



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Batasan Hills, Quezon City

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 1457



Introduced by

HON. ATTY. GERVILLE “JINKY BITRICS” R. LUISTRO

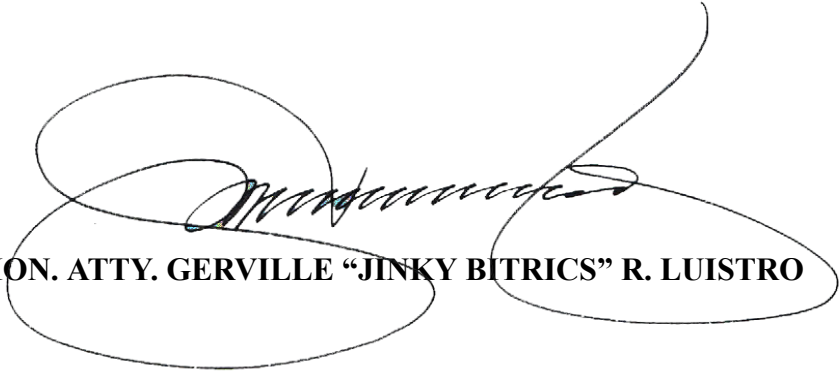
EXPLANATORY NOTE

The House QUAD Committee has thus far unearthed testimonial and documentary evidence pointing to activities that raise significant red flags with respect to national security.

Against the backdrop of China’s unlawful incursions in the West Philippine Sea—acts that continue to erode our sovereignty and territorial integrity in blatant defiance of international law—there emerges a parallel and equally alarming concern: the suspicious influx of Chinese nationals enrolling in educational institutions situated dangerously close to key military sites. Coupled with the troubling revelations surrounding the background, affiliations, and alleged illicit operations of the former mayor of Bamban, Tarlac—who is presently under scrutiny by the Committee—these developments present a clear and present risk that must be addressed without delay.

In line with the fundamental tenet enshrined in Section 5, Article II of the 1987 Constitution, which affirms that peace and order, the safeguarding of life, liberty, and property, and the promotion of the general welfare are essential to the preservation of democracy, this proposed legislation seeks to act decisively and proactively.

This measure aims to revisit, revise, and expand Article 117 of the Revised Penal Code—originally enacted in 1932 to define and punish espionage—as well as related provisions under Commonwealth Act No. 616 of 1941. Given the evolving threats we now face, the immediate passage of this bill is earnestly sought.



HON. ATTY. GERVILLE “JINKY BITRICS” R. LUISTRO



Republic of the Philippines
HOUSE OF REPRESENTATIVES
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TWENTIETH CONGRESS
Third Regular Session

HOUSE BILL NO. 1457

Introduced by
HON. ATTY. GERVILLE “JINKY BITRICS” R. LUISTRO

**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 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 SYNDICATES 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 Prison 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 Prison 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,