

23 MAY 24 P2:43

SENATE

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S. No. 2240

Introduced by Senator Francis "Tol" N. Tolentino

**AN ACT
TO AMEND ARTICLE 320 ON DESTRUCTIVE ARSON OF ACT NO. 3815
OTHERWISE KNOWN AS THE REVISED PENAL CODE OF THE PHILIPPINES.**

EXPLANATORY NOTE

Article XIV Section 14 of the 1987 Constitution provides that "the State shall foster the preservation, enrichment, and dynamic evolution of a Filipino national culture based on the principle of unity in diversity in a climate of free artistic and intellectual expression.

Section 16 of the same article likewise provides that "all the country's artistic and historic wealth constitutes the cultural treasure of the nation and shall be under the protection of the State which may regulate its disposition.

One such sample of a cultural treasure, is the Manila Central Post Office, which has been declared by the National Museum as an Important Cultural Property (ICP) in 2018 for possessing exceptional cultural, artistic and historical significance.

From May 21 to May 23, 2023, the country has witnessed the massive and agonizing burning of the Manila Central Post Office, which fire lasted more than thirty (30) hours after the blaze began.¹

The burning of this structure, not only consumed the collection of commemorative and antique stamps, court letters, and national IDs that were yet to be distributed that it houses. It has likewise burned the 100-years-worth of history that the building represents. History that can no longer be regained.


¹ <https://www.rappler.com/nation/fire-manila-central-post-office-may-2023/>

It is for this purpose that the State must take a stronger stance in protecting cultural properties like these, and impose a graver penalty on those who commit arson of these properties.

In view of the foregoing, the immediate passage of this bill is earnestly sought.


FRANCIS "TOL" N. TOLENTINO

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

1 Sec. 1. Article 320 of ACT NO. 3815, otherwise known as "Revised Penal Code", is
2 hereby amended to read as follows:

3
4 "Art. 320. Destructive arson. The penalty of *reclusion perpetua* to death
5 shall be imposed upon any person who shall burn:

- 6 1. One (1) or more buildings or edifices, consequent to one single act of
7 burning, or as a result of simultaneous burnings, or committed on several
8 or different occasions;
- 9 2. xxx;
- 10 3. xxx;
- 11 4. xxx;
- 12 5. xxx;
- 13 **6. ANY BUILDING CONSIDERED AS A CULTURAL PROPERTY UNDER**
14 **REPUBLIC ACT NO.10066, OTHERWISE KNOWN AS THE**
15 **NATIONAL CULTURAL HERITAGE ACT OF 2009.**

16

1 xxx.

2 xxx.

3 1. xxx.

4 2. xxx.

5 xxx.”

6

7 *Sec. 2. Separability Clause.* – If, for any reason, any part of provision of this act is
8 declared invalid or unconstitutional, the remaining parts or provisions not affected shall
9 remain in full force and effect.

10 *Sec. 3. Repealing Clause.* – All other laws, executive orders, presidential decrees,
11 rules and regulations inconsistent with the provisions of this act are hereby repealed,
12 amended or modified accordingly.

13 *Sec. 4. Effectivity.* – This Act shall take effect after fifteen (15) days following its
14 complete publication in the Official Gazette or in at least one (1) national newspaper of
15 general circulation.

16 Approved,

17

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