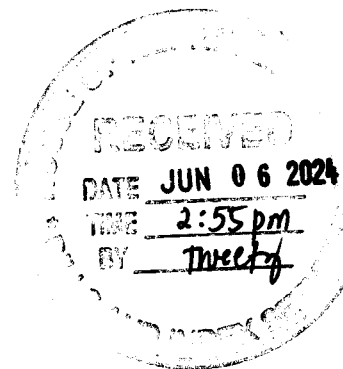


Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City, Metro Manila



**NINETEENTH CONGRESS**  
*Second Regular Session*

**HOUSE BILL NO. 10510**

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Introduced by **Representative Jaime R. Fresnedi**

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### **EXPLANATORY NOTE**


This bill seeks to remove the vague crime of unjust vexation in our penal law. Unlike other crimes, there is no way for a law-abiding person to avoid committing this crime, as its definition is left up to the complainant who would file a case against the former.

There have been numerous cases of conviction for unjust vexation that points to the act that it is a “catch-all crime.” Each case concerned a different act, of which there is no law that expressly forbade such act. It amounts to allowing anyone to define what act is unjustly vexatious and then have a court agree with their allegation, denying due process to the one accused.

Our Constitution specifically forbids *ex post facto* laws. By criminalizing an act which is not defined as a crime at the time of commission, our courts effectively retroactively criminalize that act in violation of our Constitution. In addition, it is a principle in criminal law,<sup>1</sup> repeatedly upheld in Philippine jurisprudence, that there can be no crime for an act that is not specifically defined by prevailing law as a forbidden or criminal.

Thus, it is essential that we repeal the crime of unjust vexation.

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

  
**JAIME R. FRESNEDI**  
*Representative*  
Lone District, Muntinlupa City

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<sup>1</sup> [https://www.law.cornell.edu/wex/nullum\\_crimen\\_sine\\_lege](https://www.law.cornell.edu/wex/nullum_crimen_sine_lege)

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**AN ACT**  
**ABOLISHING UNJUST VEXATION AS A CRIMINAL OFFENSE, AMENDING FOR**  
**THE PURPOSE ARTICLE 287 OF 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:*

SECTION 1. Article 287 of the Revised Penal Code is hereby amended to read as follows:

“ARTICLE 287. xxx

“[Any other coercions or unjust vexations shall be punished by arresto menor or a fine ranging from 5 pesos to 200 pesos, or both.]”

SEC. 2. *Effect on Pending Cases.* – All pending cases under the provisions of Article 287 of the Revised Penal Code on Unjust Vexation prior to its amendment by this Act shall be dismissed upon effectivity of this Act.

SEC. 3. *Immediate Release of Convicted Persons.* – All persons serving sentence for violation of the provisions of Article 287 of the Revised Penal Code on Unjust Vexation prior to its amendment by this Act shall be immediately released upon effectivity of this Act: *Provided*, That they are not serving sentence or detained for any other offense or felony.

SEC. 4. *Repealing Clause.* – All Acts, Presidential Decrees, Executive Orders and Administrative Orders, Rules and Regulations and other such issuances or parts thereof which are inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 5. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) newspapers of general circulation.

*Approved,*