



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
Third Regular Session
House Bill No. **10998**



Introduced by: Representatives AURELIO "DONG" D. GONZALES, JR., DAVID "JAY-JAY" C. SUAREZ, ROBERT ACE S. BARBERS, BIENVENIDO M. ABANTE, JR., DAN S. FERNANDEZ, JOSEPH STEPHEN "CARAPS" S. PADUANO, AND ROMEO M. ACOP, JOHNNY T. PIMENTEL, GERVILLE "JINKY BITRICS" R. LUISTRO, RAMON RODRIGO L. GUTIERREZ, FRANCISCO PAOLO P. ORTEGA, JEFFERSON F. KHONGHUN, AND JONATHAN KEITH T. FLORES

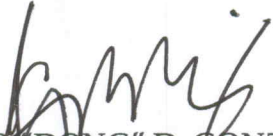
EXPLANATORY NOTE

The evidence, both testimonial and documentary, so far presented in the course of the investigations being conducted by the House QUAD COM of this Congress has revealed highly questionable activities that have serious implications for our national security.

With what is happening in our country, from the illegal activities of China in the West Philippine Sea that have undermined and compromised, and continue to undermine and compromise, our sovereignty and national territory in clear violation of international law, to the highly questionable entry of Chinese nationals enrolling as students in schools easily accessible to our military installations and facilities, and the very-disturbing accounts on the personality, business and other illegal activities of the dismissed Mayor of Bamban, Tarlac, who is now under investigation by the House' QUAD COM, there is an urgent need to craft legislative measures to address this concern while there is still time.

This Bill is in tune with the State principle that the maintenance of peace and order, the protection of life, liberty, and property, and the promotion of the general welfare are essential for the enjoyment by all the people of the blessings of democracy (*Sec. 5, Art. II, Constitution*),

It is, therefore, the aim of this Bill to amend, strengthen, and widen the scope of Art. 117 of the Revised Penal Code which took effect in 1932 defines and penalizes the felony of espionage in relation to Commonwealth Act No. 616 which took effect in 1941. Hence, its early passage is earnestly requested.



AURELIO "DONG" D. GONZALES, JR.



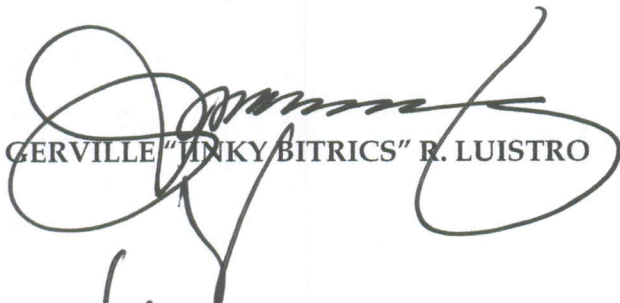
ROBERT ACES. BARBERS



JOSEPH STEPHEN "CARAPS" S. PADUANO



ROMEO M. ACOP



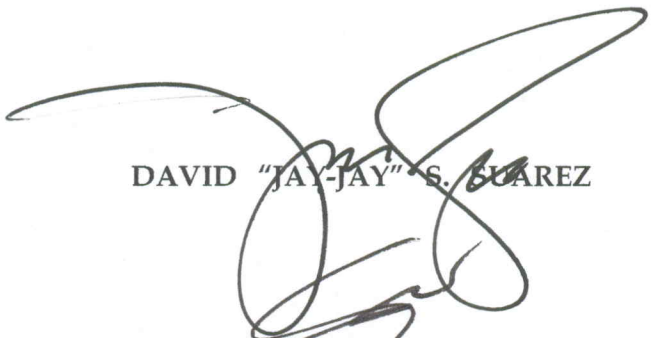
GERVILLE "INKY BITRICS" R. LUISTRO



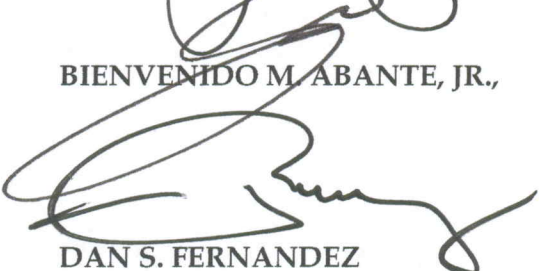
FRANCISCO PAOLO P. ORTEGA



JONATHAN KEITH T. FLORES



DAVID "JAY-JAY" S. SUAREZ



BIENVENIDO M. ABANTE, JR.,

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AN ACT
AMENDING ARTICLE 117 OF ACT NO. 3815, OTHERWISE KNOWN AS THE 'REVISED PENAL CODE OF THE PHILIPPINES', AS AMENDED, PUNISHING CONSPIRACY AND PROPOSAL TO COMMIT ESPIONAGE AND MISPRISION OF ESPIONAGE, AND FOR OTHER PURPOSES

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

SECTION 1. *Title.* - This Act shall be known as the "Espionage Law of 2024".

SEC. 2. *Declaration of Policy.* - It is hereby declared the policy of the State to protect life, liberty and property and promote the general welfare which are essential for the enjoyment by all the people of the blessings of democracy in a just and humane society, and to protect and defend our territory and sovereignty. Further, considering the fast-changing moral, political, social and economic environment, and the ever-changing communications and electronics equipment and devices, national security shall remain a primary concern of the State and every Filipino citizen.

