



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. **7668**

Introduced by Hon. VICENTE "CHING" S. E. VELOSO III

EXPLANATORY NOTE

The crime of providing false testimony, commonly referred to as "perjury", is punished under Articles 180-183 of Act No. 3815, otherwise known as "The Revised Penal Code". Under these sections, there are three (3) forms of false testimonies: (1) false testimony for and against the defendant in a criminal case (Articles 180 and 181); (2) false testimony in a civil case (Article 182); and (3) false testimony in other cases (Article 183).

The penalty of fines for providing false testimony under Articles 180-182 were already increased by Republic Act No. 10951, entitled "An Act Adjusting the Amount or the Value of Property and Damage 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", which was passed by the Committee on Justice in the 17th Congress. However, the penalty for providing false testimony in other cases under Art. 183 was not increased by the said Act since the original Article does not impose a fine as a penalty. Hence, this bill.

Under this proposed measure, the penalty for providing false testimony under oath or through an affidavit, or through solemn affirmation made in lieu of an oath, shall be increased from "arresto mayor in its maximum period to *prision correccional* in its minimum period" to **prision mayor in its minimum period (6 years and 1 day up to 8 years) to prision mayor in its medium period (8 years and 1 day to 10 years)**. It also provides that if the offender is a public officer or employee, the penalty of perpetual absolute disqualification and a fine not to exceed One million pesos (P1,000,000.00) shall also be imposed on the perjuring public officer or employee.

Increasing the penalties for perjury should provide a sufficient deterrent against false testimonies not only in civil and criminal cases in court, but also in all other instances, including legislative inquiries and hearings, where a person is required to testify or subscribe under oath or through solemn affirmation.

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

HON. VICENTE "CHING" S. E. VELOSO, III
3rd District, Leyte

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AN ACT

**AMENDING ARTICLES 183 AND 184 OF ACT NO. 3815, AS AMENDED,
OTHERWISE KNOWN AS THE REVISED PENAL CODE**

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

SECTION 1. Article 183 of Act No. 3815, as amended, otherwise known as the Revised Penal Code, is hereby amended to read as follows:

"ARTICLE 183. *False Testimony in Other Cases and Perjury in Solemn Affirmation.* — The penalty of [*arresto mayor* in its maximum period to *prisión correccional* in its minimum period] **PRISION MAYOR IN ITS MINIMUM PERIOD TO PRISION MAYOR IN ITS MEDIUM PERIOD** shall be imposed upon any person who, knowingly making untruthful statements and not being included in the provisions of the next preceding articles, shall testify under oath, or make an affidavit, upon any material matter before a competent person authorized to administer an oath in cases in which the law so requires.

Any person who, in case of a solemn affirmation made in lieu of an oath, shall commit any of the falsehoods mentioned in this and the three preceding articles of this section, shall suffer the respective penalties provided therein.

PROVIDED, THAT, IF THE PERSON RESPONSIBLE FOR THE COMMISSION OF THIS FELONY IS A PUBLIC OFFICER OR EMPLOYEE, THE PENALTY SHALL BE IMPOSED IN ITS MAXIMUM PERIOD: PROVIDED, FINALLY, THAT, THE OFFENDER SHALL ALSO SUFFER A FINE NOT TO EXCEED ONE MILLION PESOS (P1,000,000.00) AND PERPETUAL ABSOLUTE DISQUALIFICATION FROM HOLDING ANY APPOINTIVE OR ELECIVE POSITION IN THE GOVERNMENT OR IN ANY AGENCY, ENTITY OR INSTRUMENTALITY THEREOF."

SEC. 2. Article 184 of the same Act, as amended, is hereby further amended to read as follows:

"ART. 184. *Offering false testimony in evidence.* — Any person who shall **WILFULLY AND** knowingly offer in evidence a

false witness or testimony in any judicial or official proceeding, shall be punished as guilty of false testimony and shall suffer the respective penalties provided in this section.

SEC. 3. *Separability Clause.* – If any provision of this Act is declared unconstitutional, the same shall not affect the validity and effectivity of the other provisions thereof.

SEC. 4. *Repealing Clause.* - All laws, rules and regulations that may be inconsistent with the provisions of this Act are hereby repealed or amended accordingly.

SEC. 5. *Effectivity.* - This Act shall take effect after fifteen (15) days following the completion of its publication either in the *Official Gazette* or in a newspaper of general circulation in the Philippines.

Approved,