



## HOUSE OF REPRESENTATIVES

H. No. 4826

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BY REPRESENTATIVES BAERINA, LAGMAN, MACIAS, VELARDE, DADIVAS, BARINAGA, BACANI, ROSALES, AGUIA, JALOSJOS-CARREON, JALOSJOS, MIIRA, JAWORSKI, TANADA, MERCADO, CAGAS, OCAMPO, CASIÑO, HONTIVEROS-BARAQUEL, VIRADOR, MAYA, BELTRAN, MARIANO, ABAD, ABALOS, ABAYA, AHAYON, ACOSTA, ALBANO, ALCALA, ALFJOR, ALVAREZ (A.), ALVAREZ (G.), AMANIE, APOSTOL, AQUINO (B.), AQUINO (R.), ASISTIO, BANAAG, BAUHISTA, BULSER, CABILAO, CAJES, CARI, CARMONA, CASTRO, CERILLES, CHAVEZ, CHIONGBIAN, CHUNGALAO, CLARETE, CODILLA, CRISOLOGO, CUA (G.), CUA (J.), DE GUZMAN, DE VENECIA, DEFENSOR (A.), DEL MAR, DILANGALEN, DUAVI, DUMARPA, ERMITA-BUHAIN, ESCUDERO, ESPINA, ESPINOSA (F.T.), ESPINOSA (F.R.), FALCON, FIGUEROA, FLORENDO, FUA, GARCIA (A.), GARIN, GIDAYA, GOLEZ, GONZALEZ, GUINGONA, GULLAS, JARAHLA, JOAQUIN, JOSON, KINTANAR, LAUSON, LAGRAS, LOCSIN, MAGSAYSAY (E.), MAGSAYSAY (M.), MACITUBO, MALANYAON, MALAPITAN, MAMBA, MANDANAS, MARCOLETA, MARTINEZ, MIRAFLORES, NANTES, NICOLAS, PETHILA, PINGOY, PUENTEVIILLA, RAMIRO, REAL, REMULLA (J.C.), REYES (V.), ROCES, RODRIGUEZ, SANTIAGO, SEACHON-LANETE, SEÑERES, SERRANO, SINGSON, SUSANO, SYJUCO, TALIÑO-SANTOS, TEODORO, TULAGAN, UMALI (A.V.), UNICO, UY (E.), VILLAFUERTE, VILLAR, VILLAROSA, YAPIA, ZAMORA (M.), ZAMORA (R.), ZIALCITA, ROQUERO, CHATTO, GOZOS AND SOON-RUIZ,  
PER COMMITTEE REPORT NO. 1142

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AN ACT PROHIBITING THE IMPOSITION OF DEATH PENALTY IN  
THE PHILIPPINES

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

1           SECTION 1. The imposition of death, as a penalty, is hereby prohibited.  
2 For this purpose, Articles 25, 40, 70, 71 and 74 of the Revised Penal Code are  
3 repealed, amended or modified according insofar as they impose the penalty of  
4 death. Should the death penalty be provided as the sole and mandatory penalty  
5 in a special statute or in the Revised Penal Code, the penalty shall be life  
6 imprisonment.

7           SEC. 2. Article 63 of the Revised Penal Code is hereby amended to  
8 read as follows:

9           "Article 63. Rules for the Application of Indivisible  
10 Penalties. – In all cases in which the law prescribes a single  
11 indivisible penalty, it shall be applied by the courts regardless of  
12 any mitigating or aggravating circumstances that may have  
13 attended the commission of the deed."

14           [In all cases in which the law prescribes a penalty composed  
15 of two indivisible penalties, the following rules shall be observed in  
16 the application thereof:

17           (1) When in the commission of the deed there is present  
18 only one aggravating circumstance, the greater penalty shall be  
19 applied.

1           (2) When there are neither mitigating nor aggravating  
2           circumstances in the commission of the deed, the lesser penalty  
3           shall be applied.

4           (3) When the commission of the act is attended by some  
5           mitigating circumstances and there is no aggravating  
6           circumstances, the lesser penalty shall applied.

7           (4) When both mitigating and aggravating circumstances  
8           attended the commission of the act, the courts shall reasonably  
9           allow them to offset one another in consideration of their number  
10          and importance with the preceding rules, according to the result of  
11          such compensation.]

12          SEC. 3. Republic Act No. 7659, as amended by Republic Act No.  
13          8177, and all other laws, inconsistent with this Act are likewise repealed or  
14          amended accordingly.

15          SEC. 4. This Act shall take effect fifteen (15) days after its publication  
16          in two newspapers of national circulation.

Approved,