

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

Seventeenth Congress
First Regular Session

House Bill No. 5522



Introduced by Honorable Joaquin M. Chipeco, Jr.

EXPLANATORY NOTE

This bill, to be known as "The Revised Penal Code Indexation Act", provides for the adjustment of the amounts or the value of property on which a penalty is based, and the fines imposed under the existing Revised Penal Code or Act No. 3815.

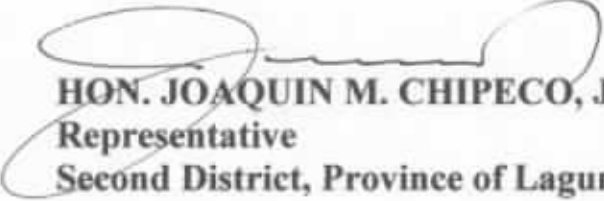
Approved on December 8, 1930, the Revised Penal Code (RPC) took effect on January 1, 1932. Although the RPC has undergone several amendments, most of the penalties especially the fines provided therein have been rendered obsolete with the passage of time. It is the purpose of this bill to render these fines current and relevant to the times.

To illustrate, obtaining a search warrant without just cause is presently punishable by arresto mayor and a fine not exceeding P1,000 (Art. 129, RPC). This latter amount is practically loose change for the offender and does not serve to deter abuses in the procurement and service of search warrants by public officers. The same unrealistic fine holds true for the crimes of direct assault (Art. 148), tumults (Art. 153), false testimony favorable to or against a defendant in a criminal case (Art. 180), and qualified trespass to dwelling (Art. 280). This bill raises the amount of fine for the said crimes to P200,000.

Worse, some crimes are punishable by a mere P500 fine in addition to imprisonment. Examples of these are indirect assault (Art. 149), less serious physical injuries (Art. 265), unlawful arrest (Art. 269), grave threats (Art. 282), and revelation of industrial secrets (Art. 292). Even more shocking is an instance of imposable fine as low as P5 (in Art. 287, 2nd par., for other coercions or unjust

vexation) and P10, (in Art. 151, 2nd par., when resistance and disobedience to a person in authority is not of a serious nature).

In view therefore of the laudable and urgent objectives of this measure, its approval at the soonest possible time is recommended.



HON. JOAQUIN M. CHIPECO, JR.
Representative
Second District, Province of Laguna

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 5522

Introduced by REPRESENTATIVE JOAQUIN M. CHIPECO, JR.

AN ACT

ADJUSTING THE AMOUNTS OR THE VALUE OF PROPERTY ON WHICH A PENALTY IS BASED, AND THE FINES IMPOSED UNDER THE REVISED PENAL CODE, AMENDING FOR THE PURPOSE ACT NO. 3815, OTHERWISE KNOWN AS "THE REVISED PENAL CODE", AS AMENDED.

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

1 **SECTION 1.** This Act shall be known as "*The Revised Penal Code*
2 *Indexation Act*".

3
4 **SEC. 2.** Article 9 of Act No. 3815, otherwise known as the "Revised Penal Code" is
5 hereby amended to read as follows:

6
7 **"Art. 9. Grave felonies, less grave felonies and light**
8 ***felonies.*** - Grave felonies are those to which the law attaches the capital
9 punishment or penalties which in any of their periods are afflictive, in
10 accordance with Art. 25 of this Code.

11
12 Less grave felonies are those which the law punishes with penalties
13 which in their maximum period are correctional, in accordance with the
14 above-mentioned article.

15
16 Light felonies are those infractions of law for the commission of
17 which a penalty of *arresto menor* or a fine not exceeding [200] **FORTY**
18 **THOUSAND pesos (P40,000)** or both is provided."

19
20 **SEC. 3.** Article 26 of the same Act is hereby amended to read as follows:

21
22 **"Art. 26. When afflictive, correctional, or light penalty.** - A
23 fine, whether imposed as a single or as an alternative penalty, shall be
24 considered an afflictive penalty, if it exceeds [6,000] **ONE MILLION**
25 **TWO HUNDRED THOUSAND pesos (P1,200,000)**; a correctional
26 penalty, if it does not exceed [6,000] **ONE MILLION TWO**
27 **HUNDRED THOUSAND pesos (P1,200,000)** but is not less than
28 [200] **FORTY THOUSAND pesos (P40,000)**; and a light penalty if
29 it is less than [200] **FORTY THOUSAND pesos (P40,000)**."

1 **SEC. 4.** Article 39 of the same Act, as amended by Republic Act No. 10159, is
2 hereby further amended to read as follows:
3

4 **"Art. 39. Subsidiary Penalty.** – If the convict has no property
5 with which to meet the fine mentioned in paragraph 3 of the next
6 preceding article, he shall be subject to a subsidiary personal liability at
7 the rate of one day for [each amount equivalent to the highest minimum
8 wage rate prevailing in the Philippines at the time of the rendition of
9 judgment of conviction by the trial court] **EVERY FIVE HUNDRED**
10 **PESOS (P500)**, subject to the following rules:
11

- 12 1. If the principal penalty imposed be *prision*
13 *correctional* or *arresto* and fine, he shall remain under confinement
14 until his fine referred in the preceding paragraph is satisfied, but his
15 subsidiary imprisonment shall not exceed one-third of the term of the
16 sentence, and in no case shall it continue for more than one year, and
17 no fraction or part of a day shall be counted against the prisoner.
- 18 2. When the principal penalty imposed be only a fine, the subsidiary
19 imprisonment shall not exceed six months, if the culprit shall have
20 been prosecuted for a grave or less grave felony, and shall not exceed
21 fifteen days, if for a light felony.
- 22 3. When the principal penalty imposed is higher than *prision*
23 *correctional*, no subsidiary imprisonment shall be imposed upon the
24 culprit.
- 25 4. If the principal penalty imposed is not to be executed by confinement
26 in a penal institution, but such penalty is of fixed duration, the convict,
27 during the period of time established in the preceding rules, shall
28 continue to suffer the same deprivations as those of which the principal
29 penalty consists.
- 30 [5. The subsidiary personal liability which the convict may have suffered
31 by reason of his insolvency shall not relieve him from the fine in case
32 his financial circumstances should improve.]"
33

34 **SEC. 5.** Article 114 of the same Act, as amended by Republic Act No. 7659, is
35 hereby further amended to read as follows:
36

37 **"Art. 114. Treason.** - Any Filipino citizen who levies war against the
38 Philippines or adheres to her enemies giving them aid or comfort within
39 the Philippines or elsewhere, shall be punished by reclusion perpetua to
40 death and shall pay a fine not to exceed [100,000] **FOUR MILLION**
41 **pesos (P4,000,000).**
42

43 No person shall be convicted of treason unless on the testimony of
44 two witnesses at least to the same overt act or on confession of the
45 accused in open court.
46

47 Likewise, an alien, residing in the Philippines, who commits acts of
48 treason as defined in paragraph 1 of this Article shall be punished by
49 reclusion temporal to death and shall pay a fine not to exceed [100,000]
50 **FOUR MILLION pesos (P4,000,000)."**

1
2 SEC. 6. Article 115 of the same Act is hereby amended to read as follows:
3

4 "ART. 115. *Conspiracy and proposal to commit treason;*
5 *Penalty.* — The conspiracy or proposal to commit the crime of treason
6 shall be punished respectively, by *prision mayor* and a fine not
7 exceeding [P10,000] **TWO MILLION pesos (P2,000,000)**, and
8 *prision correccional* and a fine not exceeding [P5,000] **ONE MILLION**
9 pesos **(P1,000,000).**"
10

11 SEC. 7. Article 129 of the same Act is hereby amended to read as follows:
12

13 "ART. 129. *Search warrants maliciously obtained and*
14 *abuse in the service of those legally obtained.* — In addition to
15 the liability attaching to the offender for the commission of any other
16 offense, the penalty of *arresto mayor* in its maximum period to *prision*
17 *correccional* in its minimum period and a fine not exceeding [P1,000]
18 **TWO HUNDRED THOUSAND pesos (P200,000)** shall be imposed
19 upon any public officer or employee who shall procure a search warrant
20 without just cause, or, having legally procured the same, shall exceed his
21 authority or use unnecessary severity in executing the same."
22

23 SEC. 8. Article 136 of the same Act, as amended by Republic Act No. 6968, is
24 hereby further amended to read as follows:
25

26 "ART. 136. *Conspiracy and proposal to commit coup*
27 *d'etat, rebellion or insurrection.* — The conspiracy and proposal to
28 commit *coup d'etat* shall be punished by *prision mayor* in its minimum
29 period and a fine which shall not exceed [eight thousand pesos
30 (P8,000.00)] **ONE MILLION pesos (P1,000,000).**
31

32 The conspiracy and proposal to commit rebellion or insurrection
33 shall be punished respectively, by *prision correccional* in its maximum
34 period and a fine which shall not exceed [five thousand pesos
35 (P5,000.00)] **ONE MILLION pesos (P1,000,000)** and by *prision*
36 *correccional* in its medium period and a fine not exceeding [two
37 thousand pesos (P2,000.00)] **FOUR HUNDRED THOUSAND pesos**
38 **(P400,000).**"
39

40 SEC. 9. Article 140 of the same Act is hereby amended to read as follows:
41

42 "ART. 140. *Penalty for sedition.* — The leader of a sedition
43 shall suffer the penalty of *prision mayor* in its minimum period and a
44 fine not exceeding [10,000] **TWO MILLION pesos (P2,000,000).**
45

46 Other persons participating therein shall suffer the penalty of
47 *prision correccional* in its maximum period and a fine not exceeding
48 [5,000] **ONE MILLION pesos (P1,000,000).**"
49

50 SEC. 10. Article 141 of the same Act is hereby amended to read as follows:
51

1 **"ART. 141. Conspiracy to commit sedition.** — Persons
2 conspiring to commit the crime of sedition shall be punished by *prision*
3 *correccional* in its medium period and a fine not exceeding [2,000]
4 **FOUR HUNDRED THOUSAND pesos (P400,000).**"

5
6 **SEC. 11.** Article 142 of the same Act is hereby amended to read as follows:
7

8 **"ART. 142. Inciting to sedition.** — The penalty of *prision*
9 *correccional* in its maximum period and a fine not exceeding [2,000]
10 **FOUR HUNDRED THOUSAND pesos (P400,000)** shall be
11 imposed upon any person who, without taking any direct part in the
12 crime of sedition, should incite others to the accomplishment of any of
13 the acts which constitute sedition, by means of speeches, proclamations,
14 writings, emblems, cartoons, banners, or other representations tending
15 to the same end, or upon any person or persons who shall utter seditious
16 words or speeches, write, publish, or circulate scurrilous libels against
17 the Government [of the United States or the Government of the
18 Commonwealth of the Philippines], or any of the duly constituted
19 authorities thereof, or which tend to disturb or obstruct any lawful
20 officer in executing the functions of his office, or which tend to instigate
21 others to cabal and meet together for unlawful purposes, or which
22 suggest or incite rebellious conspiracies or riots, or which lead or tend to
23 stir up the people against the lawful authorities or to disturb the peace
24 of the community, the safety and order of the Government, or who shall
25 knowingly conceal such evil practices."
26

27 **SEC. 12.** Article 143 of the same Act is hereby amended to read as follows:
28

29 **"ART. 143. Act tending to prevent the meeting of [the**
30 **Assembly] CONGRESS and similar bodies.** — The penalty of
31 *prision correccional* or a fine ranging from [200 to 2,000] **FORTY**
32 **THOUSAND PESOS (P40,000) TO FOUR HUNDRED**
33 **THOUSAND pesos (P400,000)**, or both, shall be imposed upon any
34 person who, by force or fraud, prevents the meeting of [the National
35 Assembly] **CONGRESS** or of any of its committees or subcommittees,
36 constitutional commissions or committees or divisions thereof, or of any
37 provincial board or city or municipal council or board."
38

39 **SEC. 13.** Article 144 of the same Act is hereby amended to read as follows:
40

41 **"ART. 144. Disturbance of proceedings.**— The penalty of
42 *arresto mayor* or a fine from [200 to 1,000] **FORTY THOUSAND**
43 **PESOS (P40,000) TO TWO HUNDRED THOUSAND pesos**
44 **(P200,000)** shall be imposed upon any person who disturbs the
45 meetings of [the National Assembly] **CONGRESS** or of any of its
46 committees or subcommittees, constitutional commissions or
47 committees or divisions thereof, or of any provincial board or city or
48 municipal council or board, or in the presence of any such bodies should
49 behave in such manner as to interrupt its proceedings or to impair the
50 respect due it."
51

1 **SEC. 14.** Article 147 of the same Act is hereby amended to read as follows:

2
3 **"ART. 147. *Illegal associations.*** — The penalty of *prision*
4 *correccional* in its minimum and medium periods and a fine not
5 exceeding [1,000] **TWO HUNDRED THOUSAND** pesos
6 **(P200,000)** shall be imposed upon the founders, directors, and
7 presidents of associations totally or partially organized for the purpose
8 of committing any of the crimes punishable under this Code or for some
9 purpose contrary to public morals. Mere members of said associations
10 shall suffer the penalty of *arresto mayor*."

