



HOUSE OF REPRESENTATIVES

H. No. 6944

BY REPRESENTATIVES ANGARA AND AGGABAO, PER COMMITTEE REPORT
NO. 2462

AN ACT AUTHORIZING THE COURT TO REQUIRE COMMUNITY SERVICE IN LIEU OF IMPRISONMENT FOR THE PENALTIES OF *ARRESTO MENOR* AND *ARRESTO MAYOR*, AMENDING FOR THE PURPOSE CHAPTER FIVE, TITLE THREE, BOOK ONE OF ACT NO. 3815, AS AMENDED, OTHERWISE KNOWN AS THE REVISED PENAL CODE

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

1 SECTION 1. Chapter 5, Title 3, Book I of Act No. 3815, as amended,
2 otherwise known as the Revised Penal Code, is hereby further amended to
3 include an additional section to read as follows:

4 “ART. 88-A. *COMMUNITY SERVICE*. – THE COURT MAY,
5 IN LIEU OF SERVICE IN JAIL, *MOTU PROPIO*, REQUIRE THAT THE
6 PENALTIES OF *ARRESTO MENOR* AND *ARRESTO MAYOR* BE
7 SERVED BY THE DEFENDANT BY RENDERING COMMUNITY
8 SERVICE IN THE PLACE WHERE THE CRIME WAS COMMITTED,
9 UNDER SUCH TERMS AS THE COURT SHALL DETERMINE AND
10 UNDER THE SURVEILLANCE OF THE BARANGAY CAPTAIN OF
11 THE COMMUNITY AND A PROBATION OFFICER.

12 “IN REQUIRING COMMUNITY SERVICE, THE COURT
13 SHALL CONSIDER THE WELFARE OF THE SOCIETY AND THE
14 REASONABLE PROBABILITY THAT THE PERSON SENTENCED
15 SHALL REMAIN AT LIBERTY WITHOUT VIOLATING THE LAW.

1 COMMUNITY SERVICE SHALL CONSIST OF ANY ACTUAL
2 PHYSICAL ACTIVITY WHICH INCULCATES CIVIC
3 CONSCIOUSNESS, AND IS INTENDED TOWARDS THE
4 IMPROVEMENT OF A PUBLIC WORK OR PROMOTION OF A
5 PUBLIC SERVICE.

6 "SHOULD THE PERSON SENTENCED VIOLATE THE TERMS
7 FOR RENDERING COMMUNITY SERVICE, THE COURT SHALL
8 ORDER HIS RE-ARREST AND THE PENALTY SHALL BE SERVED IN
9 JAIL. SHOULD THE PERSON SENTENCED COMPLY WITH THE
10 TERMS FOR RENDERING COMMUNITY SERVICE, THE COURT
11 SHALL RENDER AN ORDER THAT SENTENCE HAS BEEN FULLY
12 SERVED.

13 "THE PRIVILEGE OF RENDERING COMMUNITY SERVICE
14 IN LIEU OF SERVICE IN JAIL SHALL BE AVAILED OF ONLY
15 ONCE."

16 SEC. 2. *Separability Clause.* – If any provision or part hereof is held
17 invalid or unconstitutional, the remainder of the law or the provision not
18 otherwise affected shall remain valid and subsisting.

19 SEC. 3. *Repealing Clause.* – Article 27 and Chapter 5, Title 3, Book I
20 of the Revised Penal Code is hereby amended and any law, presidential decree
21 or issuance, executive order, letter of instruction, administrative order, rule or
22 regulation contrary to or inconsistent with the provisions of this Act is hereby
23 repealed, modified or amended accordingly.

24 SEC. 4. *Effectivity Clause.* – This Act shall take effect fifteen (15)
25 days after its publication in the *Official Gazette* or in at least two (2)
26 newspapers of general circulation.

Approved,