



HOUSE OF REPRESENTATIVES

H. No. 5906

BY REPRESENTATIVE PRIMICIAS-AĞABAS, PER COMMITTEE REPORT NO. 794

AN ACT ESTABLISHING THE PERIODS OF PRESCRIPTION FOR CERTAIN OFFENSES PUNISHABLE BY SPECIAL ACTS AND VIOLATIONS OF LOCAL ORDINANCES, AND FURTHER PROVIDING THE PERIOD WHEN PRESCRIPTION SHALL BEGIN TO RUN, REPEALING FOR THE PURPOSE ACT NO. 3326, AS AMENDED

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

- 1 SECTION 1. Violations penalized by special laws shall, unless
2 otherwise provided in such Acts, prescribe in accordance with the following
3 rules:
- 4 (a) After a year for offenses punishable by fine only or by
5 imprisonment for not more than one (1) month, or both;
- 6 (b) After four (4) years for those punishable by imprisonment for more
7 than one (1) month but less than two (2) years;
- 8 (c) After eight (8) years for those punishable by imprisonment for two
9 (2) years or more but less than six (6) years;
- 10 (d) After fifteen (15) years for any other offense punishable by
11 imprisonment for six (6) years or more; and

1 (e) After twenty (20) years for those offenses punishable by *reclusion*
2 *perpetua* or life imprisonment.

3 *Provided, however,* That prescription for violations of tax law shall be
4 governed by the existing tax code while violations of local ordinances shall
5 prescribe after two (2) months.

6 SEC. 2. Prescription shall begin to run from the day of the commission
7 of the violation of the law, and if the same be not known at the time, from the
8 discovery thereof and the institution of judicial proceeding for its investigation
9 and punishment.

10 The prescriptive period shall be interrupted when administrative or
11 judicial proceedings are instituted against the accused or by the filing of
12 complaint in an administrative case for purposes of investigation, and shall
13 begin to run again if the proceedings are dismissed for reasons not constituting
14 jeopardy.

15 SEC. 3. If any provision or part hereof is held invalid or
16 unconstitutional, the remainder of the law or provision not otherwise affected
17 shall remain valid and subsisting.

18 SEC. 4. Act No. 3326, entitled "An Act to Establish Periods of
19 Prescription for Violations Penalized by Special Acts and Municipal
20 Ordinances and to Provide When Prescription Shall Begin to Run", as
21 amended, is hereby repealed. All laws, decrees, executive orders, presidential
22 issuances and other administrative rules and regulations or parts thereof which
23 are inconsistent with this Act are hereby repealed, amended or modified
24 accordingly.

25 SEC. 5. This Act shall take effect fifteen (15) days after its publication
26 in the *Official Gazette* or in a newspaper of general circulation.

Approved,