SEC. 3. Article 117 of the Revised Penal Code is hereby amended to read as follows:

"Art. 117. - Espionage. - The penalty of **RECLUSION TEMPORAL AND A FINE NOT EXCEEDING FIVE MILLION PESOS (PHP5,000,000.00) NOR LESS THAN THREE MILLION PESOS (PHP3,000,000.00)** shall be **IMPOSED** upon any person, who:

1. Without authority therefor, enters **OR AIDS OR INDUCES ANOTHER TO ENTER** a warship, fort, or naval or military establishment or reservation or **FACILITY OR CAMP OR INSTALLATION**, to obtain any information, plans, photographs, or other data **WHETHER** of a confidential nature **OR NOT** relative to the defense **OR SECURITY** of

the Philippine Archipelago, **OR TO MILITARY TRAINING OR EQUIPMENT OF THE ARMED FORCES OF THE PHILIPPINES;** or

2. Being in possession, by reason of the public office he/SHE holds, of the articles, data, or information referred to in the preceding paragraph, discloses their contents to a representative of a foreign nation, **FOREIGN NATIONAL OR TO CRIMINAL SINDICATES OR ELEMENTS TO THE INJURY OF THE PHILIPPINES, OR TO THE ADVANTAGE OF A FOREIGN NATION, NATIONAL OR ORGANIZATION;** OR
3. **OBTAINS, RECEIVES, GATHERS, PASSES, OR CAUSES TO BE OBTAINED, RECEIVED, GATHERED, PASSED, OR ATTEMPTS TO OBTAIN, RECEIVE, GATHER, OR PASS, IN ANY PLACE IN THE PHILIPPINES INFORMATION OR DATA CONCERNING ANY VESSEL, AIRCRAFT, NAVAL STATION, MILITARY CAMP OR INSTALLATIONS OR FACILITIES, WORK OF DEFENSE, MILITARY TRAINING OR EQUIPMENT, COMMUNICATIONS EQUIPMENT OR FACILITIES, OR OTHER INFORMATION OR DATA CONNECTED WITH OR RELATIVE TO NATIONAL DEFENSE OR SECURITY FOR THE PURPOSE OF DISCLOSING SUCH INFORMATION OR DATA TO A FOREIGN NATION OR ITS REPRESENTATIVE, OR TO A FOREIGN NATIONAL OR ORGANIZATION;** OR
4. **LAWFULLY OR UNLAWFULLY HAVING POSSESSION OF THE INFORMATION OR DATA REFERRED TO IN THE PRECEDING PARAGRAPHS WILLFULLY COMMUNICATES, TRANSMITS, OR ATTEMPTS TO COMMUNICATE OR TRANSMIT THE SAME TO ANY PERSON NOT ENTITLED TO RECEIVE IT.**

The penalty next higher in degree shall be imposed if the offender is a public officer or employee **AND SUCH PENALTY SHALL BE IMPOSED IN ITS MAXIMUM PERIOD IF THE OFFENDER IS AN ELECTED PUBLIC OFFICIAL.**

SEC. 4. Conspiracy and Proposal to commit espionage; Penalty. – The conspiracy or proposal to commit the crime of espionage shall be punished by *Prision Mayor* in its maximum period and a fine of not less than Two Million Pesos (Php2,000,000.00) nor more than Three Million Pesos (Php3,000,000.00) and *Prision Mayor* in its medium period and a fine of not less than Two Million Pesos (Php2,000,000.00) nor more than Three Million Pesos (Php3,000,000.00), respectively.

SEC. 5. Misprision of Espionage. – Any person owing allegiance to the government of the Philippines and having knowledge of the commission of any of the unlawful acts enumerated and penalized under Sections 3 and 4 of this Act who conceals or does not disclose or make known the same as soon as possible to the nearest Philippine National Police station in the City or Municipality where he or she resides shall be held liable and punished as an accessory to the unlawful act committed.

SEC. 6. Aiding, Inducing, or Supporting violators of the law. – Any person who induces, aids, or supports in any manner and in any means, another in obtaining, receiving, gathering, or passing in any place in the Philippines information or data concerning any vessel, aircraft, naval station, military camp, or installations or facilities, work of defense, military training or

equipment, or communications equipment or facilities, or other information or data connected with or relative to national defense or security for the purpose of disclosing or with the intention to disclose such information or data to a foreign nation or its representative, or to a foreign national shall be punished by *Prision Mayor* in its minimum period and a fine of not less than One Million Pesos (Php1,000,000.00) nor more than Two Million Pesos (Php2,000,000.00).

SEC. 7. *Harboring or Concealing violators of the law.* – Any person who harbors or conceals another who he or she knows, or has reasonable grounds to believe, has committed or is about to commit, any offense under this Act shall be punished by *Prision Correccional* in its maximum period and a fine of not less than Five Hundred Thousand Pesos (Php500,000.00) nor more than One Million Pesos (php1,000,000.00).

SEC. 8. *Persons Liable.* – If the offender is a corporation, the President, Chief Operating Officer, General Manager, Treasurer, and/or Finance Officer shall be held criminally liable and a fine shall be imposed upon the corporation. Likewise, the Certificate of Registration and pertinent Licenses of the corporation shall be revoked and/or canceled and shall no longer be allowed reinstatement or renewal.

Any person convicted of any of the unlawful acts defined and penalized under this Act shall not be eligible for probation nor to parole or executive clemency, and if the offender is a foreign national, he or she shall be immediately deported upon serving his or her sentence and shall not be allowed to re-enter the Philippines.

SEC. 9. *Disposition of property.* – All property of any kind, nature or extent used in the commission of any of the unlawful acts defined and penalized under this Act, or in furtherance thereof, shall be seized and confiscated in favor of the government.

SEC. 10. *Separability Clause.* – If any provision or part of this Act is declared invalid or unconstitutional, the remaining parts or provisions not affected shall remain in full force and effect.

SEC. 11. *Repealing Clause.* – All laws, executive orders, decrees, and other issuances that are inconsistent with this Act are hereby repealed, amended, or modified accordingly.

SEC. 12. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,