

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



Sixteenth Congress
First Regular Session

House Bill No. **4447**

Introduced by AKBAYAN Representatives
Ibarra "Barry" M. Gutierrez III and Walden F. Bello

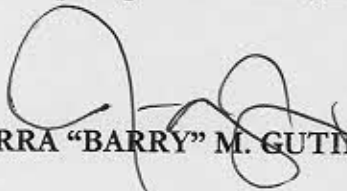
EXPLANATORY NOTE

The main consideration for the *Revised Penal Code's* definition of 'persons in authority' and 'agents of persons in authority' is to ensure that a person will be amply protected in carrying out and in enforcing rules and regulations and laws that ensure the maintenance of public order and of the security of life and property.

When a plane is in flight, members of a flight crew are the only people who effectively have jurisdiction over the passengers of a plane. During a flight, it is incumbent upon the plane pilot, co-pilot, flight stewards and stewardesses, and other members of a flight crew to ensure that order is maintained in order to avoid greater injury to the life and property of everyone in the plane.

Unfortunately, members of a flight crew risk being disrespected whenever they enforce and impose rules for the protection of passengers. There is a need to elevate the position of members of a flight crew to allow them to effectively maintain order in a plane when it is in flight. This bill will ensure that passengers will be bound to follow the reasonable orders of members of the flight crew, and will ensure that members of a flight crew are protected from harassment and unwarranted disrespect whenever they issue reasonable orders inside a plane.

The immediate passage of this bill is, therefore, earnestly sought.


IBARRA "BARRY" M. GUTIERREZ III


WALDEN F. BELLO

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

Sixteenth Congress
First Regular Session

House Bill No. **4447**

Introduced by AKBAYAN Representatives
Ibarra "Barry" M. Gutierrez III and Walden F. Bello

AN ACT
DECLARING FLIGHT ATTENDANTS AND CREW MEMBERS AS PERSONS IN
AUTHORITY, AMENDING FOR THAT PURPOSE ARTICLE 152 OF ACT
NUMBER 3815 OTHERWISE KNOWN AS THE "REVISED PENAL CODE OF
THE PHILIPPINES"

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

1 **SECTION 1. *Short Title.***—This Act shall be known as the "*Amendment to the Definition of Persons*
2 *in Authority Act of 2014.*"

3
4 **SECTION 2. *Amendatory provision.***—Article 152 of Act No. 3815 otherwise known as the
5 *Revised Penal Code of the Philippines* is hereby amended to read:

6
7 "Article 152. *Persons in authority and agents of persons in authority; Who*
8 *shall be deemed as such.*—In applying the provisions of the preceding
9 and other articles of this Code, any person directly vested with
10 jurisdiction, whether as an individual or as a member of some court
11 or governmental corporation, board, or commission, shall be deemed
12 a person in authority. A barrio captain and a barangay chairman shall
13 also be deemed a person in authority.

14
15 A person who, by direct provision of law or by election or by
16 appointment by competent authority, is charged with the
17 maintenance of public order and the protection and security of life

1 and property, such as a barrio councilman, barrio policeman and
2 barangay leader and any person who comes to the aid of persons in
3 authority, shall be deemed an agent of a person in authority.
4

5 In applying the provisions of Article 148 and 151 of this Code,
6 teachers, professors and persons charged with the supervision of
7 public or duly recognized private schools, colleges and universities,
8 ~~and~~ lawyers in the actual performance of their professional duties or
9 on the occasion of such performance, and pilots, co-pilots, flight
10 attendants and other crew members of an aircraft which is in flight,
11 shall be deemed persons in authority.”
12

13 **SECTION 3. *Separability clause.***—If any part, section or provision of this Act is held invalid
14 or unconstitutional, other provisions not affected thereby shall remain in full force and effect.
15

16 **SECTION 4. *Repealing clause.***—All laws, decrees, orders, rules and regulations or other
17 issuances, particularly that of the *Revised Penal Code*, which are inconsistent with the provisions of
18 this Act, are hereby repealed, amended, or modified accordingly. Article 152 of the *Revised Penal*
19 *Code* is expressly amended.
20

21 **SECTION 5. *Effectivity.***—This Act shall take effect fifteen (15) days after the completion of
22 its publication in the *Official Gazette* or in two (2) newspapers of general circulation.

Approved,