

THE CRIMINAL CODE OF THE PHILIPPINES

Title I General Principles

Chapter 1 Applicability

Section 1. No crime without law. There is no crime unless the act is defined and penalized by this Code or other laws at the time of commission. Criminal laws are prospective in application unless favorable to the accused.

Section 2. Scope. This Code shall apply to:

Territoriality

1. Crimes committed within the Philippines or against a government facility of the Philippines abroad, including its embassy, diplomatic or consular premises regardless of the location of the perpetrator or when the effects happen in these places;
2. It also covers those committed in an aircraft, ship or vessel of Philippine registry or in an aircraft, ship or vessel originating from, passing through or destined for the Philippines;

Protection

3. Crimes committed outside the Philippines against any Philippine citizen, or entity registered in the Philippines, if committed against national security or interest or punishable by level 4 or higher crime, unless punishable in the place where the crime is committed;

Nationality

4. Crimes committed outside the Philippines by a Philippine citizen; and

Universality

5. Crimes committed against humanity and the law of nations.

Section 3. State duty. Principles of opportunity and legality. The State has the primary duty to investigate and prosecute crimes and to impose penalties. The principle of legality shall apply when the penalty is level 4 and higher. The principle of opportunity shall apply at other levels.

Section 4. National law and local law. When a single act violates a national law and a local law, the national law shall prevail. The penalty beyond level 1 is imposable only by national laws.

Chapter 2 Crimes in General

Section 5. Crime and punishment. A crime is conduct defined and penalized under this Code or special penal laws.

Section 6. Intent and negligence. Only intentional conduct is punishable. Negligent conduct is punishable only when specifically provided under this Code or other laws.

Section 7. Acts and crimes. When a single act produces two or more crimes under this Code and other laws, or when a series of different acts on one occasion produce two or more crimes, or when a crime is a necessary means for committing another crime, the accused shall be charged in one indictment for all the crimes but may be convicted only for the crime proved with the highest penalty. The other crimes proved shall be considered as modifying circumstances.

Section 8. Acts and victims. Series of similar acts on the same occasion against one victim shall be charged as one crime. If there is more than one victim, the respondent shall be charged with as many crimes as there are victims.

Section 9. Acts and effects. The offender shall be responsible for all the effects arising from the commission of illegal acts.

Section 10. Minority. A minor under 13 years do not incur criminal responsibility. A minor is a person under 18 years of age or those over 18 years of age but are unable to fully take care or protect themselves from abuse, neglect, cruelty, exploitation or discrimination because of a physical or mental disability or condition. A minor aged 13 but less than 18 years old who commits a crime shall be subjected to the appropriate proceedings, and if charged with a crime punishable by penalty within Level 5 shall be tried as an adult and, if convicted, liable to the penalty of imprisonment.

Section 11. Insanity. An insane person does not incur criminal responsibility. Insanity is the total deprivation of the mental ability to appreciate the criminality of one's conduct

Section 12. Defense. A person acting in self defense or in defense of another does not incur criminal responsibility. Self defense is the proportionate action done in response to actual illegal attack.

Section 13. Lawful act. A person who, while performing a lawful act with due care, causes an injury or damage does not incur criminal responsibility.

Section 14. Lawful order or authority. A person acting under lawful order or authority does not incur criminal responsibility, unless such order or authority is clearly not for a lawful purpose.

Section 15. Compulsion. A person compelled to act by reason of fear, intimidation, force, threat or some lawful cause does not incur criminal responsibility.

Section 16. Imminent harm. A person who, acting to avoid an imminent harm, causes injury or damage does not incur criminal responsibility.

Section 17. Persons responsible. A person committing a crime is either a principal or an accessory.

1. Principals are persons who commit a crime personally or through another. Persons who agreed to commit a crime and commit it, regardless of the nature or extent of participation, shall be punished as principals.
2. Accessories are persons who aid, abet or assist a principal.

Section 18. Attempt. An attempt to commit a crime shall be punishable only when provided by this Code or other special penal laws.

Section 19. Modifying circumstances. The two kinds of modifying circumstances are aggravating circumstances and mitigating circumstances.

1. An aggravating circumstance results in the imposition of the penalty within the higher duration of the penalty provided due to the presence of particular circumstances manifesting a greater criminal perversity of the accused as shown in the brutal and excessive manner or method which was consciously adopted to facilitate the commission of the crime; or the taking advantage of physical or mental disability or age to ensure impunity; or the flagrant disregard by the accused of special personal conditions of the victim; and other analogous circumstances.
2. A mitigating circumstance results in the imposition of the penalty within the lower duration of the penalty provided due to the presence of particular circumstances manifesting a lesser criminal perversity of the accused; or showing that he has a mental disability, or has acted under a diminished exercise of freedom of action, intelligence, or intent, or is suffering from a physical or mental defect that restricts his means of action, defense or communication; and other analogous circumstances.

Mental disability is any mental illness, medical condition or defect substantially decreasing the ability to appreciate the criminality of one's conduct.

A mitigating circumstance may also be appreciated in favor of the accused if he voluntarily surrenders to the police authorities or voluntarily pleads guilty before the presentation of the prosecution's evidence in the criminal case filed against him.

3. The court shall consider the established facts in the appreciation of the modifying circumstances.

Chapter 3 Penalties in General

Section 20. Purpose of penalties. Penalties are imposed for punishment, reformation and rehabilitation.

