introduced by the Hon. Jeci A. Lapus

EXPLANATORY NOTE

This bill proposes to amend Section 2, of Republic Act No. 6539, by including the terms "identity-transfer" and "total wreck" in its definition of terms, and to also amend Section 12 of the same law, otherwise known as Anti-Carnapping Act of 1972, by including "identity-transfer" as prohibited and punishable act.

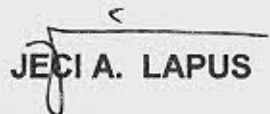
Statistics shows that carnapping does not only result to lost of property among hapless victims, but also lost of life in some instances. Alarming still is the ingenuity of carnappers in reviving, reconstructing, and re-registering a motor vehicle classified by car insurance companies and law enforcement agencies as "total wreck", after a vehicular accident, by completely transferring the identity of said motor vehicle into another factory made body of vehicle of the same make, model, classification, plate number, chassis number and engine number, and sell the same to the detriment of innocent victims and unsuspecting buyers.

There is no law prohibiting the use, transfer, revival, and re-registration of the chassis number, engine number, and plate number of a motor vehicle, legally declared a "total wreck" by insurance companies and law enforcement agencies, into another body or unit of vehicle of the same class, model or classification, usually a carnapped unit, making it convenient for carnappers to circumvent the law.

It is for these reasons that this bill seeks to include "identity-transfer" as one of the punishable acts defined and penalized under R.A. 6539. It is felt that under the present law, carnappers conveniently utilizes this loophole in the law to further carry out their criminal activities, thus, the proliferation of carnapping and carnapped vehicle in the market.

It is also a fact that law enforcement agencies lose their determination and dedication in their pursuit against carnappers because of the difficulty of proving the act of carnapping in these instances.

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


JECI A. LAPUS

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

FIFTEENTH CONGRESS
Second Regular Session

House Bill No. 5931

Introduced by the Hon. Jeci A. Lapus

AN ACT
AMENDING CERTAIN SECTIONS OF RA 6539, OTHERWISE KNOWN AS THE
ANTI-CARNAPPING ACT OF 1972, AND FOR OTHER PURPOSES

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

Section 1. Section 2, of Republic Act No. 6539, entitled "Anti-Carnapping Act of 1972," is hereby amended to read as follows:

"Section 2. – Definition of Terms. The terms "carnapping", "motor vehicle", "defacing or tampering with", "repainting", "body building", "remodeling", "dismantling", "overhauling", "identity-transfer", and "total wreck", as used in this Act, shall be understood respectively to mean:

X X X

"Identity-transfer" is the act of transferring the engine number, chassis number, body tag number, plate number, and any other identifying marks of a motor vehicle declared as "total wreck" or is beyond economic repair by concerned car insurance companies and or law enforcement agencies, after its involvement in a vehicular accident or other incident, and register the same into another factory made body of vehicle or unit, of the same classification, type, make or model.

"Total wreck" is the state or status of a motor vehicle after a vehicular accident or other incident, so that it is rendered inoperational and beyond economic repair, due to the extent of damage on its body, chassis, and engine.

X X X

Section 2. Section 12 of the same Act is hereby amended to read as follows:

"Section 12-A. Identity-transfer. It shall be unlawful for any person, office or entity, to cause and or allow the sale, registration, and or transfer into another name, the chassis number, engine number and plate number of a motor vehicle declared as "total wreck" or beyond economic repair by concerned car insurance company, and or law enforcement agencies, due to its involvement in a vehicular accident or for some other causes."

Section 3. Section 14 of the same Act is hereby amended to read as follows:

"Section 14. Penalty for Carnapping. Any person who is found guilty of carnapping, as this term is defined in Section two of this Act, shall, irrespective of the value of motor vehicle taken, be punished by imprisonment for not less than fourteen years and eight months and not more than seventeen years and four months, when the carnapping is committed without violence or intimidation of persons, or force upon things; and by imprisonment for not less than seventeen years and four months and not more than thirty years, when the carnapping is committed by means of violence against or intimidation of any person, or force upon things; and the penalty of life imprisonment to death shall be imposed when the owner, driver or occupant of the carnapped motor vehicle is killed in the commission of the carnapping. The offense for both cases shall be non bailable."

