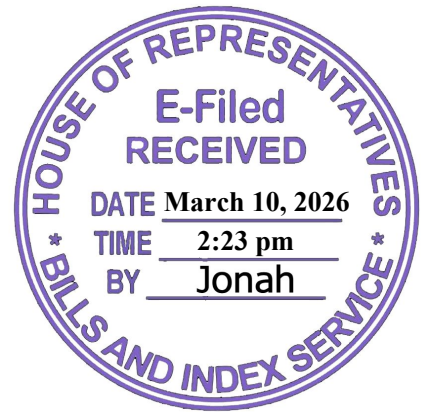


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

20TH CONGRESS
First Regular Session

HOUSE BILL NO. 8412



INTRODUCED BY REP. MAURICIO G. DOMOGAN

EXPLANATORY NOTE

In October 2021, Republic Act No. 11594 was enacted increasing the penalties for perjury from arresto mayor in its maximum period to prison correccional in its minimum period, to prison mayor in its minimum period. However, experience has shown that the existing penalty framework remains insufficient to deter the malicious filing of fabricated criminal complaint.

False criminal accusations, especially those involving serious and non-bailable offenses can result in the wrongful arrest and detention of innocent persons. The deprivation of liberty caused by fabricated sworn statements inflicts not only reputational damage but also severe psychological, economic, and social harm. When a perjured statement becomes the basis for detention, the injustice is magnified and undermines the public trust in the justice system.

This proposed measure recognizes the grave consequences of fabricated criminal complaints by imposing a penalty commensurate to the offense falsely imputed. By aligning the penalty with the severity of the fabricated charge, the law ensures proportional accountability and reinforces the constitutional guarantee of due process.

The penalty further ensures that the penalty shall not be lower than that prescribed under Republic Act No. 11594, thereby maintaining the strengthened framework already established.

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


MAURICIO G. DOMOGAN

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

20TH CONGRESS
First Regular Session

HOUSE BILL NO. 8412

INTRODUCED BY REP. MAURICIO G. DOMOGAN

**AN ACT AMENDING ARTICLE 183 OF ACT NO. 3815, OTHERWISE
KNOWN AS “THE REVISED PENAL CODE”, AS AMENDED BY
REPUBLIC ACT NO. 11594, PROVIDING FOR AN INCREASED
PENALTY FOR PERJURY COMMITTED THROUGH FABRICATED
CRIMINAL COMPLAINT**

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

SECTION 1. Article 183 of Republic Act No. 3815, otherwise known as “The Revised Penal Code”, as amended by Republic Act No. 11594, is hereby further amended to read as follows:

“Article 183. False testimony in other cases and perjury in solemn affirmation - The penalty of *prison mayor* in its minimum period shall be imposed upon any person who, knowingly making untruthful statements and not being included in the provisions of the next preceding articles, shall testify under oath, or make an affidavit, upon any material matter before a competent person authorized to administer an oath in cases in which the law so requires.

Any person who, in case of a solemn affirmation made in lieu of an oath, shall commit any of the falsehoods mentioned in this and the preceding articles of this section, shall suffer the respective penalties provided therein: *Provided*, That is **IF** the person responsible for the commission of this felony is a public officer or employee, the penalty shall be imposed in its maximum period: *Provided, finally*, That the offender shall also suffer a fine not to exceed One Million Pesos (P1,000,000.00) and perpetual disqualification from holding any appointive or elective position in the government or in any agency, entity, or instrumentality thereof.”

WHEN THE PERJURY IS COMMITTED THROUGH THE EXECUTION OF A FABRICATED CRIMINAL COMPLAINT, AFFIDAVIT, OR SWORN STATEMENT FALSELY IMPUTING THE COMMISSION OF A CRIME UPON ANOTHER PERSON, AND THE PENALTY PRESCRIBED BY LAW FOR THE OFFENSE FALSELY IMPUTED IS HIGHER THAN PRISION MAYOR IN ITS MINIMUM PERIOD, THE PENALTY TO BE IMPOSED SHALL BE EQUIVALENT TO THAT PRESCRIBED BY LAW FOR THE OFFENSE FALSELY IMPUTED.

SEC. 2. If any provision of this Act is declared unconstitutional, the same shall not affect the validity and effectivity of the other provisions thereof.

SEC. 3. All laws, rules and regulations that may be inconsistent with the provisions of this Act are hereby repealed or amended accordingly.

SEC. 4. This Act shall take effect fifteen (15) days after its complete publication in the Official Gazette or in any newspaper of general circulation in the Philippines.