

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS

First Regular Session

HOUSE BILL NO. **1446**



Introduced by the **Honorable ANIELA BIANCA D. TOLENTINO**

EXPLANATORY NOTE

The recent fire that destroyed the Manila Central Post Office caused a lot of damage to the country's heritage and culture. It was not only the building of the post office that was destroyed, more than a hundred years of history consisting of commemorative and antique stamps were lost because of the fire. As such, there is an extreme need for the country to strengthen its laws against arson by imposing grave penalties to those who commit such acts on cultural properties of the country.

The foregoing bill herein seeks to impose the highest penalty allowed by the Constitution for those who commit destructive arson on cultural heritage properties of the Philippines. This proposed law is congruent to the Constitutional mandate, to wit: *"the State shall foster the preservation, enrichment, and dynamic evolution of a Filipino national culture based on the principle of unity in diversity in a climate of free artistic and intellectual expression"* [Section 14, Article XIV, 1987 Constitution]. Further the Constitution likewise states that: *"all the country's artistic and historic wealth constitutes the cultural treasure of the nation and shall be under the protection of the State which may regulate its disposition"* [Section 16, Article XIV, 1987 Constitution].

Based on the foregoing Constitutional provisions, this representation believes that there is strong basis for the adoption of stronger penal laws against those who want the country's cultural heritage damaged, thru destructive arson.

For the Filipino people, approval of the foregoing bill is earnestly being sought.

A handwritten signature in black ink, consisting of a large, stylized loop followed by a few strokes.

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**AN ACT TO AMEND ARTICLE 320 ON DESTRUCTIVE ARSON
OF ACT NO. 3815, OTHERWISE KNOWN AS THE REVISED
PENAL CODE OF THE PHILIPPINES**

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

SECTION 1. Article 320 of Act No. 3815, otherwise known as the "Revised Penal Code of the Philippines is hereby amended to read as follows:

"Art. 320 Destructive Arson. The penalty of reclusion perpetua to death penalty shall be imposed upon any person who shall burn:

1. One (1) or more buildings or edifices, consequent to one single act of burning, or as a result of simultaneous burnings, or committed on several or different occasions;
2. xxxxx;
3. xxxxx;
4. xxxxx;
5. xxxxx;
6. ANY BUILDING CONSIDERED AS A CULTURAL PROPERTY UNDER REPUBLIC ACT NO. 10066, OTHERWISE KNOWN AS THE NATIONAL CULTURAL HERITAGE ACT OF 2009.

xxxxx.

xxxxx.

1. xxxx.
2. xxxxx.

xxxxx."

SECTION 2. *Separability Clause.* – If any provision of this Act is declared invalid or unconstitutional, the other provisions not affected by such declaration shall remain in full force and effect.

SECTION 3. *Repealing Clause.* – All laws, presidential decrees, executive orders, administrative orders, and rules and regulations inconsistent with this Act are hereby repealed, modified or amended accordingly.

SECTION 4. *Effectivity.* – This Act shall take effect fifteen (15) days after its complete publication in the *Official Gazette* or in two (2) newspapers of general circulation.

Approved,