11
12 **SEC. 15.** Article 148 of the same Act is hereby amended to read as follows:

13
14 **"ART. 148. *Direct assaults.*** — Any person or persons who,
15 without a public uprising, shall employ force or intimidation for the
16 attainment of any of the purpose enumerated in defining the crimes of
17 rebellion and sedition, or shall attack, employ force, or seriously
18 intimidate or resist any person in authority or any of his agents, while
19 engaged in the performance of official duties, or on occasion of such
20 performance, shall suffer the penalty of *prision correccional* in its
21 medium and maximum periods and a fine not exceeding [P1,000] **TWO**
22 **HUNDRED THOUSAND** pesos **(P200,000)**, when the assault is
23 committed with a weapon or when the offender is a public officer or
24 employee, or when the offender lays hands upon a person in authority.
25 If none of these circumstances be present, the penalty of *prision*
26 *correccional* in its minimum period and a fine not exceeding [P500]
27 **ONE HUNDRED THOUSAND** pesos **(P100,000)** shall be
28 imposed."

29
30 **SEC. 16.** Article 149 of the same Act is hereby amended to read as follows:

31
32 **"ART. 149. *Indirect assaults.*** — The penalty of *prision*
33 *correccional* in its minimum and medium periods and a fine not
34 exceeding [P500] **ONE HUNDRED THOUSAND** pesos
35 **(P100,000)** shall be imposed upon any person who shall make use of
36 force or intimidation upon any person coming to the aid of the
37 authorities or their agents on occasion of the commission of any of the
38 crimes defined in the next preceding article."

39
40 **SEC. 17.** Article 150 of the same Act, as amended by Commonwealth Act No. 202,
41 is hereby further amended to read as follows:

42
43 **"ART. 150. *Disobedience to summons issued by [the***
44 ***National Assembly]* CONGRESS, its committees or**
45 ***subcommittees, by the Constitutional Commissions, its***
46 ***committees, subcommittees or divisions.***— The penalty of
47 *arresto mayor* or a fine ranging from [two hundred to one thousand]
48 **FORTY THOUSAND PESOS (P40,000) TO TWO HUNDRED**
49 **THOUSAND pesos (P200,000)**, or both such fine and imprisonment,
50 shall be imposed upon any person who, having been duly summoned to
51 attend as a witness before [the National Assembly] CONGRESS, its

special or standing committees and subcommittees, the Constitutional Commissions and its committees, subcommittees, or divisions, or before any commission or committee chairman or member authorized to summon witnesses, refuses, without legal excuse, to obey such summons, or being present before any such legislative or constitutional body or official, refuses to be sworn or placed under affirmation or to answer any legal inquiry or to produce any books, papers, documents, or records in his possession, when required by them to do so in the exercise of their functions. The same penalty shall be imposed upon any person who shall restrain another from attending as a witness, or who shall induce disobedience to summon or refusal to be sworn by any such body or official."

SEC. 18. Article 151 of the same Act is hereby amended to read as follows:

"ART. 151. Resistance and disobedience to a person in authority or the agents of such person. — The penalty of *arresto mayor* and a fine not exceeding [500] **ONE HUNDRED THOUSAND pesos (P100,000)** shall be imposed upon any person who not being included in the provisions of the preceding articles shall resist or seriously disobey any person in authority, or the agents of such person, while engaged in the performance of official duties.

When the disobedience to an agent of a person in authority is not of a serious nature, the penalty of *arresto menor* or a fine ranging from [10 to P100] **TWO THOUSAND PESOS (P2,000) TO TWENTY THOUSAND pesos (P20,000)** shall be imposed upon the offender."

SEC. 19. Article 153 of the same Act is hereby amended to read as follows:

"ART. 153. Tumults and other disturbance of public orders; Tumultuous disturbance or interruption liable to cause disturbance. — The penalty of *arresto mayor* in its medium period to *prision correccional* in its minimum period and a fine not exceeding [1,000] **TWO HUNDRED THOUSAND pesos (P200,000)** shall be imposed upon any person who shall cause any serious disturbance in a public place, office, or establishment, or shall interrupt or disturb public performances, functions or gatherings, or peaceful meetings, if the act is not included in the provisions of Articles 131 and 132.

The penalty next higher in degree shall be imposed upon persons causing any disturbance or interruption of a tumultuous character.

The disturbance or interruption shall be deemed to be tumultuous if caused by more than three (3) persons who are armed or provided with means of violence.

The penalty of *arresto mayor* shall be imposed upon any person who in any meeting, association, or public place, shall make any outcry tending to incite rebellion or sedition or in such place shall display

1 placards or emblems which provoke a disturbance of the public order.

2
3 The penalty of *arresto menor* and a fine not to exceed [P200]
4 **FORTY THOUSAND pesos (P40,000)** shall be imposed upon these
5 persons who in violation of the provisions contained in the last clause of
6 Article 85, shall bury with pomp the body of a person who has been
7 legally executed.”
8

9 **SEC. 20.** Article 154 of the same Act is hereby amended to read as follows:
10

11 **“ART. 154. Unlawful use of means of publication and**
12 **unlawful utterances.** — The penalty of *arresto mayor* and a fine
13 ranging from [P200 to P1,000] **FORTY THOUSAND PESOS**
14 **(P40,000) TO TWO HUNDRED THOUSAND pesos (P200,000)**
15 shall be imposed upon:
16

17 1. Any person who by means of printing, lithography, or any other
18 means of publication shall publish or cause to be published as news any
19 false news which may endanger the public order, or cause damage to the
20 interest or credit of the State;
21

22 2. Any person who by the same means, or by words, utterances or
23 speeches shall encourage disobedience to the law or to the constituted
24 authorities or praise, justify, or extol any act punished by law;
25

26 3. Any person who shall maliciously publish or cause to be
27 published any official resolution or document without proper authority,
28 or before they have been published officially; or
29

30 4. Any person who shall print, publish, or distribute or cause to
31 be printed, published, or distributed books, pamphlets, periodicals, or
32 leaflets which do not bear the real printer's name, or which are classified
33 as anonymous.”
34

35 **SEC. 21.** Article 155 of the same Act is hereby amended to read as follows:
36

37 **“ART. 155. Alarms and scandals.** — The penalty of *arresto*
38 *menor* or a fine not exceeding [P200] **FORTY THOUSAND pesos**
39 **(P40,000)** shall be imposed upon:
40

41 1. Any person who within any town or public place, shall discharge
42 any firearm, rocket, firecracker, or other explosives calculated to cause
43 alarm or danger;
44

45 2. Any person who shall instigate or take an active part in any
46 charivari or other disorderly meeting offensive to another or prejudicial
47 to public tranquility;
48

49 3. Any person who, while wandering about at night or while
50 engaged in any other nocturnal amusements, shall disturb the public
51 peace; or

1
2 4. Any person who, while intoxicated or otherwise, shall cause any
3 disturbance or scandal in public places, provided that the circumstances
4 of the case shall not make the provisions of Article 153 applicable."
5

6 **SEC. 22.** Article 163 of the same Act, as amended by Republic Act No. 4202, is
7 hereby further amended to read as follows:
8

9 **"ART. 163. Making and importing and uttering false**
10 **coins.** — Any person who makes, imports, or utters false coins, in
11 connivance with counterfeiters, or importers, shall suffer:
12

13 [1. *Prision mayor* in its minimum and medium periods and a fine
14 not to exceed P10,000 pesos, if the counterfeited coin be silver coin of
15 the Philippines [or coin of the Central Bank of the Philippines of ten
16 centavo denomination or above.]
17

18 [2.] 1. *Prision correccional* in its minimum and medium periods
19 and a fine of not to exceed [P2,000] **FOUR HUNDRED THOUSAND**
20 pesos (**P400,000**), if the counterfeited coins be any of the [minor]
21 coinage of the Philippines [or of the Central Bank of the Philippines
22 below ten-centavo denomination].
23

24 [3] 2. *Prision correccional* in its minimum period and a fine not
25 to exceed [P1,000] **TWO HUNDRED THOUSAND** pesos
26 (**P200,000**), if the counterfeited coin be currency of a foreign country."
27

28 **SEC. 23.** Article 164 of the same Act is hereby amended to read as follows:
29

30 **"ART. 164. Mutilation of coins; Importation and**
31 **utterance of mutilated coins.** — The penalty of *prision correccional*
32 in its minimum period and a fine not to exceed [P2,000] **200,000**
33 pesos shall be imposed upon any person who shall mutilate coins of the
34 legal currency of the [United States or of the Philippine Islands]
35 **PHILIPPINES** or import or utter mutilated current coins, or in
36 connivance with mutilators or importers."
37

38
39 **SEC. 24.** Article 166 of the same Act is hereby amended to read as follows:
40

41 **"ART. 166. Forging treasury or bank notes on other**
42 **documents payable to bearer; importing, and uttering such**
43 **false or forged notes and documents.** — The forging or
44 falsification of treasury or bank notes or certificates or other obligations
45 and securities payable to bearer and the importation and uttering in
46 connivance with forgers or importers of such false or forged obligations
47 or notes, shall be punished as follows:
48

49 1. By *reclusion temporal* in its minimum period and a fine not to
50 exceed [P10,000] **TWO MILLION** pesos (**P2,000,000**), if the
51 document which has been falsified, counterfeited, or altered, is an

obligation or security of the [United States or of the Philippines Islands]
PHILIPPINES.

The [word] **WORDS** "*obligation or security of the [United States or of the Philippines Islands] PHILIPPINES*" shall [be held to] mean all bonds, certificates of indebtedness, national bank notes, fractional notes, certificates of deposit, bills, checks, or drafts for money, drawn by or upon authorized officers of the [United States or of the Philippines Islands] **PHILIPPINES**, and other representatives of value, of whatever denomination, which have been or may be issued under any act of [the] Congress [of the United States or of the Philippine Legislature].

2. By *prision mayor* in its maximum period and a fine not to exceed [P5,000] **ONE MILLION pesos (P1,000,000)**, if the falsified or altered document is a circulating note issued by any banking association duly authorized by law to issue the same.

3. By *prision mayor* in its medium period and a fine not to exceed [P5,000] **ONE MILLION pesos (P1,000,000)**, if the falsified or counterfeited document was issued by a foreign government.

4. By *prision mayor* in its minimum period and a fine not to exceed [P2,000] **FOUR HUNDRED THOUSAND pesos (P400,000)**, when the forged or altered document is a circulating note or bill issued by a foreign bank duly authorized therefor."

SEC. 25. Article 167 of the same Act is hereby amended to read as follows:

"ART. 167. Counterfeiting, importing and uttering instruments not payable to bearer. — Any person who shall forge, import or utter, in connivance with the forgers or importers, any instrument payable to order or other document of credit not payable to bearer, shall suffer the penalties of *prision correccional* in its medium and maximum periods and a fine not exceeding [P6,000] **ONE MILLION TWO HUNDRED THOUSAND pesos (P1,200,000).**"

SEC. 26. Article 170 of the same Act is hereby amended to read as follows:

"ART. 170. Falsification of legislative documents. — The penalty of *prision correccional* in its maximum period and a fine not exceeding [P6,000] **ONE MILLION TWO HUNDRED THOUSAND pesos (P1,200,000)** shall be imposed upon any person who, without proper authority therefor alters any bill, resolution, or ordinance enacted or approved or pending approval by either House of [the Legislature] **CONGRESS** or any provincial board or municipal council."

