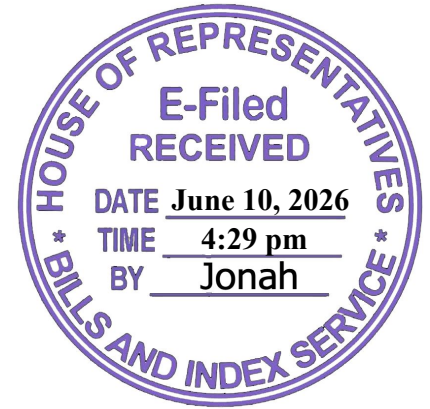


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Batasan Hills, Quezon City
Twentieth Congress
First Regular Session



House Bill No. 9851

Introduced by Honorable Representatives
JOSE MANUEL TADEO “CHEL” I. DIOKNO (Akbayan Partylist)
PERCIVAL V. CENDAÑA (Akbayan Partylist)
DADAH KIRAM ISMULA (Akbayan Partylist)
KAKA BAG-AO (Dinagat Islands)

AN ACT
DEFINING THE CRIME OF SUBORNATION OF PERJURY,
AMENDING FOR THIS PURPOSE ACT NO. 3815, OTHERWISE
KNOWN AS “THE REVISED PENAL CODE,” AS AMENDED

EXPLANATORY NOTE

The administration of justice depends on the truthfulness of testimony and evidence presented before courts, quasi-judicial bodies, and other tribunals. When witnesses are induced, coerced, or persuaded to give false testimony or execute false affidavits, the integrity of judicial proceedings is undermined, innocent persons may be wrongfully prosecuted or convicted, and public confidence in the legal system is eroded.

In *Hondrade v. Office of the Ombudsman (Visayas)*,¹ the Supreme Court discussed the offense of subornation of perjury and defined it as the act of knowingly and willfully procuring another person to swear falsely. The Court explained that subornation of perjury is presently treated as perjury, with the

¹ G.R. No. 226526, 7 December 2021.

offender punished as a principal by inducement under the provisions of the Revised Penal Code. There is currently no distinct felony that specifically punishes subornation of perjury under the Revised Penal Code.

This legislative gap fails to adequately recognize the unique and grave nature of inducing another person to commit perjury. The individual who orchestrates, procures, or pressures another to provide false testimony is the principal architect of the deception and poses a direct threat to the administration of justice. By expressly defining and penalizing subornation of perjury as a separate crime, the State strengthens its ability to deter witness manipulation, protect the integrity of judicial proceedings, and hold accountable those who seek to corrupt the truth-finding process.

The need for stronger accountability is even more compelling when the offender is a public officer. Public officials occupy positions of authority and influence and are expected to uphold the law and safeguard the fair administration of justice. When a public officer uses the powers or prestige of public office to induce another to testify falsely, the resulting harm extends beyond a particular case and undermines public trust in government institutions. For this reason, the bill imposes a higher penalty when subornation of perjury is committed by a public officer. This is consistent with Article XI, Section 1 of the 1987 Constitution, which declares that: *"Public office is a public trust. Public officers and employees must at all times be accountable to the people, serve them with utmost responsibility, integrity, loyalty, and efficiency, act with patriotism and justice, and lead modest lives."*

By clearly defining and penalizing subornation of perjury, this bill seeks to safeguard the integrity of judicial proceedings, promote truth and

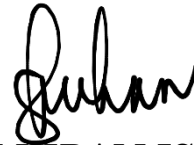
accountability, and strengthen public confidence in the administration of justice.



JOSE MANUEL TADEO
“CHEL” I. DIOKNO
Akbayan Representative



PERCIVAL V. CENDAÑA
Akbayan Representative



DADAH KIRAM ISMULA
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AN ACT
DEFINING THE CRIME OF SUBORNATION OF PERJURY,
AMENDING FOR THIS PURPOSE ACT NO. 3815, OTHERWISE
KNOWN AS “THE REVISED PENAL CODE,” AS AMENDED

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

Section 1. A new article denominated as Article 184-A is hereby added to Act No. 3815, otherwise known as the Revised Penal Code, as amended, to read as follows:

“Art. 184-A. *Subornation of Perjury.* – Whoever procures, coerces, or otherwise induces another to commit any perjury shall be punished as guilty of false testimony, and shall suffer the respective penalties provided in this Section, as if they themselves had given the false testimony: *Provided*, that if the person responsible for the commission of this felony is a public officer or employee, or if the testimony results in the institution of a criminal action against

1 another, the penalty shall be imposed in its maximum period:
2 *Provided, further,* that the offender who is a public officer or employee
3 shall also suffer perpetual absolute disqualification from holding any
4 appointive or elective position in the government or in any agency,
5 entity, or instrumentality thereof.”

6 ***Section. 2 Repealing Clause.*** – All laws, decrees, orders, rules, regulations,
7 and other issuances or parts thereof which are inconsistent with this Act are
8 hereby repealed or amended accordingly.

9 ***Section. 3. Effectivity.*** – This Act takes effect fifteen (15) days after its
10 publication in the Official Gazette or in a newspaper of general circulation.

11 Approved,