

REPUBLIC OF THE PHILIPPINES  
HOUSE OF REPRESENTATIVES  
Quezon City

SEVENTEENTH CONGRESS  
First Regular Session

House Bill No. **5463**



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Introduced by **MAGDALO Party-List Representative**  
**HON. GARY C. ALEJANO**

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**EXPLANATORY NOTE**

The involvement of certain members of law enforcement agencies in criminal activities has greatly diminished our faith and confidence to these people in government. Almost every day we hear, read, or see in media the involvement of some of our law enforcers in petty crimes to alleged attempt to cover-up heinous crimes.

There seems now a need to address the growing fear and distrust among our people to some of these "villains" in uniform by treating those persons in authority, who cause or order the destruction or concealment of evidence to a crime, as accomplices to the crime.

This proposed measure seeks to amend Article 19 of the Revised Penal Code by prescribing a higher penalty for persons in authority as accessories who directly cause or order the destruction or concealment of vital evidence for heinous crimes.

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

**GARY C. ALEJANO**  
*Representative, Magdalo Para sa Pilipino Party-List*

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**AN ACT**  
**PRESCRIBING A HIGHER PENALTY FOR PERSONS IN AUTHORITY AS**  
**ACCESSORIES, WHO DIRECTLY CAUSE OR ORDER THE DESTRUCTION OR**  
**CONCEALMENT OF VITAL EVIDENCE FOR HEINOUS CRIMES, AMENDING**  
**FOR THE PURPOSE ARTICLE 19 OF THE REVISED PENAL CODE**

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

1       **SECTION 1.** Article 19 of the Penal Code is hereby amended by adding another  
2 paragraph:

3  
4       “Article 19. Accessories. - Accessories are those who, having knowledge of the  
5 commission of the crime, and without having participated therein, either as principals  
6 or accomplices, take part subsequent to its commission in any of the following  
7 manners:

- 8  
9           1. By profiting themselves or assisting the offender to profit by the effects of  
10 the crime.  
11           2. By concealing or destroying the body of the crime, or the effects or  
12 instruments thereof, in order to prevent its discovery.  
13           3. By harboring, concealing, or assisting in the escape of the principals of the  
14 crime, provided the accessory acts with abuse of his public functions or  
15 whenever the author of the crime is guilty of treason, parricide, murder, or  
16 an attempt to take the life of the Chief Executive, or is known to be  
17 habitually guilty of some other crime.

1                   **WHERE THE OFFENSE IS A HEINOUS CRIME UNDER EXISTING**  
2                   **LAWS AND IS COMMITTED BY PERSONS IN AUTHORITY, THEY SHALL**  
3                   **SUFFER THE PENALTY ONE DEGREE HIGHER THAN THAT**  
4                   **PRESCRIBED BY LAW FOR THE CONSUMMATED FELONY."**

5  
6                   **SEC. 2. *Separability Clause.*** - If any provision or part thereof, is held invalid or  
7                   unconstitutional, the remainder of the law or the provision not otherwise affected shall remain  
8                   valid and subsisting.

9  
10                  **SEC. 3. *Repealing Clause.*** - Any law, presidential decree or issuance, executive  
11                  order, letter of instruction, administrative order, rule or regulation contrary to, or inconsistent  
12                  with the provisions of this Act is hereby repealed, modified or amended accordingly.

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

*Approved,*