SEC. 27. Article 171 of the same Act is hereby amended to read as follows:

1
2 **"ART. 171. Falsification by public officer, employee or**
3 **notary or ecclesiastic minister.** — The penalty of *prision mayor*
4 and a fine not to exceed [P5,000] **ONE MILLION** pesos
5 **(P1,000,000)** shall be imposed upon any public officer, employee, or
6 notary who, taking advantage of his official position, shall falsify a
7 document by committing any of the following acts:
8

9 1. Counterfeiting or imitating any handwriting, signature or
10 rubric;
11

12 2. Causing it to appear that persons have participated in any act
13 or proceeding when they did not in fact so participate;
14

15 3. Attributing to persons who have participated in an act or
16 proceeding statements other than those in fact made by them;
17

18 4. Making untruthful statements in a narration of facts;
19

20 5. Altering true dates;
21

22 6. Making any alteration or intercalation in a genuine document
23 which changes its meaning;
24

25 7. Issuing in an authenticated form a document purporting to be
26 a copy of an original document when no such original exists, or including
27 in such a copy a statement contrary to, or different from, that of the
28 genuine original; or
29

30 8. Intercalating any instrument or note relative to the issuance
31 thereof in a protocol, registry, or official book.
32

33 The same penalty shall be imposed upon any ecclesiastical
34 minister who shall commit any of the offenses enumerated in the
35 preceding paragraphs of this article, with respect to any record or
36 document of such character that its falsification may affect the civil
37 status of persons."
38
39

40 **SEC. 28.** Article 172 of the same Act is hereby amended to read as follows:
41

42 **"ART. 172. Falsification by private individual and use of**
43 **falsified documents.** — The penalty of *prision correccional* in its
44 medium and maximum periods and a fine of not more than [P5,000]
45 **ONE MILLION** pesos **(P1,000,000)** shall be imposed upon:
46

47 1. Any private individual who shall commit any of the
48 falsifications enumerated in the next preceding article in any public or
49 official document or letter of exchange or any other kind of commercial
50 document; and
51

2. Any person who, to the damage of a third party, or with the intent to cause such damage, shall in any private document commit any of the acts of falsification enumerated in the next preceding article.

Any person who shall knowingly introduce in evidence in any judicial proceeding or to the damage of another or who, with the intent to cause such damage, shall use any of the false documents embraced in the next preceding article, or in any of the foregoing subdivisions of this article, shall be punished by the penalty next lower in degree."

SEC. 29. Article 174 of the same Act is hereby amended to read as follows:

"ART. 174. False medical certificates, false certificates of merits or service, etc. — The penalties of *arresto mayor* in its maximum period to *prision correccional* in its minimum period and a fine not to exceed [P1,000] **TWO HUNDRED THOUSAND pesos (P200,000)** shall be imposed upon:

1. Any physician or surgeon who, in connection, with the practice of his profession, shall issue a false certificate; and

2. Any public officer who shall issue a false certificate of merit of service, good conduct or similar circumstances."

SEC. 30. Article 176 of the same Act is hereby amended to read as follows:

"ART. 176. Manufacturing and possession of instruments or implements for falsification. — The penalty of *prision correccional* in its medium and maximum periods and a fine not to exceed [P10,000] **TWO MILLION pesos (P2,000,000)** shall be imposed upon any person who shall make or introduce into the Philippine [Islands] any stamps, dies, marks, or other instruments or implements intended to be used in the commission of the offenses of counterfeiting or falsification mentioned in the preceding sections of this Chapter.

Any person who, with the intention of using them, shall have in his possession any of the instruments or implements mentioned in the preceding paragraphs, shall suffer the penalty next lower in degree than that provided therein."

SEC. 31. Article 178 of the same Act is hereby amended to read as follows:

"ART. 178. Using fictitious name and concealing true name.— The penalty of *arresto mayor* and a fine not to exceed [500] **ONE HUNDRED THOUSAND pesos (P100,000)** shall be imposed upon any person who shall publicly use a fictitious name for the purpose of concealing a crime, evading the execution of a judgment or causing damage.

Any person who conceals his true name and other personal

circumstances shall be punished by *arresto menor* or a fine not to exceed [200] **FORTY THOUSAND pesos (P40,000).**"

SEC. 32. Article 180 of the same Act is hereby amended to read as follows:

"ART. 180. False testimony against a defendant. — Any person who shall give false testimony against the defendant in any criminal case shall suffer:

1. The penalty of *reclusion temporal*, if the defendant in said case shall have been sentenced to death;
2. The penalty of *prision mayor*, if the defendant shall have been sentenced to *reclusion temporal* or *reclusion perpetua*;
3. The penalty of *prision correccional*, if the defendant shall have been sentenced to any other afflictive penalty; and
4. The penalty of *arresto mayor*, if the defendant shall have been sentenced to a correctional penalty or a fine, or shall have been acquitted.

In cases provided in subdivisions 3 and 4 of this article the offender shall further suffer a fine not to exceed [1,000] **TWO HUNDRED THOUSAND pesos (P200,000).**"

SEC. 33. Article 181 of the same Act is hereby amended to read as follows:

"ART. 181. False testimony favorable to the defendants. — Any person who shall give false testimony in favor of the defendant in a criminal case, shall suffer the penalties of *arresto mayor* in its maximum period to *prision correccional* in its minimum period a fine not to exceed [1,000] **TWO HUNDRED THOUSAND pesos (P200,000)**, if the prosecution is for a felony punishable by an afflictive penalty, and the penalty of *arresto mayor* in any other case."

SEC. 34. Article 182 of the same Act is hereby amended to read as follows:

"ART. 182. False testimony in civil cases. — Any person found guilty of false testimony in a civil case shall suffer the penalty of *prision correccional* in its minimum period and a fine not to exceed [6,000] **ONE MILLION TWO HUNDRED THOUSAND pesos (P1,200,000)**, if the amount in controversy shall exceed [5,000] **ONE MILLION pesos (P1,000,000)**, and the penalty of *arresto mayor* in its maximum period to *prision correccional* in its minimum period and a fine not to exceed [1,000] **TWO HUNDRED THOUSAND pesos (P200,000)**, if the amount in controversy shall not exceed said amount or cannot be estimated."

SEC. 35. Article 187 of the same Act is hereby amended to read as follows:

"ART. 187. Importation and disposition of falsely marked articles or merchandise made of gold, silver, or other precious metals or their alloys. — The penalty of *prision*

1 *correccional* or a fine ranging from [200 to 1,000] **FORTY**
2 **THOUSAND PESOS (P40,000) TO TWO HUNDRED**
3 **THOUSAND pesos (P200,000)**, or both, shall be imposed on any
4 person who shall knowingly import or sell or dispose of any article or
5 merchandise made of gold, silver, or other precious metals, or their
6 alloys, with stamps, brands, or marks which fail to indicate the actual
7 fineness or quality of said metals or alloys.
8

9 Any stamp, brand, label, or mark shall be deemed to fail to
10 indicate the actual fineness of the article on which it is engraved, printed,
11 stamped, labeled or attached, when the rest of the article shows that the
12 quality or fineness thereof is less by more than one-half karat, if made of
13 gold, and less by more than four one-thousandth, if made of silver, than
14 what is shown by said stamp, brand, label or mark. But in case of watch
15 cases and flatware made of gold, the actual fineness of such gold shall
16 not be less by more than three one-thousandth than the fineness
17 indicated by said stamp, brand, label, or mark."
18

19 **SEC. 36.** Article 201 of the same Act, as amended by Presidential Decree Nos. 960
20 and 969, is hereby further amended to read as follows:
21

22 **"ART. 201. Immoral doctrines, obscene publications**
23 **and exhibitions and indecent shows.** — The penalty of *prision*
24 *mayor* or a fine ranging from [six thousand to twelve thousand]
25 **TWENTY THOUSAND PESOS (P20,000) TO TWO HUNDRED**
26 **THOUSAND pesos (P200,000)**, or both such imprisonment and fine,
27 shall be imposed upon:
28

29 1. Those who shall publicly expound or proclaim doctrines openly
30 contrary to public morals;
31

32 2. (a) the authors of obscene literature, published with their
33 knowledge in any form; the editors publishing such literature; and the
34 owners/operators of the establishment selling the same; (b) Those who,
35 in theaters, fairs, cinematographs or any other place, exhibit, indecent
36 or immoral plays, scenes, acts or shows, whether live or in film, which
37 are prescribed by virtue hereof, shall include those which (1) glorify
38 criminals or condone crimes; (2) serve no other purpose but to satisfy
39 the market for violence, lust or pornography; (3) offend any race or
40 religion; (4) tend to abet traffic in and use of prohibited drugs; and (5)
41 are contrary to law, public order, morals, and good customs, established
42 policies, lawful orders, decrees and edicts;
43

44 3. Those who shall sell, give away or exhibit films, prints,
45 engravings, sculpture or literature which are offensive to morals."
46

47 **SEC. 37.** Article 202 of the same Act, as amended, is hereby further amended to
48 read as follows:
49

50 **"ART. 202. Prostitutes; Penalty.** — For the purpose of this
51 article, women who, for money or profit, habitually indulge in sexual

intercourse or lascivious conduct, are deemed to be prostitutes.

Any person found guilty of any of the offenses covered by this article shall be punished by [*arresto menor* or] a fine not exceeding [200] **TWENTY THOUSAND pesos (P20,000).** [and in case of recidivism, by *arresto mayor* in its medium period to *prision correccional* in its minimum period or a fine ranging from 200 to 2,000 pesos, or both, in the discretion of the court.”]

SEC. 38. Article 209 of the same Act is hereby amended to read as follows:

“ART. 209. Betrayal of trust by an attorney or solicitor.
— **Revelation of secrets.** — In addition to the proper administrative action, the penalty of *prision correccional* in its minimum period, or a fine ranging from [200 to 1,000] **TWENTY THOUSAND PESOS (P20,000) TO ONE HUNDRED THOUSAND pesos (P100,000),** or both, shall be imposed upon any attorney-at-law or [solicitor (*procurador judicial*)] **ANY PERSON DULY AUTHORIZED TO REPRESENT AND/OR ASSIST A PARTY TO A CASE** who, by any malicious breach of professional duty or of inexcusable negligence or ignorance, shall prejudice his client, or reveal any of the secrets of the latter learned by him in his professional capacity.

The same penalty shall be imposed upon an attorney-at-law or [solicitor (*procurador judicial*)] **ANY PERSON DULY AUTHORIZED TO REPRESENT AND/OR ASSIST A PARTY TO A CASE** who, having undertaken the defense of a client or having received confidential information from said client in a case, shall undertake the defense of the opposing party in the same case, without the consent of his first client.”

SEC. 39. Article 213 of the same Act is hereby amended to read as follows:

“ART. 213. Frauds against the public treasury and similar offenses. — The penalty of *prision correccional* in its medium period to *prision mayor* in its minimum period, or a fine ranging from [200 to 10,000] **FORTY THOUSAND PESOS (P40,000) TO TWO MILLION pesos (P2,000,000),** or both, shall be imposed upon any public officer who:

1. In his official capacity, in dealing with any person with regard to furnishing supplies, the making of contracts, or the adjustment or settlement of accounts relating to public property or funds, shall enter into an agreement with any interested party or speculator or make use of any other scheme, to defraud the Government;

2. Being entrusted with the collection of taxes, licenses, fees and other imposts, shall be guilty of any of the following acts or omissions:

(a) Demanding, directly, or indirectly, the payment of sums different from or larger than those authorized by law.

(b) Failing voluntarily to issue a receipt, as provided by law, for any sum of money collected by him officially.

(c) Collecting or receiving, directly or indirectly, by way of payment or otherwise things or objects of a nature different from that provided by law.

When the culprit is an officer or employee of the Bureau of Internal Revenue or the Bureau of Customs, the provisions of the Administrative Code shall be applied."

