

NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



23 MAY 24 P5:22

SENATE
S. No. 2244

RECEIVED BY:

Introduced by Senator Robinhood Padilla

AN ACT
AMENDING ARTICLE 183 OF ACT NO. 3815 OTHERWISE KNOWN AS "THE
REVISED PENAL CODE", AS AMENDED

EXPLANATORY NOTE

The principle that public office is a public trust signifies that public officials hold this power in trust to benefit the people and never the interests of a few. Hence, they shall hold themselves accountable and act with the utmost integrity at all times. This weighs heavily on our military and uniformed personnel who have sworn to serve and protect our people and defend the State.

In the Philippines, "military and uniformed personnel" refers to the members of the Armed Forces of the Philippines (AFP), the Philippine National Police (PNP), the Philippine Coast Guard (PCG), the Bureau of Fire Protection (BFP), the Bureau of Jail Management and Penology (BJMP), Bureau of Corrections (BuCor), and employees of National Mapping and Resource Information Agency (NAMRIA) who are Philippine Navy officers and enlisted personnel and members of the defunct Philippine Navy Coast and Geodetic Survey that became the nucleus of the NAMRIA.

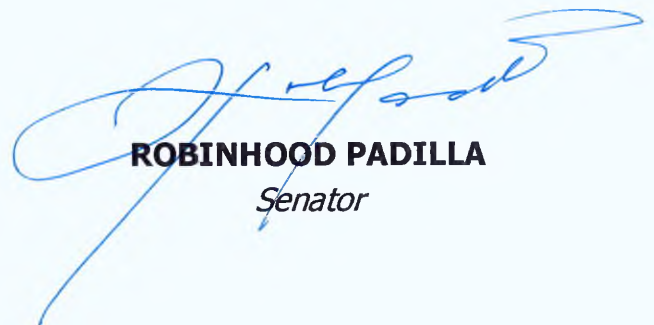
No one could argue that our government institutions rely on factual and accurate information in order to act in the best interest of our people when it comes to the enforcement of our laws. In the case of Congress, for example, it goes without saying that presenting misleading and inaccurate information or testimony before these bodies impedes the process of fact-finding and decision-making. More

importantly, this undermines public trust in our military and uniformed personnel, who are expected to protect the nation and its citizens from threats.

While the Revised Penal Code of the Philippines currently criminalizes perjury and false testimony, the current penalties are not commensurate with the consequences of receiving false testimonies from military and uniformed personnel during Congressional proceedings in addressing and protecting the public interest.

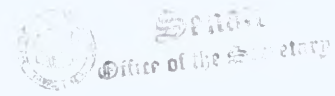
Thus, this amendment seeks to introduce a higher penalty for uniformed personnel who commit perjury in any congressional proceeding. It is an attempt to further safeguard the truth and increase the deterrent for making false statements, particularly within institutions central to the maintenance of peace, order, and national security.

Given the great role of these agencies in enforcing the law, it is of utmost importance that their personnel maintain the highest degree of honesty and integrity. Hence, the immediate enactment of this bill is earnestly sought.



ROBINHOOD PADILLA
Senator

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

1 Section 1. Section 183 of The Revised Penal Code, as amended, is hereby
2 further amended, to read as follows:

3 "Article 183. *False testimony in other cases and perjury in*
4 *solemn affirmation.* — The penalty of prision mayor in its minimum
5 period to prision mayor in its medium period shall be imposed upon
6 any person who, knowingly making untruthful statements and not
7 being included in the provisions of the next preceding articles, shall
8 testify under oath, or make an affidavit, upon any material matter
9 before a competent person authorized to administer an oath in cases
10 in which the law so requires.

11 Any person who, in case of a solemn affirmation made in lieu
12 of an oath, shall commit any of the falsehoods mentioned in this and
13 the three preceding articles of this section, shall suffer the respective
14 penalties provided therein: Provided, That if the person responsible
15 for the commission of this felony is a public officer or employee, the
16 penalty shall be imposed in its maximum period: **PROVIDED,**
17 **FURTHER, THAT IF THE OFFENDER IS A PERSONNEL OF THE**

1 **ARMED FORCES OF THE PHILIPPINES, THE PHILIPPINE**
2 **NATIONAL POLICE, OR ANY OTHER UNIFORMED OR LAW**
3 **ENFORCEMENT AGENCY, WHO IS EITHER UNDER OATH OR**
4 **SOLEMN AFFIRMATION, AND COMMITS THE CRIME BEFORE**
5 **ANY CONGRESSIONAL PROCEEDING, THE PENALTY SHALL**
6 **BE RECLUSION TEMPORAL IN ITS MINIMUM PERIOD:**

7 *Provided, finally,* That the offender shall also suffer a fine not to
8 exceed One million pesos (P1,000,000.00) and perpetual absolute
9 disqualification from holding any appointive or elective position in the
10 government or in any agency, entity or instrumentality thereof.”

11 Sec. 2. *Applicability Clause.* — This Act shall apply to all proceedings before
12 Congress, including those currently ongoing at the time of its enactment.

13 Sec. 3. *Separability Clause.* — If any provision or part hereof is held invalid or
14 unconstitutional, the remainder of the law or the provision not otherwise affected shall
15 remain valid and subsisting.

16 Sec. 4. *Repealing Clause.* — All laws, decrees, orders, rules and regulations or
17 parts thereof inconsistent with the provisions of this Act are hereby repealed,
18 amended, or modified accordingly.

19 Sec. 5. *Effectivity Clause.* — This Act shall take effect fifteen (15) days after its
20 complete publication in the Official Gazette or in at least two (2) newspapers of general
21 circulation.

 Approved,