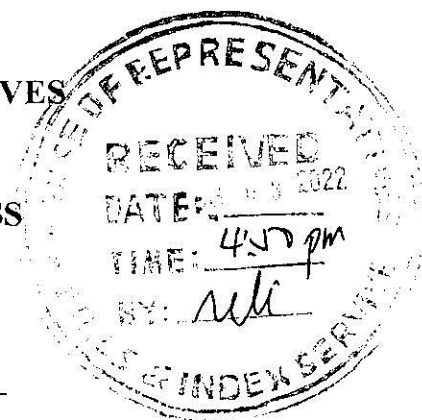




Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City, Metro Manila

**NINETEENTH CONGRESS**  
First Regular Session

House Bill No. **3159**



Introduced by **HON. JOSEPHINE VERONIQUE "Jaye" R. LACSON - NOEL**  
**HON. FLORENCIO GABRIEL G. NOEL**

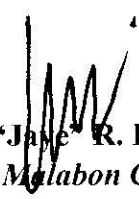
#### **EXPLANATORY NOTE**

Crimes against property are very rampant in the Philippines. For theft alone, in 2018 the PNP's Directorate for Investigation and Detective Management Crime Research Analysis Center released statistics on crime incidents referred and processed by police officers: a total of 10,090 theft cases were found in the country. There is definitely still a number of cases not reported, and only showcased via social media or other channels.

Theft, swindling or malicious mischief are morally reprehensible acts and should not be justified based on the fact that the perpetrator is related to the victim. In fact, the act is more abhorrent if committed by a loved one or a relative whom one trusts not to do so. The exemption is provided under Article 332 of the Revised Penal Code, "No criminal liability, but only civil liability shall result from the commission of the crime of theft, swindling, or malicious mischief committed or caused mutually by the following persons: (1) spouses, ascendants and descendants, or relatives by affinity in the same line; (2) the widowed spouse with respect to the property which belonged to the deceased spouse before the same shall have passed into the possession of another; and (3) brothers and sisters and brothers-in-law and sisters-in-law, if living together."

Such exemption is subject to abuse by unscrupulous individuals who may hide behind the cloak of familial relations in order to gain by means of theft, swindling or malicious mischief without being criminally liable. This bill therefore seeks to remedy that undesirable situation by removing Article 332 of the Revised Penal Code.

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

  
**JOSEPHINE VERONIQUE "Jaye" R. LACSON-NOEL**  
*Lone District, Marikina City*

  
**FLORENCIO GABRIEL G. NOEL**  
*An Waray Party-list*



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**AN ACT REMOVING EXEMPTION FROM CRIMINAL LIABILITY OF RELATIVES FOR CRIMES OF THEFT, SWINDLING, AND MALICIOUS MISCHIEF, AMENDING FOR THE PURPOSE ARTICLE 332 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 332 of Act No. 3815 (Revised Penal Code), is hereby removed:

**~~"Chapter Ten~~**

**~~EXEMPTION FROM CRIMINAL LIABILITY IN CRIMES AGAINST PROPERTY~~**

**~~Article 332. Persons exempt from criminal liability. — No criminal, but only civil liability, shall result from the commission of the crime of theft, swindling or malicious mischief committed or caused mutually by the following persons:~~**

- ~~1. Spouses, ascendants and descendants, or relatives by affinity in the same line.~~**
- ~~2. The widowed spouse with respect to the property which belonged to the deceased spouse before the same shall have passed into the possession of another; and~~**
- ~~3. Brothers and sisters and brothers-in-law and sisters-in-law, if living together.~~**

**~~The exemption established by this article shall not be applicable to strangers participating in the commission of the crime."~~**

**SECTION 2. Separability Clause.** — If any of the sections or provisions of this Act is held invalid, all other provisions not affected thereby shall remain valid.

**SECTION 3. Repealing Clause.** — All laws, decrees, issuances, rules and regulations inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

**SECTION 4. Effectivity Clause.** — This Act shall take effect fifteen (15) days after its complete publication in at least two (2) newspapers of general circulation.

Approved,