

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

SIXTEENTH CONGRESS
Third Regular Session

House Bill No. **6106**



Introduced by Magdalo Party-List Representatives
Hon. Francisco Ashley L. Acedillo and Hon. Gary C. Alejano

EXPLANATORY NOTE

The Constitution, as a policy, mandates that, "The State shall maintain honesty and integrity in the public service and take positive and effective measures against graft and corruption." As such, it is a function of the different agencies of government, such as Congress, to identify the causes of inefficiency and corruption in order to provide adequate remedies for their elimination for the continued observance of the high standards of ethics and efficiency in the government.

One such law that needs to be corrected in order to pursue the abovementioned provision of the Constitution is Act No. 3815 or the "Revised Penal Code of the Philippines", specifically Articles 204, 205, 206, and 207 of the Penal Code. The previously mentioned articles provide that only judges are criminally held liable for knowingly rendering unjust decisions, orders, or resolutions.

The proposed measure seeks to amend Articles 204, 205, 206, and 207 of the Revised Penal Code to include public officers exercising quasi-judicial functions as among those covered in the articles therefore ensuring that due process is afforded to every person undergoing criminal, civil, or administrative investigation.

In view of the foregoing, immediate approval of this bill is earnestly requested¹.


HON. FRANCISCO ASHLEY L. ACEDILLO


HON. GARY C. ALEJANO

¹ This bill is a counterpart measure of Senate Bill No. 2824 filed by Sen. Miriam Defensor Santiago.

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AN ACT
AMENDING ARTICLES 204, 205, 206, AND 207 OF ACT NO. 3815 OR THE PENAL
CODE OF THE PHILIPPINES

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

1 **SECTION 1.** Act No. 3815 or the Penal Code, Articles 204, 205, 206, and 207 are
2 amended as follows:

3
4 “Article 204. Knowingly Rendering Unjust Judgment **OR ORDER.** - Any judge
5 or **OFFICER EXERCISING QUASI-JUDICIAL FUNCTIONS** and who
6 knowingly render an unjust judgment **OR ORDER** in any case **OR MATTER**
7 submitted to him for decision **OR RESOLUTION IN FINAL DISPOSITION**
8 **THEREOF**, shall be punished by prision mayor and perpetual absolute
9 disqualification.

10
11 Article 205. Judgment **OR ORDER** Rendered Through Negligence. - Any judge
12 **OR OFFICER EXERCISING QUASI-JUDICIAL FUNCTIONS** who, by
13 reason of inexcusable negligence or ignorance, shall render a manifestly unjust
14 judgment **OR ORDER** in any case or matter submitted to him for decision **OR**
15 **RESOLUTION IN FINAL DISPOSITION THEREOF**, shall be punished by
16 arresto mayor and temporary special disqualification.

17
18 Article 206. Unjust Interlocutory Order. - Any judge **OR OFFICER**
19 **EXERCISING QUASI-JUDICIAL FUNCTIONS** who shall knowingly render
20 an unjust interlocutory order or decree shall suffer the penalty of arresto mayor in
21 its minimum period and suspension, but if he shall have acted by reason of
22 inexcusable negligence or ignorance and the interlocutory order of decree be
23 manifestly unjust, the penalty shall be suspension.
24

1 Article 207. Malicious Delay in the Administration of Justice. - The penalty of
2 prison correccional in its minimum period shall be imposed upon any judge **OR**
3 **OFFICER EXERCISING QUASI-JUDICIAL FUNCTIONS** guilty of
4 malicious delay in the administration of justice.

5
6 **SEC. 2. *Separability Clause.*** - If any provision of this Act is held invalid or
7 unconstitutional, the same shall not affect the validity and effectivity of the other provisions
8 hereof.

9
10 **SEC. 3. *Repealing Clause.*** - All laws, decrees, orders, and issuances, or portions thereof,
11 which are inconsistent with the provisions of this Act, are hereby repealed, amended or modified
12 accordingly.

13
14 **SEC. 4. *Effectivity Clause.*** - This Act shall take effect fifteen (15) days after its
15 publication in the Official Gazette or in two (2) newspapers of general circulation.

Approved,