SEC. 40. Article 215 of the same Act is hereby amended to read as follows:

"ART. 215. Prohibited transactions. — The penalty of *prision correccional* in its maximum period or a fine ranging from [200 to 1,000] **FORTY THOUSAND PESOS (P40,000) TO TWO HUNDRED THOUSAND pesos (P200,000)**, or both, shall be imposed upon any appointive public officer who, during his incumbency, shall directly or indirectly become interested in any transaction of exchange or speculation within the territory subject to his jurisdiction."

SEC. 41. Article 216 of the same Act is hereby amended to read as follows:

"ART. 216. Possession of prohibited interest by a public officer. — The penalty of *arresto mayor* in its medium period to *prision correccional* in its minimum period, or a fine ranging from [200 to 1,000] **FORTY THOUSAND PESOS (P40,000) TO TWO HUNDRED THOUSAND pesos (P200,000)**, or both, shall be imposed upon a public officer who directly or indirectly, shall become interested in any contract or business in which it is his official duty to intervene.

This provisions is applicable to experts, arbitrators and private accountants who, in like manner, shall take part in any contract or transaction connected with the estate or property in appraisal, distribution or adjudication of which they shall have acted, and to [the] guardians and executors with respect to the property belonging to their wards or estate."

SEC. 42. Article 217 of the same Act is hereby amended to read as follows:

"ART. 217. Malversation of public funds or property; Presumption of malversation. — Any public officer who, by reason of the duties of his office, is accountable for public funds or property, shall appropriate the same or shall take or misappropriate or shall consent, through abandonment or negligence, shall permit any other person to take such public funds, or property, wholly or partially, or shall otherwise be guilty of the misappropriation or malversation of such funds or property, shall suffer:

1 1. The penalty of *prision correccional* in its medium and
2 maximum periods, if the amount involved in the misappropriation or
3 malversation does not exceed [two hundred] **FORTY THOUSAND**
4 pesos (**P40,000**).

5
6 2. The penalty of *prision mayor* in its minimum and medium
7 periods, if the amount involved is more than [two hundred] **FORTY**
8 **THOUSAND** pesos (**P40,000**) but does not exceed [six thousand]
9 **ONE MILLION TWO HUNDRED THOUSAND** pesos
10 (**P1,200,000**).

11
12 3. The penalty of *prision mayor* in its maximum period to
13 reclusion temporal in its minimum period, if the amount involved is
14 more than [six thousand] **ONE MILLION TWO HUNDRED**
15 **THOUSAND** pesos (**P1,200,000**) but [is less than twelve thousand]
16 **DOES NOT EXCEED TWO MILLION FOUR HUNDRED**
17 **THOUSAND** pesos (**P2,400,000**).

18
19 4. The penalty of *reclusion temporal*, in its medium and
20 maximum periods, if the amount involved is more than [twelve
21 thousand] **TWO MILLION FOUR HUNDRED THOUSAND** pesos
22 (**P2,400,000**) but [is less than twenty-two thousand] **DOES NOT**
23 **EXCEED FOUR MILLION FOUR HUNDRED THOUSAND** pesos
24 (**P4,400,000**). [If the amount exceeds the latter, the penalty shall be
25 reclusion temporal in its maximum period to *reclusion perpetua*.]
26

27 **5. THE PENALTY OF RECLUSION TEMPORAL IN ITS**
28 **MAXIMUM PERIOD IF THE AMOUNT INVOLVED IS MORE**
29 **THAN FOUR MILLION FOUR HUNDRED THOUSAND PESOS**
30 **(P4,400,000) BUT DOES NOT EXCEED EIGHT MILLION**
31 **EIGHT HUNDRED THOUSAND PESOS (P8,800,000). IF THE**
32 **AMOUNT EXCEEDS THE LATTER, THE PENALTY SHALL BE**
33 **RECLUSION PERPETUA.**
34

35 In all cases, persons guilty of malversation shall also suffer the
36 penalty of perpetual special disqualification and a fine equal to the
37 amount of the funds malversed or equal to the total value of the property
38 embezzled.
39

40 The failure of a public officer to have duly forthcoming any public
41 funds or property with which he is chargeable, upon demand by any duly
42 authorized officer, shall be prima facie evidence that he has put such
43 missing funds or property to personal use."
44

45 **SEC. 43.** Article 218 of the same Act is hereby amended to read as follows:
46

47 **"ART. 218. Failure of accountable officer to render**
48 **accounts.** — Any public officer, whether in the service or separated
49 therefrom by resignation or any other cause, who is required by law or
50 regulation to render account to the [Insular Auditor] **COMMISSION**
51 **ON AUDIT**, or to a provincial auditor and who fails to do so for a period

1 of two months after such accounts should be rendered, shall be punished
2 by *prision correccional* in its minimum period, or by a fine ranging from
3 [200 to 6,000] **FORTY THOUSAND PESOS (P40,000) TO ONE**
4 **MILLION TWO HUNDRED THOUSAND** pesos (**P1,200,000**), or
5 both.”
6

7 **SEC. 44.** Article 219 of the same Act is hereby amended to read as follows:
8

9 “**ART. 219. Failure of a responsible public officer to**
10 **render accounts before leaving the country.** — Any public officer
11 who unlawfully leaves or attempts to leave the [Philippine Islands]
12 **PHILIPPINES** without securing a certificate from the [Insular
13 Auditor] **COMMISSION ON AUDIT** showing that his accounts have
14 been finally settled, shall be punished by *arresto mayor*, or a fine
15 ranging from [200 to 1,000] **FORTY THOUSAND PESOS**
16 **(P40,000) TO TWO HUNDRED THOUSAND** pesos (**P200,000**)
17 or both.”
18

19 **SEC. 45.** Article 221 of the same Act is hereby amended to read as follows:
20

21 “**ART. 221. Failure to make delivery of public funds or**
22 **property.** — Any public officer under obligation to make payment from
23 Government funds in his possession, who shall fail to make such
24 payment, shall be punished by *arresto mayor* and a fine from 5 to 25 per
25 cent of the sum which he failed to pay.
26

27 This provision shall apply to any public officer who, being ordered
28 by competent authority to deliver any property in his custody or under
29 his administration, shall refuse to make such delivery.
30

31 The fine shall be graduated in such case by the value of the thing,
32 provided that it shall not **BE** less than [50] **TEN THOUSAND** pesos
33 **(P10,000).**”
34

35
36 **SEC. 46.** Article 226 of the same Act is hereby amended to read as follows:
37

38 “**ART. 226. Removal, concealment or destruction of**
39 **documents.** — Any public officer who shall remove, destroy or conceal
40 documents or papers officially entrusted to him, shall suffer:
41

42 1. The penalty of *prision mayor* and a fine not exceeding [1,000]
43 **TWO HUNDRED THOUSAND** pesos (**P200,000**), whenever
44 serious damage shall have been caused thereby to a third party or to the
45 public interest.
46

47 2. The penalty of *prision correccional* in its minimum and
48 medium period and a fine not exceeding [1,000] **TWO HUNDRED**
49 **THOUSAND** pesos (**P200,000**), whenever the damage to a third
50 party or to the public interest shall not have been serious.
51

1 In either case, the additional penalty of temporary special
2 disqualification in its maximum period to perpetual disqualification
3 shall be imposed."
4

5 **SEC. 47.** Article 227 of the same Act is hereby amended to read as follows:
6

7 "ART. 227. *Officer breaking seal.* — Any public officer
8 charged with the custody of papers or property sealed by proper
9 authority, who shall break the seals or permit them to be broken, shall
10 suffer the penalties of *prision correccional* in its minimum and medium
11 periods, temporary special disqualification and a fine not exceeding
12 [2,000] **FOUR HUNDRED THOUSAND pesos (P400,000).**"
13

14 **SEC. 48.** Article 228 of the same Act is hereby amended to read as follows:
15

16 "ART. 228. *Opening of closed documents.* — Any public
17 officer not included in the provisions of the next preceding article who,
18 without proper authority, shall open or shall permit to be opened any
19 closed papers, documents or objects entrusted to his custody, shall suffer
20 the penalties or *arresto mayor*, temporary special disqualification and a
21 fine of not exceeding [2,000] **FOUR HUNDRED THOUSAND pesos**
22 **(P400,000).**"
23

24 **SEC. 49.** Article 229 of the same Act is hereby amended to read as follows:
25

26 "ART. 229. *Revelation of secrets by an officer.* — Any
27 public officer who shall reveal any secret known to him by reason of his
28 official capacity, or shall wrongfully deliver papers or copies of papers of
29 which he may have charge and which should not be published, shall
30 suffer the penalties of *prision correccional* in its medium and maximum
31 periods, perpetual special disqualification and a fine not exceeding
32 [2,000] **FOUR HUNDRED THOUSAND pesos (P400,000)** if the
33 revelation of such secrets or the delivery of such papers shall have caused
34 serious damage to the public interest; otherwise, the penalties of *prision*
35 *correccional* in its minimum period, temporary special disqualification
36 and a fine not exceeding [500] **ONE HUNDRED THOUSAND pesos**
37 **(P100,000)** shall be imposed."
38

39 **SEC. 50.** Article 230 of the same Act is hereby amended to read as follows:
40

41 "ART. 230. *Public officer revealing secrets of private*
42 *individual.* — Any public officer to whom the secrets of any private
43 individual shall become known by reason of his office who shall reveal
44 such secrets, shall suffer the penalties of *arresto mayor* and a fine not
45 exceeding [1,000] **TWO HUNDRED THOUSAND pesos**
46 **(P200,000).**"
47

48 **SEC. 51.** Article 231 of the same Act is hereby amended to read as follows:
49

50 "ART. 231. *Open disobedience.* — Any judicial or executive
51 officer who shall openly refuse to execute the judgment, decision or order

1 of any superior authority made within the scope of the jurisdiction of the
2 latter and issued with all the legal formalities, shall suffer the penalties
3 of *arresto mayor* in its medium period to *prision correccional* in its
4 minimum period, temporary special disqualification in its maximum
5 period and a fine not exceeding [1,000] **TWO HUNDRED**
6 **THOUSAND pesos (P200,000).**"

7
8 **SEC. 52.** Article 233 of the same Act is hereby amended to read as follows:
9

10 **"ART. 233. Refusal of assistance.** — The penalties of *arresto*
11 *mayor* in its medium period to *prision correccional* in its minimum
12 period, perpetual special disqualification and a fine not exceeding
13 [1,000] **TWO HUNDRED THOUSAND pesos (P200,000)**, shall be
14 imposed upon a public officer who, upon demand from competent
15 authority, shall fail to lend his cooperation towards the administration
16 of justice or other public service, if such failure shall result in serious
17 damage to the public interest, or to a third party; otherwise, *arresto*
18 *mayor* in its medium and maximum periods and a fine not exceeding
19 [500] **ONE HUNDRED THOUSAND pesos (P100,000)** shall be
20 imposed."

21
22 **SEC. 53.** Article 234 of the same Act is hereby amended to read as follows:
23

24 **"ART. 234. Refusal to discharge elective office.**— The
25 penalty of *arresto mayor* or a fine not exceeding [1,000] **TWO**
26 **HUNDRED THOUSAND pesos (P200,000)**, or both, shall be
27 imposed upon any person who, having been elected by popular election
28 to a public office, shall refuse without legal motive to be sworn in or to
29 discharge the duties of said office."

30
31 **SEC. 54.** Article 235 of the same Act, as amended by Executive Order No. 62, is
32 hereby further amended to read as follows:
33

34 **"ART. 235. Maltreatment of prisoners.** — The penalty of
35 *prision correccional* in its medium period to *prision mayor* in its
36 minimum period, in addition to his liability for the physical injuries or
37 damage caused, shall be imposed upon any public officer or employee
38 who shall overdo himself in the correction or handling of a prisoner or
39 detention prisoner under his charge, by the imposition of punishment
40 not authorized by the regulations, or by inflicting such punishment in a
41 cruel and humiliating manner.

42
43 If the purpose of the maltreatment is to extort a confession, or to
44 obtain some information from the prisoner, the offender shall be
45 punished by *prision mayor* in its minimum period, temporary special
46 disqualification and a fine not exceeding [6,000] **ONE HUNDRED**
47 **THOUSAND pesos (P100,000)**, in addition to his liability for the
48 physical injuries or damage caused."

