



## HOUSE OF REPRESENTATIVES

H. No. 5609

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BY REPRESENTATIVES REMULLA (G.), PUENTEVELLA, SYJUCO, BARBERS,  
GOZOS, ABALOS, CAJES, FUA, CODILLA, ABAYON, CELESTE, NANTES,  
CHATTO AND GIDAYA, PER COMMITTEE REPORT NO. 1792

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AN ACT PROVIDING STIFFER PENALTIES FOR INFIDELITY IN THE  
CUSTODY OF PRISONERS, AMENDING FOR THE PURPOSE  
ARTICLES 223 AND 224 IN SECTION ONE, CHAPTER FIVE,  
TITLE SEVEN, BOOK II OF ACT NUMBERED THIRTY-EIGHT  
HUNDRED AND FIFTEEN, AS AMENDED, OTHERWISE  
KNOWN AS THE REVISED PENAL CODE, AND FOR OTHER  
PURPOSES

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

1           SECTION 1. Articles 223 and 224 of Act No. 3815, as amended,  
2 otherwise known as the Revised Penal Code, are hereby amended to read as  
3 follows:

4                   “Art. 223. *Conniving with or consenting to evasion.* –

5           Any public officer who, DURING HIS TOUR OF DUTY,

6           DELIBERATELY ALLOWS OR CONNIVES IN [shall consent to] the

1 escape of a DETENTION prisoner, OR PRISONER SENTENCED BY  
2 THE LOWER COURT, OR PRISONER CONVICTED BY FINAL  
3 JUDGMENT, in his custody or charge, shall [be punished:]  
4 SUFFER THE PENALTY OF *PRISION MAYOR* IN ITS MAXIMUM  
5 PERIOD, A FINE RANGING FROM FIVE HUNDRED THOUSAND  
6 PESOS (P500,000.00) TO ONE MILLION PESOS (P1,000,000.00),  
7 AND PERPETUAL ABSOLUTE DISQUALIFICATION, WITHOUT  
8 ELIGIBILITY FOR PAROLE.

9 [1. By *prision correccional* in its medium and maximum  
10 periods and temporary special disqualification in its maximum  
11 period to perpetual special disqualification, if the fugitive shall  
12 have been sentenced by final judgment to any penalty.

13 2. By *prision correccional* in its minimum period and  
14 temporary special disqualification, in case the fugitive shall not  
15 have been finally convicted but only held as a detention prisoner  
16 for any crime or violation of law or municipal ordinance.]”

17 “Art. 224. *ESCAPE AND [E]Evasion through negligence.*

18 – If the ESCAPE OR evasion [of the prisoner] BY ANY OF THE  
19 PRISONERS MENTIONED IN THE PRECEDING ARTICLE shall have  
20 taken place through the negligence of the PUBLIC officer charged

1 with the conveyance or custody of the SAID PRISONERS  
2 [escaping prisoner] DURING HIS TOUR OF DUTY, said PUBLIC  
3 officer shall suffer the [penalties of *arresto mayor* in its  
4 maximum period to *prision correccional* in its minimum period  
5 and temporary special disqualification] PENALTY OF *PRISION*  
6 *CORRECCIONAL* AND PERPETUAL ABSOLUTE  
7 DISQUALIFICATION, WITHOUT ELIGIBILITY FOR PAROLE.”

8 SEC. 2. *Repealing Clause.* – All laws, executive orders, rules and  
9 regulations or any part thereof inconsistent herewith are deemed repealed or  
10 modified accordingly.

11 SEC. 3. *Effectivity.* – This law shall take effect upon its approval and  
12 publication in at least two newspapers of general circulation.

Approved,

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