



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

Twentieth Congress
Second Regular Session

HOUSE BILL NO. 10045



Introduced by Deputy Speaker David "Jay-Jay" C. Suarez

**AN ACT PENALIZING THE THEFT OF AIRCRAFT, PROVIDING PENALTIES
THEREFOR, AND FOR OTHER PURPOSES**

EXPLANATORY NOTE

For over five decades, the statutory architecture protecting civil aviation in the Philippines has suffered from a consequential gap. When Congress enacted Republic Act (R.A.) No. 6235, or the Anti-Hijacking Law, it moved to curb the specific global menace of aerial piracy by penalizing the forcible seizure of aircraft. By its own terms, however, the protections of R.A. No. 6235 are strictly limited to instances where an aircraft is already "in flight" – that is, from the moment all external doors are closed after embarkation and until any such door is opened for disembarkation. An aircraft that is unlawfully taken while parked, hangared, or otherwise grounded falls entirely outside its coverage.

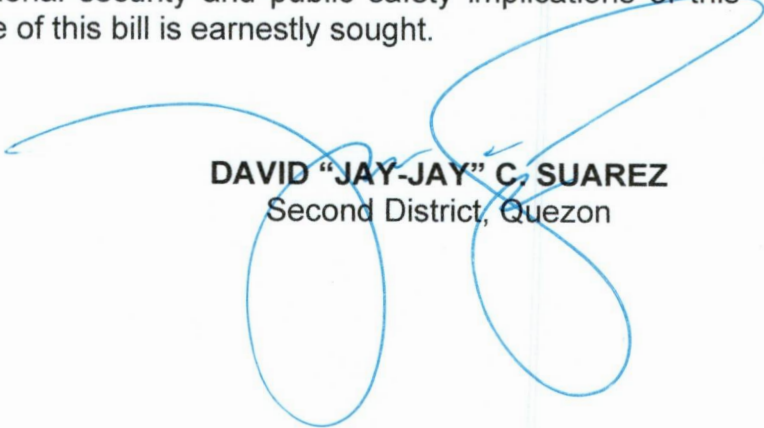
Nor does R.A. No. 10883, the New Anti-Carnapping Act of 2016, fill the gap. While it penalizes the theft of motor vehicle, the said law defines a "motor vehicle" as one "propelled by any power other than muscular power using the public highways." By that definition, an aircraft is excluded altogether, whether it is grounded or in flight. Consequently, when an aircraft is unlawfully taken while on the ground, our legal system is left with no recourse but the general property crimes of the Revised Penal Code (RPC), prosecuting the offender for Simple Theft under Article 308. This creates an untenable situation where a multi-million-peso aviation asset capable of causing catastrophic loss of life and massive structural destruction, is placed at the same level as ordinary movable properties. The law currently measures the gravity of the crime based purely on the monetary value of the property, entirely ignoring the profound airspace safety hazards and national security risks generated by a rogue aviation operation.

This gap was starkly exposed in *Ramirez v. People of the Philippines*,¹ where a dismissed pilot unlawfully boarded a stationary company aircraft, flew it for several hours, and threatened to crash it into a nearby facility unless paid Two Million Pesos (P2,000,000.00). Because the aircraft was grounded when taken and fell outside the

reach of both the Anti-Hijacking Law and the Anti-Carnapping Act, the Supreme Court was constrained to affirm his conviction for nothing more than Simple Theft, with a penalty measured solely against the aircraft's appraised value. In its Decision, the Court itself observed that "aircraft theft has potential consequences that are far graver than simple theft," that no law in this jurisdiction specifically addresses it, and directed that a copy of the Decision be furnished to both Houses of Congress "for their guidance and consideration on the creation of legislation that would penalize theft of an aircraft."

This bill answers that directive. It defines and penalizes the theft of aircraft while not in flight—whether by physical, mechanical, electronic, or digital means—as a distinct offense against public safety and national security, with penalties commensurate to the danger the act creates rather than the market value of the aircraft involved. It is designed to operate alongside, and without disturbing, R.A. No. 6235, which continues to govern the unlawful seizure of aircraft while in flight.

In view of the urgent national security and public safety implications of this measure, the immediate passage of this bill is earnestly sought.



DAVID "JAY-JAY" C. SUAREZ
Second District, Quezon



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

SECTION 1. Short Title. – This Act shall be known as the “*Anti-Aircraft Theft
Act of 2026.*”

SECTION 2. Definition of Terms. – As used in this act:

- (a) *Aircraft* refers to any machine or device now known or hereafter invented, used, or designed for navigation of or flight in the air, including but not limited to commercial airliners, private planes, cargo planes, helicopters, crop-dusters, gliders, and large-scale unmanned aerial vehicles (UAVs) or drones configured for transport or industrial operations.
- (b) *Digital or Remote Takeover* refers to the unauthorized accessing, overriding, or manipulation of an aircraft’s flight management systems, avionics, navigation feeds, or ground control stations through cybernetic, electronic, or radio-frequency means, effectively depriving the lawful operator of control.
- (c) *In Flight* refers to the period from the moment all external doors of an aircraft are closed following embarkation until any such door is opened for disembarkation. An aircraft that is parked, 3angered, undergoing maintenance, or otherwise stationary with its external doors open is considered not in flight for purposes of this Act.