49
50 **SEC. 55.** Article 236 of the same Act is hereby amended to read as follows:
51

1 **"ART. 236. Anticipation of duties of a public office.** — Any
2 person who shall assume the performance of the duties and powers of
3 any public officer or employment without first being sworn in or having
4 given the bond required by law, shall be suspended from such office or
5 employment until he shall have complied with the respective formalities
6 and shall be fined from [200 to 500] **FORTY THOUSAND PESOS**
7 **(P40,000) TO ONE HUNDRED THOUSAND pesos (P100,000)."**
8

9 **SEC. 56.** Article 237 of the same Act is hereby amended to read as follows:
10

11 **"ART. 237. Prolonging performance of duties and**
12 **powers.** — Any public officer shall continue to exercise the duties and
13 powers of his office, employment or commission, beyond the period
14 provided by law, regulation or special provisions applicable to the case,
15 shall suffer the penalties of *prision correccional* in its minimum period,
16 special temporary disqualification in its minimum period and a fine not
17 exceeding [500] **ONE HUNDRED THOUSAND pesos**
18 **(P100,000)."**
19

20 **SEC. 57.** Article 239 of the same Act is hereby amended to read as follows:
21

22 **"ART. 239. Usurpation of legislative powers.** — The
23 penalties of *prision correccional* in its minimum period, temporary
24 special disqualification and a fine not exceeding [1,000] **TWO**
25 **HUNDRED THOUSAND pesos (P200,000)**, shall be imposed upon
26 any public officer who shall encroach upon the powers of the legislative
27 branch of the Government, either by making general rules or regulations
28 beyond the scope of his authority, or by attempting to repeal a law or
29 suspending the execution thereof."
30

31 **SEC. 58.** Article 242 of the same Act is hereby amended to read as follows:
32

33 **"ART. 242. Disobeying request for disqualification.** —
34 Any public officer who, before the question of jurisdiction is decided,
35 shall continue any proceeding after having been lawfully required to
36 refrain from so doing, shall be punished by *arresto mayor* and a fine not
37 exceeding [500] **ONE HUNDRED THOUSAND pesos**
38 **(P100,000)."**
39

40 **SEC. 59.** Article 243 of the same Act is hereby amended to read as follows:
41

42 **"ART. 243. Orders or requests by executive officers to**
43 **any judicial authority.** — Any executive officer who shall address
44 any order or suggestion to any judicial authority with respect to any case
45 or business coming within the exclusive jurisdiction of the courts of
46 justice shall suffer the penalty of *arresto mayor* and a fine not exceeding
47 [500] **ONE HUNDRED THOUSAND pesos (P100,000)."**
48

49 **SEC. 60.** Article 244 of the same Act is hereby amended to read as follows:
50

51 **"ART. 244. Unlawful appointments.** — Any public officer

1 who shall knowingly nominate or appoint to any public office any person
2 lacking the legal qualifications therefor, shall suffer the penalty of
3 *arresto mayor* and a fine not exceeding [1,000] **TWO HUNDRED**
4 **THOUSAND** pesos (**P200,000**)."

5
6 **SEC. 61.** Article 259 of the same Act is hereby amended to read as follows:

7
8 **"ART. 259. Abortion practiced by a physician or**
9 **midwife and dispensing of abortives.** — The penalties provided in
10 Article 256 shall be imposed in its maximum period, respectively, upon
11 any physician or midwife who, taking advantage of their scientific
12 knowledge or skill, shall cause an abortion or assist in causing the same.
13

14 Any pharmacist who, without the proper prescription from a
15 physician, shall dispense any abortive shall suffer the penalty of *arresto*
16 *mayor* and a fine not exceeding [1,000] **ONE HUNDRED**
17 **THOUSAND** pesos (**P100,000**)."
18

19 **SEC. 62.** Article 265 of the same Act is hereby amended to read as follows:

20
21 **"ART. 265. Less serious physical injuries.** — Any person
22 who shall inflict upon another physical injuries not described in the
23 preceding articles, but which shall incapacitate the offended party for
24 labor for ten days or more, or shall require medical assistance for the
25 same period, shall be guilty of less serious physical injuries and shall
26 suffer the penalty of *arresto mayor*.
27

28 Whenever less serious physical injuries shall have been inflicted
29 with the manifest intent to kill or offend the injured person, or under
30 circumstances adding ignominy to the offense in addition to the penalty
31 of *arresto mayor*, a fine not exceeding [500] **FIFTY THOUSAND**
32 pesos (**P50,000**) shall be imposed.
33

34 Any less serious physical injuries inflicted upon the offender's
35 parents, ascendants, guardians, curators, teachers, or persons of rank,
36 or persons in authority, shall be punished by *prision correccional* in its
37 minimum and medium periods, provided that, in the case of persons in
38 authority, the deed does not constitute the crime of assault upon such
39 person."
40

41 **SEC. 63.** Article 266 of the same Act is hereby amended to read as follows:

42
43 **"Art. 266. Slight physical injuries and maltreatment.** —
44 The crime of slight physical injuries shall be punished:
45

46 1. By *arresto menor* when the offender has inflicted physical
47 injuries which shall incapacitate the offended party for labor from one to
48 nine days, or shall require medical attendance during the same period.
49

50 2. By *arresto menor* or a fine not exceeding [200] **TWO**

1 **THOUSAND pesos (P2,000)** and censure when the offender has
2 caused physical injuries which do not prevent the offended party from
3 engaging in his habitual work nor require medical assistance.
4

5 3. By *arresto menor* in its minimum period or a fine not exceeding
6 [50] **FIVE THOUSAND pesos (P5,000)** when the offender shall ill-
7 treat another by deed without causing any injury."
8

9 **SEC. 64.** Article 268 of the same Act, as amended by Republic Act No. 18, is hereby
10 further amended to read as follows:
11

12 "**Art. 268. Slight Illegal Detention.** — The penalty of
13 *reclusion temporal* shall be imposed upon any private individual who
14 shall commit the crimes described in the next preceding article without
15 the attendance of any of the circumstances enumerated therein.
16

17 The same penalty shall be incurred by anyone who shall furnish
18 the place for the perpetration of the crime.
19

20 If the offender shall voluntarily release the person so locked up or
21 detained within three days from the commencement of the detention,
22 without having attained the purpose intended, and before the institution
23 of criminal proceedings against him, the penalty shall be *prision mayor*
24 in its minimum and medium periods and a fine not exceeding [seven
25 hundred] **ONE HUNDRED THOUSAND pesos (P100,000)** .
26

27 **SEC. 65.** Article 269 of the same Act is hereby amended to read as follows:
28

29 "**ART. 269. Unlawful arrest.** — The penalty of *arresto mayor*
30 and a fine not exceeding [500] **ONE HUNDRED THOUSAND pesos**
31 **(P100,000)** shall be imposed upon any person who, in any case other
32 than those authorized by law, or without reasonable ground therefor,
33 shall arrest or detain another for the purpose of delivering him to the
34 proper authorities."
35

36 **SEC. 66.** Article 271 of the same Act, as amended by Republic Act No. 18, is hereby
37 further amended to read as follows:
38

39 "**ART. 271. Inducing a minor to abandon his home.** — The
40 penalty of *prision correccional* and a fine not exceeding [seven
41 hundred] **ONE HUNDRED THOUSAND pesos (P100,000)** shall be
42 imposed upon anyone who shall induce a minor to abandon the home of
43 his parents or guardians or the persons entrusted with his custody.
44

45 If the person committing any of the crimes covered by the two
46 preceding articles shall be the father or the mother of the minor, the
47 penalty shall be *arresto mayor* or a fine not exceeding [three hundred]
48 **FORTY THOUSAND pesos (P40,000)**, or both."
49

50 **SEC. 67.** Article 276 of the same Act is hereby amended to read as follows:
51

1 **"ART. 276. Abandoning a minor.** — The penalty of *arresto*
2 *mayor* and a fine not exceeding [500] **ONE HUNDRED THOUSAND**
3 **pesos (P100,000)** shall be imposed upon any one who shall abandon a
4 child under seven years of age, the custody of which is incumbent upon
5 him.

6
7 When the death of the minor shall result from such abandonment,
8 the culprit shall be punished *by prision correccional* in its medium and
9 maximum periods; but if the life of the minor shall have been in danger
10 only, the penalty shall be *prision correccional* in its minimum and
11 medium periods.

12
13 The provisions contained in the two preceding paragraphs shall
14 not prevent the imposition of the penalty provided for the act committed,
15 when the same shall constitute a more serious offense."

16
17 **SEC. 68.** Article 277 of the same Act is hereby amended to read as follows:
18

19 **"ART. 277. Abandonment of minor by person entrusted**
20 ***with his custody; indifference of parents.*** — The penalty of
21 *arresto mayor* and a fine not exceeding [500] **ONE HUNDRED**
22 **THOUSAND pesos (P100,000)** shall be imposed upon anyone who,
23 having charge of the rearing or education of a minor, shall deliver said
24 minor to a public institution or other persons, without the consent of the
25 one who entrusted such child to his care or in the absence of the latter,
26 without the consent of the proper authorities.

27
28 The same penalty shall be imposed upon the parents who shall
29 neglect their children by not giving them the education which their
30 station in life require and financial conditions permit."

31
32 **SEC. 69.** Article 278 of the same Act is hereby amended to read as follows:
33

34 **"ART. 278. Exploitation of minors.** — The penalty of *prision*
35 *correccional* in its minimum and medium periods and a fine not
36 exceeding [500] **ONE HUNDRED THOUSAND pesos (P100,000)**
37 shall be imposed upon:

38
39 1. Any person who shall cause any boy or girl under sixteen years
40 of age to perform any dangerous feat of balancing, physical strength, or
41 contortion.

42
43 2. Any person who, being an acrobat, gymnast, rope-walker,
44 diver, wild-animal tamer or circus manager or engaged in a similar
45 calling, shall employ in exhibitions of these kinds children under sixteen
46 years of age who are not his children or descendants.

47
48 3. Any person engaged in any of the callings enumerated in the
49 next paragraph preceding who shall employ any descendant of his under
50 twelve years of age in such dangerous exhibitions.
51

4. Any ascendant, guardian, teacher or person entrusted in any capacity with the care of a child under sixteen years of age, who shall deliver such child gratuitously to any person following any of the callings enumerated in paragraph 2 hereof, or to any habitual vagrant or beggar.

If the delivery shall have been made in consideration of any price, compensation, or promise, the penalty shall in every case be imposed in its maximum period.

In either case, the guardian or curator convicted shall also be removed from office as guardian or curator; and in the case of the parents of the child, they may be deprived, temporarily or perpetually, in the discretion of the court, of their parental authority.

5. Any person who shall induce any child under sixteen years of age to abandon the home of its ascendants, guardians, curators, or teachers to follow any person engaged in any of the callings mentioned in paragraph 2 hereof, or to accompany any habitual vagrant or beggar."

SEC. 70. Article 280 of the same Act is hereby amended to read as follows:

"ART. 280. Qualified trespass to dwelling. — Any private person who shall enter the dwelling of another against the latter's will shall be punished by *arresto mayor* and a fine not exceeding [1,000] **TWO HUNDRED THOUSAND pesos (P200,000).**

If the offense be committed by means of violence or intimidation, the penalty shall be *prision correccional* in its medium and maximum periods and a fine not exceeding [1,000] **TWO HUNDRED THOUSAND pesos (P200,000).**

The provisions of this article shall not be applicable to any person who shall enter another's dwelling for the purpose of preventing some serious harm to himself, the occupants of the dwelling or a third person, nor shall it be applicable to any person who shall enter a dwelling for the purpose of rendering some service to humanity or justice, nor to anyone who shall enter cafes, taverns, inn and other public houses, while the same are open."

SEC. 71. Article 281 of the same Act is hereby amended to read as follows:

"ART. 281. Other forms of trespass. — The penalty of *arresto menor* or a fine not exceeding [200] **FORTY THOUSAND pesos (P40,000),** or both, shall be imposed upon any person who shall enter the closed premises or the fenced estate of another, while either or both of them are uninhabited, if the prohibition to enter be manifest and the trespasser has not secured the permission of the owner or the caretaker thereof."

