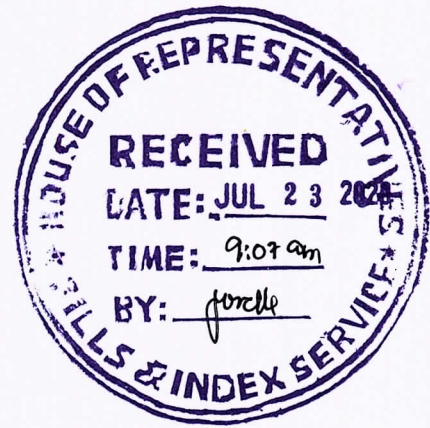


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

EIGHTEENTH CONGRESS

Second Regular Session

HOUSE BILL NO. 7159



INTRODUCED BY REPRESENTATIVE XAVIER JESUS D. ROMUALDO

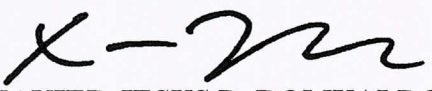
EXPLANATORY NOTE

The proliferation of staged kidnappings, also known as “kidnap-me” schemes, in the country has been observed over the past several years, where the supposed kidnap victim fakes or orchestrates his or her own kidnapping and detention for the purpose of extorting ransom or other things from his or her own family or other persons.

Staging one’s own kidnapping is not specifically defined and penalized as a crime under our laws. When such schemes are discovered by law enforcement agencies, it has been reported that the supposed kidnap victim and others involved are charged for violating Article 318, which punishes “other deceits” with *arresto mayor* (imprisonment of one month and one day to six months) and a fine of not less than the amount of the damage caused and not more than twice such amount, or Article 287, which punishes “other coercions or unjust vexations” with *arresto menor* (imprisonment of one day to 30 days) or a fine from P1,000.00 to not more than P40,000.00, or both, of the Revised Penal Code.

This measure seeks to make the commission of staged kidnapping and detention a specific and distinct crime, which shall be penalized more severely, under the Revised Penal Code. If this measure is enacted into law, those who stage their own kidnapping or detention in order to extort ransom or coerce others to do something against their will shall be penalized with *prision correccional* (imprisonment of six months and one day to six years) and a fine of P100,000.00 to P1,200,000.00. Without a doubt, staged kidnappings cause great anguish, distress, and pain to their true victims. But such schemes are even more odious to the State because they take away precious time and resources that ought to be utilized by our law enforcement agencies against actual kidnappings and other criminal activities.

Accordingly, the support of the Members of Congress for the prompt passage of this measure is earnestly requested.


XAVIER JESUS D. ROMUALDO

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AN ACT
DEFINING AND PENALIZING THE CRIME OF STAGED KIDNAPPING AND
DETENTION, AMENDING FOR THE PURPOSE ACT NO. 3815, AS AMENDED,
OTHERWISE KNOWN AS THE REVISED PENAL CODE

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

1 SECTION 1. Article 267 of Act No. 3815, as amended, otherwise known as the Revised Penal
2 Code, is hereby renumbered as Article 267-A and a new Article 267-B is hereby inserted after
3 Article 267-A to read, as follows:

4 ART. 267-B. STAGED KIDNAPPING AND DETENTION. – THE PENALTY OF
5 *PRISON CORRECCIONAL* AND A FINE OF ONE HUNDRED THOUSAND
6 PESOS (P100,000.00) TO ONE MILLION TWO HUNDRED THOUSAND
7 PESOS (P1,200,000.00) SHALL BE IMPOSED UPON ANY PERSON WHO
8 STAGES HIS OR HER OWN KIDNAPPING OR DETENTION FOR THE
9 PURPOSE OF EXTORTING RANSOM FROM ANOTHER OR COERCING
10 ANOTHER TO DO SOMETHING AGAINST HIS OR HER WILL.

11 SEC. 2. All laws, decrees, orders, rules and regulations, and other issuances or parts thereof that
12 are inconsistent with the provisions of this Act are hereby repealed, amended, or modified
13 accordingly.

14 SEC. 3. This Act shall take effect fifteen (15) days after its publication in the Official Gazette or
15 in a newspaper of general circulation.

16 Approved,