Section 4. *Repealing Clause.* - All laws, executive orders, and executive issuances or letter of instructions, or part thereof, inconsistent with or contrary to the provisions of this Act, are hereby deemed, amended or modified accordingly."

Section 5. *Separability Clause.* - If for any reason, any section or provision of this Act shall be declared unconstitutional or invalid, the other parts thereof not affected thereby shall remain valid.

Section 6. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) national newspapers of general circulation.

Approved,

FACT SHEET

House Bill No. 6909

In Substitution of House Bill Nos. 1400, 3996, 4003, 4033, 4043, 4057, 4064, 4090, 4142, 4294, 5263, 5664 and 5931

**AN ACT AMENDING REPUBLIC ACT NO. 6539 OTHERWISE KNOWN AS
"THE ANTI-CARNAPPING ACT OF 1972"**

Introduced by

REPS. RUFUS B. RODRIGUEZ, MAXIMO B. RODRIGUEZ JR., CATALINA C. BAGASINA, JORGE "BOLET" BANAL, BERNADETTE HERRERA-DY, JECI A. LAPUS, IRWIN C. TIENG, REX GATCHALIAN, SALVIO B. FORTUNO, JOSEPHINE VERONIQUE R. LACSON-NOEL, JOSE CARLOS L. CARI, KARLO ALEXEI B. NOGRALES, WINSTON "WINNIE" CASTELO, ARNEL M. CERAFIGA, MARIA ISABELLE "BENG" G. CLLIMACO, MA. AMELITA A. CALIMBAS-VILLAROSA, CESAR V. SARMIENTO, AUGUSTO BOBOY SYJUCO, PH.D., BEN P. EVARDONE, DAISY AVANCE FUENTES, ANGELO B. PALMONES, MARIANO MICHAEL M. VELARDE JR., NEIL C. TUPAS JR., CINCHONA CRUZ-GONZALES, JANE T. CASTRO, NUR G. JAAFAR, EMMELINE Y. AGLIPAY, FRANCISCO T. MATUGAS, ISIDRO T. UNGAB, DAVID L. KHO, ROILO S. GOLEZ, PABLO JOHN F. GARCIA, RONALD M. COSALAN, ELEANDRO JESUS F. MADRONA, ORLANDO B. FUA, RODOLFO C. FARIÑAS, RODANTE D. MARCOLETA, AURELIO "DONG" D. GONZALES JR., RODEL M. BATOCABE, DANILO RAMON S. FERNANDEZ, ROMERO FEDERICO "MIRO S. QUIMBO, MYLENE J. GARCIA-ALBANO, EMIL L. ONG, EDUARDO R. GULLAS, ROY M. LOYOLA, MARK AERON H. SAMBAR, TEODORO B. BAGUILAT JR., ANTONIO A. DEL ROSARIO, JEFFREY P. FERRER, JUAN EDGARDO M. ANGARA, MARK LLANDRO L. MENDOZA, ARTHUR R. DEFENSOR JR., AND MARLYN L. PRIMICIAS-AGABAS

Committee Referral

REVISION OF LAWS

Committee Chairperson

REP. MARLYN L. PRIMICIAS-AGABAS

OBJECTIVE:

- To deter the commission of the crime of carnapping

KEY PROVISIONS:

- Provides for the penalty of *reclusion perpetua* to any person found guilty of carnapping irrespective of the value of the motor vehicle taken.
- Provides for the penalty of *reclusion perpetua* without the benefit of parole to any person found guilty of carnapping by means of violence against or intimidation of any person, or force upon things and the owner, driver or occupant of the carnapped motor vehicle is killed or raped in the course of the commission of the carnapping.