SEC. 72. Article 282 of the same Act is hereby amended to read as follows:

1 **"ART. 282. Grave threats.** — Any person who shall threaten
2 another with the infliction upon the person, honor or property of the
3 latter or of his family of any wrong amounting to a crime, shall suffer:

4
5 1. The penalty next lower in degree than that prescribed by law for
6 the crime be threatened to commit, if the offender shall have made the
7 threat demanding money or imposing any other condition, even though
8 not unlawful, and said offender shall have attained his purpose. If the
9 offender shall not have attained his purpose, the penalty lower by two
10 degrees shall be imposed.

11
12 If the threat be made in writing or through a middleman, the
13 penalty shall be imposed in its maximum period.

14
15 2. The penalty of *arresto mayor* and a fine not exceeding [500]
16 **ONE HUNDRED THOUSAND pesos (P100,000)** if the threat shall
17 not have been made subject to a condition."

18
19 **SEC. 73.** Article 285 of the same Act is hereby amended to read as follows:

20
21 **"ART. 285. Other light threats.** — The penalty of *arresto*
22 *menor* in its minimum period or a fine not exceeding [200] **FORTY**
23 **THOUSAND pesos (P40,000)** shall be imposed upon:

24
25 1. Any person who, without being included in the provisions of the
26 next preceding article, shall threaten another with a weapon or draw
27 such weapon in a quarrel, unless it be in lawful self-defense.

28
29 2. Any person who, in the heat of anger, shall orally threaten
30 another with some harm not constituting a crime, and who by
31 subsequent acts show that he did not persist in the idea involved in his
32 threat, provided that the circumstances of the offense shall not bring it
33 within the provisions of Article 282 of this Code.

34
35 3. Any person who shall orally threaten to do another any harm
36 not constituting a felony."

37
38
39 **SEC. 74.** Article 286 of the same Act, as amended by Republic Act No. 7890, is
40 hereby further amended to read as follows:

41
42 **"ART. 286. Grave coercions.** — The penalty of *prision*
43 *correccional* and a fine not exceeding [Six thousand pesos] **ONE**
44 **HUNDRED THOUSAND pesos (P100,000)** shall be imposed upon
45 any person who, without authority of law, shall, by means of violence,
46 threats or intimidation, prevent another from doing something not
47 prohibited by law, or compel him to do something against his will,
48 whether it be right or wrong.

49
50 If the coercion be committed in violation of the exercise of the
51 right of suffrage, or for the purpose of compelling another to perform any

religious act or to prevent him from exercising such right, or from so doing such act, the penalty next higher in degree shall be imposed."

SEC. 75. Article 287 of the same Act is hereby amended to read as follows:

"ART. 287. Light coercions. - Any person who, by means of violence, shall seize anything belonging to his debtor for the purpose of applying the same to the payment of the debt, shall suffer the penalty of *arresto mayor* in its minimum period and a fine equivalent to the value of the thing, but in no case less than [75] **FIFTEEN THOUSAND pesos (P15,000).**

Any other coercions or unjust vexations shall be punished by *arresto menor* or a fine ranging from [5 to 200] **ONE THOUSAND PESOS (P1,000) TO FORTY THOUSAND pesos (P40,000),** or both."

SEC. 76. Article 288 of the same Act is hereby amended to read as follows:

"ART. 288. Other similar coercions; (Compulsory purchase of merchandise and payment of wages by means of tokens.) - The penalty of *arresto mayor* or a fine ranging from [200 to 500] **FORTY THOUSAND PESOS (P40,000) TO ONE HUNDRED THOUSAND pesos (P100,000),** or both, shall be imposed upon any person, agent or officer, of any association or corporation who shall force or compel, directly or indirectly, or shall knowingly permit any laborer or employee employed by him or by such firm or corporation to be forced or compelled, to purchase merchandise or commodities of any kind.

The same penalties shall be imposed upon any person who shall pay the wages due a laborer or employee employed by him, by means of tokens or objects other than the legal tender currency of the laborer or employee."

SEC. 77. Article 289 of the same Act is hereby amended to read as follows:

"ART. 289. Formation, maintenance and prohibition of combination of capital or labor through violence or threats. - The penalty of *arresto mayor* and a fine not exceeding [300] **SIXTY THOUSAND pesos (P60,000)** shall be imposed upon any person who, for the purpose of organizing, maintaining or preventing coalitions or capital or labor, strike of laborers or lock-out of employees, shall employ violence or threats in such a degree as to compel or force the laborers or employers in the free and legal exercise of their industry or work, if the act shall not constitute a more serious offense in accordance with the provisions of this Code."

SEC. 78. Article 290 of the same Act is hereby amended to read as follows:

"ART. 290. Discovering secrets through seizure of

1 **correspondence.** — The penalty of *prision correccional* in its
2 minimum and medium periods and a fine not exceeding [500] **ONE**
3 **HUNDRED THOUSAND pesos (P100,000)** shall be imposed upon
4 any private individual who in order to discover the secrets of another,
5 shall seize his papers or letters and reveal the contents thereof.

6
7 If the offender shall not reveal such secrets, the penalty shall be
8 *arresto mayor* and a fine not exceeding [500] **ONE HUNDRED**
9 **THOUSAND pesos (P100,000).**

10
11 The provision shall not be applicable to parents, guardians, or
12 persons entrusted with the custody of minors with respect to the papers
13 or letters of the children or minors placed under their care or study, nor
14 to spouses with respect to the papers or letters of either of them.”

15
16 **SEC. 79.** Article 291 of the same Act is hereby amended to read as follows:

17
18 **“ART. 291. Revealing secrets with abuse of office.** — The
19 penalty of *arresto mayor* and a fine not exceeding [500] **ONE**
20 **HUNDRED THOUSAND pesos (P100,000)** shall be imposed upon
21 any manager, employee, or servant who, in such capacity, shall learn the
22 secrets of his principal or master and shall reveal such secrets.”

23
24 **SEC. 80.** Article 292 of the same Act is hereby amended to read as follows:

25
26 **“ART. 292. Revelation of industrial secrets.** — The penalty
27 of *prision correccional* in its minimum and medium periods and a fine
28 not exceeding [500] **ONE HUNDRED THOUSAND pesos**
29 **(P100,000)** shall be imposed upon the person in charge, employee or
30 workman of any manufacturing or industrial establishment who, to the
31 prejudice of the owner thereof, shall reveal the secrets of the industry of
32 the latter.”

33
34 **SEC. 81.** Article 299 of the same Act, as amended by Republic Act No. 18, is hereby
35 further amended to read as follows:

36
37 **“ART. 299. Robbery in an inhabited house or public**
38 **building or edifice devoted to worship.** - Any armed person who
39 shall commit robbery in an inhabited house or public building or edifice
40 devoted to religious worship, shall be punished by *reclusion temporal*, if
41 the value of the property taken shall exceed [two hundred fifty] **FIFTY**
42 **THOUSAND pesos (P50,000),** and if:

43
44 (a) The malefactors shall enter the house or building in which the
45 robbery was committed, by any of the following means:

- 46
47 1. Through an opening not intended for entrance or egress.
48
49 2. By breaking any wall, roof, or floor or breaking any door or window.
50
51 3. By using false keys, picklocks or similar tools.

1
2 4. By using any fictitious name or pretending the exercise of public
3 authority.

4
5 Or if -

6
7 (b) The robbery be committed under any of the following circumstances:

8
9 1. By the breaking of doors, wardrobes, chests, or any other kind of
10 locked or sealed furniture or receptacle;

11
12 2. By taking such furniture or objects to be broken or forced open outside
13 the place of the robbery.

14
15 When the offenders do not carry arms, and the value of the
16 property taken exceeds [250] **FIFTY THOUSAND** pesos (**P50,000**),
17 the penalty next lower in degree shall be imposed.

18
19 The same rule shall be applied when the offenders are armed, but
20 the value of the property taken does not exceed [250] **FIFTY**
21 **THOUSAND** pesos (**P50,000**).

22
23 When said offenders do not carry arms and the value of the
24 property taken does not exceed [250] **FIFTY THOUSAND** pesos
25 (**P50,000**), they shall suffer the penalty prescribed in the two next
26 preceding paragraphs, in its minimum period.

27
28 If the robbery be committed in one of the dependencies of an
29 inhabited house, public building, or building dedicated to religious
30 worship, the penalties next lower in degree than those prescribed in this
31 article shall be imposed."

32
33 **SEC. 82.** Article 302 of the same Act, as amended by Commonwealth Act No. 417,
34 is hereby further amended to read as follows:

35
36 **"ART. 302. Robbery is an uninhabited place or in a**
37 **private building.** - Any robbery committed in an uninhabited place or
38 in a building other than those mentioned in the first paragraph of Article
39 299, if the value of the property taken exceeds [250] **FIFTY**
40 **THOUSAND** pesos (**P50,000**), shall be punished by *prision*
41 *correccional* in its medium and maximum periods provided that any of
42 the following circumstances is present:

43
44 1. If the entrance has been effected through any opening not intended for
45 entrance or egress.

46
47 2. If any wall, roof, floor or outside door or window has been broken.

48
49 3. If the entrance has been effected through the use of false keys,
50 picklocks or other similar tools.
51

4. If any dorm, wardrobe, chest or by sealed or closed furniture or receptacle has been broken.

5. If any closed or sealed receptacle, as mentioned in the preceding paragraph, has been removed even if the same to broken open elsewhere.

When the value of the property takes does not exceed [250] **FIFTY THOUSAND pesos (P50,000)**, the penalty next lower in degree shall be imposed.

In the cases specified in Articles 294, 295, 297, 299, 300, and 302 of this Code, when the property taken is mail matter or large cattle, the offender shall suffer the penalties next higher in degree than those provided in said articles."

SEC. 83. Article 309 of the same Act is hereby amended to read as follows:

"ART. 309. Penalties. - Any person guilty of theft shall be punished by:

1. The penalty of *prision mayor* in its minimum and medium periods, if the value of the thing stolen is more than [12,000] **ONE MILLION TWO HUNDRED THOUSAND pesos (P1,200,000)** but does not exceed [22,000] **TWO MILLION TWO HUNDRED THOUSAND pesos (P2,200,000)**, but if the value of the thing stolen exceeds the latter amount the penalty shall be the maximum period of the one prescribed in this paragraph, and one year for each additional [ten thousand] **ONE MILLION pesos (P1,000,000)**, but the total of the penalty which may be imposed shall not exceed twenty years. In such cases, and in connection with the accessory penalties which may be imposed and for the purpose of the other provisions of this Code, the penalty shall be termed *prision mayor* or *reclusion temporal*, as the case may be.

2. The penalty of *prision correccional* in its medium and maximum periods, if the value of the thing stolen is more than [6,000] **SIX HUNDRED THOUSAND pesos (P600,000)** but does not exceed [12,000] **ONE MILLION TWO HUNDRED THOUSAND pesos (P1,200,000)**.

3. The penalty of *prision correccional* in its minimum and medium periods, if the value of the property stolen is more than [200] **TWENTY THOUSAND pesos (P20,000)** but does not exceed [6,000] **SIX HUNDRED THOUSAND pesos (P600,000)**.

4. *Arresto mayor* in its medium period to *prision correccional* in its minimum period, if the value of the property stolen is over [50] **FIVE THOUSAND pesos (P5,000)** but does not exceed [200] **TWENTY THOUSAND pesos (P20,000)**.

1 5. *Arresto mayor* to its full extent, if such value is over [5] **FIVE**
2 **HUNDRED pesos (P500)** but does not exceed [50] **FIVE**
3 **THOUSAND pesos (P5,000)**.

4
5 6. *Arresto mayor* in its minimum and medium periods, if such value
6 does not exceed [5] **FIVE HUNDRED pesos (500)**.

7
8 7. *Arresto menor* or a fine not exceeding [200] **TWENTY**
9 **THOUSAND pesos (P20,000)**, if the theft is committed under the
10 circumstances enumerated in paragraph 3 of the next preceding article
11 and the value of the thing stolen does not exceed [5] **FIVE HUNDRED**
12 **pesos (500)**. If such value exceeds said amount, the provision of any of
13 the five preceding subdivisions shall be made applicable.

