



HOUSE OF REPRESENTATIVES

H. No. 5409

BY REPRESENTATIVES ARAGO, DEL MAR, GONZALEZ, LOPEZ (J.), LAZATIN,
SY- ALVARADO AND CODILLA, PER COMMITTEE REPORT NO. 1493

AN ACT PROVIDING STIFFER PENALTIES FOR THE CRIME OF THEFT AND ROBBERY OF PORTABLE TELECOMMUNICATION DEVICES

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

1 SECTION 1. *Short Title.* – This Act shall be known as the “Anti-Theft
2 and Robbery of Portable Telecommunication Devices Act of 2008”.

3 SEC. 2. *Definition.* – Portable telecommunication device shall refer to
4 cellular telephones, personal digital assistants, portable computers, two-way
5 very high frequency (VHF) radios and other portable communication
6 equipment utilized to transmit messages, documents, photos, images, videos or
7 information through air, radio or satellite frequencies.

8 SEC. 3. *Penal Provision.* – Any person convicted of the crime of theft
9 and robbery as defined under Chapters One and Three of Title Ten of the

1 Revised Penal Code of a portable telecommunication device shall be punished
2 by the penalty next higher in degree than those respectively specified in the
3 abovementioned articles: *Provided, That the additional penalty specified*
4 *herein shall no longer be made applicable if the imposable penalty is in its*
5 *maximum period.*

6 SEC. 4. *Unavailability of Plea-Bargaining and Probation Law.* – Any
7 person charged under this Act shall not be allowed to avail of the provisions on
8 plea-bargaining and the privilege granted by the Probation Law or Presidential
9 Decree No. 968. as amended.

10 SEC. 5. *Repealing Clause* – All laws, decrees, orders, rules and
11 regulations or other issuances or parts thereof inconsistent with the provisions
12 of this Act are hereby repealed or modified accordingly.

13 SEC. 6. *Separability Clause.* – If any portion of this Act is declared
14 unconstitutional, the remainder of this Act or any provision not affected
15 thereby shall remain in force and effect.

16 SEC. 7. *Effectivity.* – This Act shall take effect after fifteen (15) days
17 following the completion of its publication either in the *Official Gazette* or in a
18 newspaper of general circulation in the Philippines.

Approved,