

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SIXTEENTH CONGRESS

First Regular Session

House Bill No. 3367



Introduced by **Hon. Rodolfo G. Biazon**

EXPLANATORY NOTE

It is of record that the Philippines, due to its location in the so-called "Pacific Ring of Fire" and the effects of climate change, continues to be visited by destructive natural disasters such as typhoons, earthquakes, and tsunamis which have brought deaths, destruction and untold miseries to the populace. Just recently, an earthquake with a numerical magnitude of 7.2 in the Richter Scale devastated several provinces in the Visayas region, notably Bohol and Cebu.

After a few weeks, while the country is still in the process of rehabilitation, reconstruction and normalization in the afore-mentioned areas, super typhoon "Yolanda" slammed into the country, made a landfall also in the Visayas region, and pummeled several provinces, specifically affecting the Leyte and Samar provinces. It was considered the strongest typhoon of record in the world as described by local and international weather experts. It brought heavy rains, storm surges, packed winds of more than 300 kph and left in its deadly swath deaths, injuries and destruction of properties of such magnitude as to beggar the imagination. Media reports and pictures of leveled and inundated communities, uprooted trees, unburied corpses, injured being treated and long lines of people waiting for relief from the government and other organizations are testaments of its devastation and destruction in the affected areas. The well-known Filipino characteristics of resiliency, kindness, good naturedness, and the almost fatalistic acceptance of his fate in the face of adversities will again be put to test in hurdling this unprecedented calamity.

But what is terribly offensive that added more pain to the miseries of the victims are the media reports and graphic pictures of widespread looting by recalcitrant and heartless individuals who took advantage of the situation by breaking and entering abandoned houses and buildings and carting away anything they could lay their hands on to the detriment of the property owners. This compelled the government to send troops in order to secure the affected communities. Although we have laws that punish this act, the same do not

appear to serve as a sufficient deterrent. For this reason, there is a need to increase the penalty for this act in order to discourage would be violators.

In view of the foregoing, the enactment of this measure is earnestly sought and recommended.

A handwritten signature in black ink, appearing to read 'Rodolfo G. Biazon', with a large, stylized initial 'R' and a horizontal line extending to the right.

RODOLFO G. BIAZON
Representative
Lone District, Muntinlupa City

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AN ACT
PUNISHING LOOTING DURING DISASTERS, CALAMITIES,
CATASTROPHES, AND/OR CIVIL DISTURBANCES, PROVIDING
PENALTIES THEREFOR, AND FOR OTHER PURPOSES.

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

Section 1. *Title.* – This Act shall be known as the “Anti-Looting Act of 2013”.

Sec. 2. *Declaration of Policy* - It is hereby declared that the State is mandated to ensure the maintenance of peace and order so that every individual is assured of the protection of his life, liberty and property and the promotion of his general welfare. Toward this end, the State shall exert efforts that these blessings are enjoyed by the populace free from all forms of violence, force or intimidation.

Sec. 3. *Looting – How committed.* – The crime of looting is committed by any person, whether or not armed, who shall, with intent to gain and with or without violence against or intimidation of any person or using force upon things, take personal property belonging to another without his consent, by entering an inhabited or uninhabited house, building or any other place, searching the same and carrying away valuables or things found therein.

Sec. 4. *Penalties.* – Any person found guilty of looting during disasters, calamities, catastrophes and/or civil disturbances shall suffer the penalty of *Reclusion Temporal* in its medium period.

1. The penalty of *Reclusion Temporal* in its maximum period when the property taken consists of food, medicines and/or materials intended for rehabilitation, reconstruction, relief and rescue.

2. The penalty of *Reclusion Perpetua* if the crime is committed with the use of a firearm or any deadly weapon or implement.

3. The penalty of *Reclusion Perpetua* if the crime is committed by an organized/syndicated crime group.

4. The commission of another crime during the looting shall be independent of and not be a bar to its prosecution and the imposition of the appropriate penalty provided for the said offense, the same to be imposed, when applicable, in its maximum period.

Sec. 5. *Repealing Clause.* – All laws, rules and regulations, or any part thereof inconsistent herewith are deemed repealed or modified accordingly.

Sec. 6. *Separability Clause.* – If for any reason, any section or provision of this Act, or any part thereof, or the application of such section, provision, or portion thereof is declared invalid or unconstitutional, the remainder thereof shall not be affected by such declaration.

Sec. 7. *Effectivity.* – This Act shall take effect upon its approval and publication in at least two (2) newspapers of national circulation.

Approved,