14
15 8. *Arresto menor* in its minimum period or a fine not exceeding [50]
16 **FIVE THOUSAND pesos (P5,000)**, when the value of the thing stolen
17 is not over [5] **FIVE HUNDRED pesos (500)**, and the offender shall
18 have acted under the impulse of hunger, poverty, or the difficulty of
19 earning a livelihood for the support of himself or his family."

20
21
22
23 **SEC. 84.** Article 311 of the same Act is hereby amended to read as follows:

24
25 "ART. 311. *Theft of the property of the National Library*
26 *and National Museum.* - If the property stolen be any property of the
27 National Library or the National Museum, the penalty shall be *arresto*
28 *mayor* or a fine ranging from [200] **FORTY THOUSAND PESOS**
29 **(P40,000)** to [500] **ONE HUNDRED THOUSAND pesos**
30 **(P100,000)**, or both, unless a higher penalty should be provided under
31 other provisions of this Code, in which case, the offender shall be
32 punished by such higher penalty."

33
34 **SEC. 85.** Article 312 of the same Act is hereby amended to read as follows:

35
36 "ART. 312. *Occupation of real property or usurpation of*
37 *real rights in property.* - Any person who, by means of violence
38 against or intimidation of persons, shall take possession of any real
39 property or shall usurp any real rights in property belonging to another,
40 in addition to the penalty incurred for the acts of violence executed by
41 him, shall be punished by a fine from 50 to 100 per centum of the gain
42 which he shall have obtained, but not less than [75] **FIFTEEN**
43 **THOUSAND pesos (P15,000)**. If the value of the gain cannot be
44 ascertained, a fine of from [200] **FORTY THOUSAND PESOS**
45 **(P40,000)** to [500] **ONE HUNDRED THOUSAND pesos**
46 **(P100,000)** shall be imposed."

47
48 **SEC. 86.** Article 313 of the same Act is hereby amended to read as follows:

49
50 "ART. 313. *Altering boundaries or landmarks.* - Any
51 person who shall alter the boundary marks or monuments of towns,

provinces, or estates, or any other marks intended to designate the boundaries of the same, shall be punished by *arresto menor* or a fine not exceeding [100] **TWENTY THOUSAND pesos (P20,000)**, or both."

SEC. 87. Article 315 of the same Act, as amended by Republic Act No. 4885, Presidential Decree No. 1689, and Presidential Decree No. 818, is hereby further amended to read as follows:

"ART. 315. *Swindling (estafa)*. - Any person who shall defraud another by any of the means mentioned herein below shall be punished by:

1st. The penalty of *prision correccional* in its maximum period to *prision mayor* in its minimum period, if the amount of the fraud is over [12,000] **TWO MILLION FOUR HUNDRED THOUSAND pesos (P2,400,000)** but does not exceed [22,000] **FOUR MILLION FOUR HUNDRED THOUSAND pesos (P4,400,000)**, and if such amount exceeds the latter sum, the penalty provided in this paragraph shall be imposed in its maximum period, adding one year for each additional [10,000] **TWO MILLION pesos (P2,000,000)**; but the total penalty which may be imposed shall not exceed twenty years. In such cases, and in connection with the accessory penalties which may be imposed under the provisions of this Code, the penalty shall be termed *prision mayor* or *reclusion temporal*, as the case may be.

2nd. The penalty of *prision correccional* in its minimum and medium periods, if the amount of the fraud is over [6,000] **ONE MILLION TWO HUNDRED THOUSAND pesos (P1,200,000)** but does not exceed [12,000] **TWO MILLION FOUR HUNDRED THOUSAND pesos (P2,400,000)**;

3rd. The penalty of *arresto mayor* in its maximum period to *prision correccional* in its minimum period if such amount is over [200] **FORTY THOUSAND pesos (P40,000)** but does not exceed [6,000] **ONE MILLION TWO HUNDRED THOUSAND pesos (P1,200,000)**; and

4th. By *arresto mayor* in its maximum period, if such amount does not exceed [200] **FORTY THOUSAND pesos (P40,000)**, provided that in the four cases mentioned, the fraud be committed by any of the following means:

1. With unfaithfulness or abuse of confidence, namely:

(a) By altering the substance, quantity, or quality of anything of value which the offender shall deliver by virtue of an obligation to do so, even though such obligation be based on an immoral or illegal consideration.

(b) By misappropriating or converting, to the prejudice of another, money, goods, or any other personal property received

by the offender in trust or on commission, or for administration, or under any other obligation involving the duty to make delivery of or to return the same, even though such obligation be totally or partially guaranteed by a bond; or by denying having received such money, goods, or other property.

(c) By taking undue advantage of the signature of the offended party in blank, and by writing any document above such signature in blank, to the prejudice of the offended party or any third person.

2. By means of any of the following false pretenses or fraudulent acts executed prior to or simultaneously with the commission of the fraud:

(a) By using fictitious name, or falsely pretending to possess power, influence, qualifications, property, credit, agency, business or imaginary transactions, or by means of other similar deceits.

(b) By altering the quality, fineness or weight of anything pertaining to his art or business.

(c) By pretending to have bribed any Government employee, without prejudice to the action for calumny which the offended party may deem proper to bring against the offender. In this case, the offender shall be punished by the maximum period of the penalty.

(d) By postdating a check, or issuing a check in payment of an obligation when the offender had no funds in the bank, or his funds deposited therein were not sufficient to cover the amount of the check. The failure of the drawer of the check to deposit the amount necessary to cover his check within three (3) days from receipt of notice from the bank and/or the payee or holder that said check has been dishonored for lack or insufficiency of funds shall be prima facie evidence of deceit constituting false pretense or fraudulent act.

Any person who shall defraud another by means of false pretenses or fraudulent acts as defined in paragraph 2(d) hereof [of Article 315 of the Revised Penal Code, as amended by Republic Act No. 4885,] shall be punished by:

1st. THE PENALTY OF RECLUSION TEMPORAL IN ITS MAXIMUM PERIOD IF THE AMOUNT OF FRAUD IS OVER FOUR MILLION FOUR HUNDRED THOUSAND PESOS (P4,400,000) BUT DOES NOT EXCEED EIGHT MILLION EIGHT HUNDRED THOUSAND PESOS (P8,800,000). IF THE AMOUNT

1 **EXCEEDS THE LATTER, THE PENALTY SHALL BE**
2 **RECLUSION PERPETUA.**

3 **2nd.** The penalty of reclusion temporal **IN ITS MINIMUM**
4 **AND MEDIUM PERIODS** if the amount of the fraud is over
5 [12,000] **TWO MILLION FOUR HUNDRED THOUSAND**
6 pesos (**P2,400,000**) but **DOES** not exceed [22,000] **FOUR**
7 **MILLION FOUR HUNDRED THOUSAND** pesos
8 (**P4,400,000**); [and if such amount exceeds the latter sum,
9 the penalty provided in this paragraph shall be imposed in its
10 maximum period, adding one year for each additional 10,000
11 pesos but the total penalty which may be imposed shall in no
12 case exceed thirty years. In such cases, and in connection with
13 the accessory penalties which may be imposed under the
14 Revised Penal Code, the penalty shall be termed reclusion
15 perpetua;]

16 [2nd] **3rd.** The penalty of prision mayor in its maximum
17 period, if the amount of the fraud is over [6,000] **ONE**
18 **MILLION TWO HUNDRED THOUSAND** pesos
19 (**P1,200,000**) but does not exceed [12,000] **TWO MILLION**
20 **FOUR HUNDRED THOUSAND** pesos (**P2,400,000**);

21 [3rd.] **4th.** The penalty of prision mayor in its medium
22 period, if such amount is over [200] **FORTY THOUSAND**
23 pesos (**P40,000**) but does not exceed [6,000] **ONE**
24 **MILLION TWO HUNDRED THOUSAND** pesos
25 (**P1,200,000**); and,

26 [4th.] **5th.** By prision mayor in its [maximum] **MINIMUM**
27 period, if such amount does not exceed [200] **FORTY**
28 **THOUSAND** pesos (**P40,000**).

29
30 3. Through any of the following fraudulent means:

31 (a) By inducing another, by means of deceit, to sign any
32 document.

33 (b) By resorting to some fraudulent practice to insure success in
34 a gambling game.

35 (c) By removing, concealing or destroying, in whole or in part, any
36 court record, office files, document or any other papers."

37 **SEC. 88.** Article 318 of the same Act is hereby amended to read as follows:
38

39 **"ART. 318. Other deceits.** — The penalty of *arresto mayor* and
40 a fine of not less than the amount of the damage caused and not more

1 than twice such amount shall be imposed upon any person who shall
2 defraud or damage another by any other deceit not mentioned in the
3 preceding articles of this chapter.
4

5 Any person who, for profit or gain, shall interpret dreams, make
6 forecasts, tell fortunes, or take advantage of the credulity of the public in
7 any other similar manner, shall suffer the penalty of *arresto mayor* or a
8 fine not exceeding [200] **FORTY THOUSAND pesos (P40,000).**
9

10 **SEC. 89.** Article 321 of the same Act is hereby amended to read as follows:
11

12 **"ART. 321. Other forms of arson.** - When the arson consists
13 in the burning of other property and under the circumstances given
14 hereunder, the offender shall be punishable:
15

16 1. *By reclusion temporal or reclusion perpetua:*
17

18 (a) if the offender shall set fire to any building, farmhouse,
19 warehouse, hut, shelter, or vessel in port, knowing it to be occupied at
20 the time by one or more persons;
21

22 (b) If the building burned is a public building and value of the
23 damage caused exceeds [6,000] **ONE MILLION TWO HUNDRED**
24 **THOUSAND pesos (P1,200,000);**
25

26 (c) If the building burned is a public building and the purpose is
27 to destroy evidence kept therein to be used in instituting prosecution
28 for the punishment of violators of the law, irrespective of the amount of
29 the damage;
30

31 (d) If the building burned is a public building and the purpose is
32 to destroy evidence kept therein to be used in legislative, judicial or
33 administrative proceedings, irrespective of the amount of the damage;
34 Provided, however, That if the evidence destroyed is to be used against
35 the defendant for the prosecution of any crime punishable under
36 existing laws, the penalty shall be *reclusion perpetua*;
37

38 (e) If the arson shall have been committed with the intention of
39 collecting under an insurance policy against loss or damage by fire.
40

41 2. *By reclusion temporal:*
42

43 (a) If an inhabited house or any other building in which people
44 are accustomed to meet is set on fire, and the culprit did not know that
45 such house or building was occupied at the time, or if he shall set fire to
46 a moving freight train or motor vehicle, and the value of the damage
47 caused exceeds [6,000] **ONE MILLION TWO HUNDRED**
48 **THOUSAND pesos (P1,200,000);**
49

(b) If the value of the damage caused in paragraph (b) of the preceding subdivision does not exceed [6,000] **ONE MILLION TWO HUNDRED THOUSAND** pesos (**P1,200,000**);

(c) If a farm, sugar mill, cane mill, mill central, bamboo groves or any similar plantation is set on fire and the damage caused exceeds [6,000] **ONE MILLION TWO HUNDRED THOUSAND** pesos (**P1,200,000**); and

(d) If grain fields, pasture lands, or forests, or plantings are set on fire, and the damage caused exceeds [6,000] **ONE MILLION TWO HUNDRED THOUSAND** pesos (**P1,200,000**).

3. By *prision mayor*:

(a) If the value of the damage caused in the case mentioned in paragraphs (a), (c), and (d) in the next preceding subdivision does not exceed [6,000] **ONE MILLION TWO HUNDRED THOUSAND** pesos (**P1,200,000**);

(b) If a building not used as a dwelling or place of assembly, located in a populated place, is set on fire, and the damage caused exceeds [6,000] **ONE MILLION TWO HUNDRED THOUSAND** pesos (**P1,200,000**);

4. By *prision correccional* in its maximum period to *prision mayor* in its medium period:

(a) If a building used as dwelling located in an uninhabited place is set on fire and the damage caused exceeds [1,000] **TWO HUNDRED THOUSAND** pesos (**P200,000**);

(b) If the value or the damage caused in the case mentioned in paragraphs (c) and (d) of subdivision 2 of this article does not exceed [200] **FORTY THOUSAND** pesos (**P40,000**).