- (d) *Owner or Lawful Operator* refers to the registered owner, lessee, charterer, or any natural or juridical person lawfully entitled to the possession, custody, or control of the aircraft.

SECTION 3. *Theft of Aircraft; Penalties.* – Any person who shall take, commandeer, or exercise of control over an aircraft that is not in flight, whether accomplished through physical, mechanical, electronic, or Digital or Remote Takeover, and without the consent of the owner or lawful operator thereof shall be punished by imprisonment of not less than twenty (20) years but not more than thirty (30) years.

The theft of aircraft is qualified, and the penalty of imprisonment of not less than thirty (30) years and one (1) day but not more than forty (40) years shall be imposed, if it is committed with any of the following circumstances:

- (a) The offense is committed by means of violence against or intimidation of persons, or force upon things;
- (b) The offense is committed through abuse of confidence, or of an employment, contractual, or professional relationship, or by capitalizing on specialized corporate, mechanical, or operational security credentials;
- (c) The offender utilizes a Digital or Remote Takeover to intercept or command an unmanned or autonomous aircraft;
- (d) The aircraft is used to threaten, intimidate, coerce, or extort money, property, or unlawful concessions from any individual, private entity, or government institution;
- (e) The offender operates the aircraft in deliberate violation of air traffic control instructions, or enters restricted, prohibited, or danger airspace, thereby endangering national defense or commercial aviation corridors; or
- (f) The stolen aircraft is used to transport or smuggle illegal contraband, weapons, or prohibited substances.

When, by reason or on the occasion of the theft of aircraft, the crime of homicide, serious physical injuries, or rape is committed, the offender shall be punished with life imprisonment, and the resulting crime shall be deemed absorbed in, and prosecuted as part of, a single and indivisible offense under this Section.

Any person charged with theft of aircraft under this Act or when the crime of theft of aircraft is committed by criminal groups, gangs or syndicates or by means of

violence or intimidation of any person or persons or forced upon things; or when the theft of aircraft results in homicide, serious physical injuries, or rape by reason or on the occasion thereof, shall be denied bail when the evidence of guilt is strong.

SECTION 4. *Liability of Juridical Persons and Corporate Officers.* – If the theft of aircraft is committed with the participation, facilitation, or gross negligence of a juridical person, including but not limited to an aviation security or ground-handling company, the president, general manager, or officer directly responsible shall be held criminally liable therefor, without prejudice to the liability of the principal offender. Upon final conviction, the Civil Aviation Authority of the Philippines (CAAP) may suspend or revoke the relevant permit, certificate, or franchise of the juridical person involved.

SECTION 5. *Preservation, Custody, and Forfeiture.* – Law enforcement agencies shall, upon recovery of a stolen aircraft, immediately turn it over to its verified owner or lawful operator. An aircraft that remains unclaimed, or whose ownership cannot be established, within three (3) months after recovery shall be considered abandoned and shall be forfeited in favor of the government through appropriate court proceedings, for disposition or use by CAAP, the PNP, or other government agencies. Any conveyance, equipment, or device used as an instrument in the commission of the offense shall likewise be subject to forfeiture upon final conviction, without prejudice to the rights of innocent third parties and lienholders.

SECTION 6. *Extraterritorial Application.* – The provisions of this Act shall apply to the theft of an aircraft of Philippine registry regardless of where it is grounded, and to acts committed within Philippine territory involving an aircraft of foreign registry, consistent with the Convention on International Civil Aviation and other international agreements to which the Philippines is a signatory.

SECTION 7. *Venue of Criminal Actions.* – A complaint or information for violation of this Act shall be filed in the Regional Trial Court of the province or city where the theft of aircraft was committed, or where the aircraft was taken or found grounded. If the stolen aircraft is registered in a foreign country, the complaint or information may also be filed in any Regional Trial Court in the National Capital Region.

SECTION 8. *Foreign Nationals.* – Foreign nationals convicted under the provisions of this Act shall be deported immediately after service of sentence without further proceedings by the Bureau of Immigration.

SECTION 9. *Suppletory Application of the Revised Penal Code.* – The provisions of the Revised Penal Code, insofar as they are not inconsistent with this Act shall apply suppletorily to this Act.

SECTION 10. *Separability Clause.* – If, for any reason, any section or provision of this Act is declared unconstitutional or invalid, the other sections or provisions which are not affected shall continue to be in full force and effect.

SECTION 11. *Repealing Clause.* – All laws, presidential decrees, executive orders, or issuances, or any part thereof which are inconsistent with the provisions of this Act are hereby repealed, amended, or modified accordingly.

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

Approved,