5. By *prision correccional* in its medium period to *prision mayor* in its minimum period, when the damage caused is over [200] **FORTY THOUSAND** pesos (**P40,000**) but does not exceed [1,000] **TWO HUNDRED THOUSAND** pesos (**P200,000**), and the property referred to in paragraph (a) of the preceding subdivision is set on fire; but when the value of such property does not exceed [200] **FORTY THOUSAND** pesos (**P40,000**), the penalty next lower in degree than that prescribed in this subdivision shall be imposed.

6. The penalty of *prision correccional* in its medium and maximum periods, if the damage caused in the case mentioned in paragraph (b) of subdivision 3 of this article does not exceed [6,000] **ONE MILLION TWO HUNDRED THOUSAND** pesos (**P1,200,000**) but is over [200] **FORTY THOUSAND** pesos (**P40,000**).

7. The penalty of *prision correccional* in its minimum and medium periods, if the damage caused in the case mentioned paragraph (b) subdivision 3 of this article does not exceed [200] **FORTY THOUSAND pesos (P40,000)**.

8. The penalty of *arresto mayor* and a fine ranging from fifty to one hundred per centum if the damage caused shall be imposed, when the property burned consists of grain fields, pasture lands, forests, or plantations when the value of such property does not exceed [200] **FORTY THOUSAND pesos (P40,000)**."

SEC. 90. Article 322 of the same Act is hereby amended to read as follows:

"ART. 322. Cases of arson not included in the preceding articles. - Cases of arson not included in the next preceding articles shall be punished:

1. By *arresto mayor* in its medium and maximum periods, when the damage caused does not exceed [50] **TEN THOUSAND pesos (P10,000)**;

2. By *arresto mayor* in its maximum period to *prision correccional* in its minimum period, when the damage caused is over [50] **TEN THOUSAND pesos (P10,000)** but does not exceed [200] **FORTY THOUSAND pesos (P40,000)**;

3. By *prision correccional* in its minimum and medium periods, if the damage caused is over [200] **FORTY THOUSAND pesos (P40,000)** but does not exceed [1,000] **TWO HUNDRED THOUSAND pesos (P200,000)**; and

4. By *prision correccional* in its medium and maximum periods, if it is over [1,000] **TWO HUNDRED THOUSAND pesos (P200,000)**."

SEC. 91. Article 323 of the same Act is hereby amended to read as follows:

"ART. 323. Arson of property of small value. - The arson of any uninhabited hut, storehouse, barn, shed, or any other property the value of which does not exceed [25] **FIVE THOUSAND pesos (P5,000)**, committed at a time or under circumstances which clearly exclude all danger of the fire spreading, shall not be punished by the penalties respectively prescribed in this chapter, but in accordance with the damage caused and under the provisions of the following chapter."

SEC. 92. Article 328 of the same Act is hereby amended to read as follows:

"ART. 328. Special cases of malicious mischief. - Any person who shall cause damage to obstruct the performance of public functions, or using any poisonous or corrosive substance; or spreading any infection or contagion among cattle; or who cause damage to the property of the National Museum or National Library, or to any archive

or registry, waterworks, road, promenade, or any other thing used in common by the public, shall be punished:

1. By *prision correccional* in its minimum and medium periods, if the value of the damage caused exceeds [1,000] **TWO HUNDRED THOUSAND pesos (P200,000)**;

2. By *arresto mayor*, if such value does not exceed the abovementioned amount but it is over [200] **FORTY THOUSAND pesos (P40,000)**; and

3. By *arresto menor*, in such value does not exceed [200] **FORTY THOUSAND pesos (P40,000)**."

SEC. 93. Article 329 of the same Act, as amended by Commonwealth Act No. 3999, is hereby further amended to read as follows:

"ART. 329. Other mischiefs. - The mischiefs not included in the next preceding article shall be punished:

1. By *arresto mayor* in its medium and maximum periods, if the value of the damage caused exceeds [1,000] **TWO HUNDRED THOUSAND pesos (P200,000)**;

2. By *arresto mayor* in its minimum and medium periods, if such value is over [200] **FORTY THOUSAND pesos (P40,000)** but does not exceed [1,000] **TWO HUNDRED THOUSAND pesos (P200,000)**; and

3. By *arresto menor* or fine of not less than the value of the damage caused and not more than [200] **FORTY THOUSAND pesos (P40,000)**, if the amount involved does not exceed [200] **FORTY THOUSAND pesos (P40,000)** or cannot be estimated."

SEC. 94. Article 331 of the same Act is hereby amended to read as follows:

"ART. 331. Destroying or damaging statues, public monuments or paintings. - Any person who shall destroy or damage statues or any other useful or ornamental public monument shall suffer the penalty of *arresto mayor* in its medium period to *prision correccional* in its minimum period.

Any person who shall destroy or damage any useful or ornamental painting of a public nature shall suffer the penalty of *arresto menor* or a fine not exceeding [200] **FORTY THOUSAND pesos (P40,000)**, or both such fine and imprisonment, in the discretion of the court."

SEC. 95. Article 347 of the same Act is hereby amended to read as follows:

"ART. 347. Simulation of births, substitution of one child for another and concealment or abandonment of a

legitimate child. — The simulation of births and the substitution of one child for another shall be punished by *prision mayor* and a fine of not exceeding [1,000] **TWO HUNDRED THOUSAND pesos (P200,000).**

The same penalties shall be imposed upon any person who shall conceal or abandon any legitimate child with intent to cause such child to lose its civil status.

Any physician or surgeon or public officer who, in violation of the duties of his profession or office, shall cooperate in the execution of any of the crimes mentioned in the two next preceding paragraphs, shall suffer the penalties therein prescribed and also the penalty of temporary special disqualification."

SEC. 96. Article 355 of the same Act is hereby amended to read as follows:

"ART. 355. Libel means by writings or similar means.— A libel committed by means of writing, printing, lithography, engraving, radio, phonograph, painting, theatrical exhibition, cinematographic exhibition, or any similar means, shall be punished by *prision correccional* in its minimum and medium periods or a fine ranging from [200 to 6,000] **TWENTY THOUSAND PESOS (P20,000) TO SIX HUNDRED THOUSAND pesos (P600,000),** or both, in addition to the civil action which may be brought by the offended party."

SEC. 97. Article 356 of the same Act is hereby amended to read as follows:

"ART. 356. Threatening to publish and offer to prevent such publication for a compensation. — The penalty of *arresto mayor* or a fine from [200 to 2,000] **FORTY THOUSAND PESOS (P40,000) TO FOUR HUNDRED THOUSAND pesos (P400,000),** or both, shall be imposed upon any person who threatens another to publish a libel concerning him or the parents, spouse, child, or other members of the family of the latter or upon anyone who shall offer to prevent the publication of such libel for a compensation or money consideration."

SEC. 98. Article 357 of the same Act is hereby amended to read as follows:

"ART. 357. Prohibited publication of acts referred to in the course of official proceedings.— The penalty of *arresto mayor* or a fine of [20 to 2,000] **TWO THOUSAND PESOS (P2,000) TO TWO HUNDRED THOUSAND pesos (P200,000),** or both, shall be imposed upon any reporter, editor or manager or a newspaper, daily or magazine, who shall publish facts connected with the private life of another and offensive to the honor, virtue and reputation of said person, even though said publication be made in connection with or under the pretext that it is necessary in the narration of any judicial or

administrative proceedings wherein such facts have been mentioned."

SEC. 99. Article 358 of the same Act is hereby amended to read as follows:

"ART. 358. Slander. — Oral defamation shall be punished by *arresto mayor* in its maximum period to *prision correccional* in its minimum period if it is of a serious and insulting nature; otherwise the penalty shall be *arresto menor* or a fine not exceeding [200] **TWENTY THOUSAND pesos (P20,000).**"

SEC. 100. Article 359 of the same Act is hereby amended to read as follows:

"ART. 359. Slander by deed. — The penalty of *arresto mayor* in its maximum period to *prision correccional* in its minimum period or a fine ranging from [200 to 1,000] **TWENTY THOUSAND PESOS (P20,000) TO ONE HUNDRED THOUSAND pesos (P100,000)** shall be imposed upon any person who shall perform any act not included and punished in this title, which shall cast dishonor, discredit or contempt upon another person. If said act is not of a serious nature, the penalty shall be *arresto menor* or a fine not exceeding [200] **TWENTY THOUSAND pesos (P20,000).**"

SEC. 101. Article 364 of the same Act is hereby amended to read as follows:

"ART. 364. Intriguing against honor. — The penalty of *arresto menor* or fine not exceeding [200] **TWENTY THOUSAND pesos (P20,000)** shall be imposed for any intrigue which has for its principal purpose to blemish the honor or reputation of a person."

SEC. 102. Article 365 of the same Act, as amended by Republic Act No. 1790, is hereby further amended to read as follows:

"ART. 365. Imprudence and negligence. — Any person who, by reckless imprudence, shall commit any act which, had it been intentional, would constitute a grave felony, shall suffer the penalty of *arresto mayor* in its maximum period to *prision correccional* in its medium period; if it would have constituted a less grave felony, the penalty of *arresto mayor* in its minimum and medium periods shall be imposed; if it would have constituted a light felony, the penalty of *arresto menor* in its maximum period shall be imposed.

Any person who, by simple imprudence or negligence, shall commit an act which would otherwise constitute a grave felony, shall suffer the penalty of *arresto mayor* in its medium and maximum periods; if it would have constituted a less serious felony, the penalty of *arresto mayor* in its minimum period shall be imposed.

When the execution of the act covered by this article shall have only resulted in damage to the property of another, the offender shall be punished by a fine ranging from an amount equal to the value of said

1 damages to three times such value, but which shall in no case be less than
2 [twenty-five] **FIVE THOUSAND** pesos (**P5,000**).
3

4 A fine not exceeding [two hundred] **FORTY THOUSAND** pesos
5 (**P40,000**) and censure shall be imposed upon any person who, by
6 simple imprudence or negligence, shall cause some wrong which, if done
7 maliciously, would have constituted a light felony.
8

9 In the imposition of these penalties, the court shall exercise their sound
10 discretion, without regard to the rules prescribed in Article sixty-four.
11

12 The provisions contained in this article shall not be applicable:
13

14 1. When the penalty provided for the offense is equal to or lower
15 than those provided in the first two paragraphs of this article, in which
16 case the court shall impose the penalty next lower in degree than that
17 which should be imposed in the period which they may deem proper to
18 apply.
19

20 2. When, by imprudence or negligence and with violation of the
21 Automobile Law, to death of a person shall be caused, in which case the
22 defendant shall be punished by *prision correccional* in its medium and
23 maximum periods.
24

25 Reckless imprudence consists in voluntary, but without malice, doing or
26 falling to do an act from which material damage results by reason of
27 inexcusable lack of precaution on the part of the person performing of
28 failing to perform such act, taking into consideration his employment or
29 occupation, degree of intelligence, physical condition and other
30 circumstances regarding persons, time and place.
31

32 Simple imprudence consists in the lack of precaution displayed in those
33 cases in which the damage impending to be caused is not immediate nor
34 the danger clearly manifest.
35

36 The penalty next higher in degree to those provided for in this article
37 shall be imposed upon the offender who fails to lend on the spot to the
38 injured parties such help as may be in this hand to give."
39

40 **SEC. 103. Separability Clause.** – If any provision of this Act shall be declared
41 unconstitutional, any other provision not affected thereby shall remain in full force
42 and effect.
43

44 **SEC. 104. Repealing Clause.** – All laws, decrees, orders, rules and regulations or
45 parts thereof inconsistent with this Act are hereby repealed or modified accordingly.
46

47 **SEC. 105. Retroactive Effect.** – This Act shall have retroactive effect to the extent
48 that it is favorable to the accused or person serving sentence by final judgment.
49

50 **SEC. 106. Transitory Provision; Applicability to Pending Cases.** – For cases
51 pending before the courts where trial has already started upon the effectivity of this

1 Act, the courts hearing such cases shall not lose jurisdiction over the same by virtue of
2 any provision of this Act.
3

4 **SEC. 107. Effectivity.** – This Act shall take effect within fifteen (15) days after its
5 publication in at least two (2) newspapers of general circulation.
6

7 Approved,
8
9