Section 21. Civil liability. An accused convicted of a crime shall be held civilly liable for damages that have been proved. An accused acquitted of a crime by reasonable doubt may be held civilly liable where the evidence so warrants.

Section 22. Kinds of penalties. The kinds of penalties are:

1. Imprisonment is the deprivation of liberty by judicial decree through commitment of the offender for a fixed duration to any correctional facility.
2. Fine is the fixed monetary sanction imposed by a judge based on the severity of the crime committed and the ability of the offender to pay. It is imposed either as a principal or alternative penalty for the commission of a crime.
3. Community service is performance of unpaid work by an offender to compensate the injury inflicted to society by the crime committed. It shall be equivalent to the number of days of the offender's average daily income. It may be imposed by the court, with the consent of the offender, as an alternative penalty to imprisonment, or for probation or parole.

4. Disqualification or suspension permanently or for the duration of the sentence - deprives the offender of public office, profession or employment, elective or appointive, and any similar office or employment.
5. Suspension of the right to vote or be voted for in any election.
6. Civil interdiction for the duration of the sentence imposed - deprives the offender of parental authority over children, guardianship rights, or the right to manage and dispose of property.
7. Forfeiture of benefits is the disqualification of the offender from receiving any portion or all of benefits.
8. Confiscation and forfeiture of proceeds and instruments of crime is integral to every penalty. Proceeds and instruments of a crime shall be confiscated in favor of the State unless they belong to a third party or are not subject of lawful commerce.

Section 23. Impossible penalties. The penalties which may be imposed under this Code are the following:

<u>Principal Penalty</u>	<u>Term</u>
Life imprisonment	Not less than 30 years and not more than 40 years, with or without parole + Fine equivalent to 500 to 1000 times (in multiples of one hundred) the average daily income
Level 5	More than 20 years to 30 years + Fine equivalent to 100 to 500 times (in multiples of one hundred) the average daily income
Level 4	More than 12 years to 20 years + Fine equivalent to 10 to 100 times (in multiples of ten) the average daily income
Level 3	More than six years to 12 years + Fine equivalent to 10 to 50 times (in multiples of ten) the average daily income
Level 2	More than one year to six years + Fine equivalent to 10 to 20 times (in multiples of five) the average daily income
Level 1	More than 10 days to one year + Fine equivalent to one to 10 times the average daily income OR Fine only

Alternative Penalty

Fine
Community service

Accessory Penalty

Disqualification or suspension
Suspension of right of suffrage
Civil interdiction
Forfeiture of benefits
Confiscation and forfeiture of proceeds and instruments of the crime

Subsidiary Penalty

Community service

Section 24. Imposition of penalties. The imposition of penalties shall be guided by the following:

1. The court shall impose the principal penalty or alternative penalty and the accessory penalties, as applicable.
2. Fine as a principal penalty or an alternative penalty shall be equivalent to a multiple of the average daily income of the offender but in no case lower than the daily minimum wage of the place where the crime is committed, or the value of the property, in cases of property crimes.
3. Subsidiary penalty of community service shall be imposed when the offender fails to pay the fine.
4. The maximum of the prescribed level shall be imposed upon repeat offenders.
5. The maximum of the imposable penalty shall be imposed upon an offender who escapes from confinement.
6. Probation may be availed of for Level 1 and 2 crimes.
7. A first time offender of a Level 1 crime may render community service upon application and approval of the Court.
8. Community service may be included as one of the conditions for probation in Level 2 crimes.
9. The duration of community service shall be equivalent to the prison term.
10. The object, instrument or proceeds of the crime shall be destroyed, confiscated or forfeited.
11. The court shall order the return of the property or its equivalent and indemnification as damages.

Section 25. Implementation of penalties. The implementation of penalties shall be guided by the following:

1. Service of sentence shall commence from the time the judgment becomes final.
2. Preventive detention shall be credited to the term of imprisonment imposed.
3. The sentence shall be suspended if the offender becomes insane.

4. The penalty of two or more imprisonment terms shall be served successively, but in no case shall a person be imprisoned for more than 40 years.
5. Upon service of one-half of the penalty imposed, the convict may be eligible for parole.

Section 26. Extinction of criminal responsibility. Criminal responsibility is extinguished by:

1. Service of penalty
2. Amnesty
3. Absolute Pardon
4. Prescription
5. Amicable settlement - except in cases of crimes against the State, and subject to the court's discretion and approval, considering all relevant circumstances of the case in the interest of justice and peace

Section 27. Diminution of criminal responsibility. Criminal responsibility is diminished by:

1. Conditional pardon
2. Commutation of sentence
3. Parole

Further, an inmate may be temporarily released on health parole if found to be afflicted with contagious, debilitating or terminal illness or disease which cannot be treated in prison.

4. Probation

Section 28. Prescription of crimes. The prescription of crimes shall be governed by the following rules:

1. Crimes punishable by life imprisonment do not prescribe. Level 5 crimes prescribe in 25 years. Level 4 crimes prescribe in 15 years. Level 3 crimes prescribe in 10 years. Level 2 crimes prescribe in five years. Level 1 crimes prescribe in one year.
2. The period of prescription shall run from the day the crime is committed or upon its discovery.
3. The period of prescription shall not run when the crime is under any formal proceedings or investigation and shall run again when the proceedings did not result in the filing of an information in court.

Section 29. Double jeopardy. No person shall be twice put in jeopardy of punishment for the same crime.

An appeal from a dismissal or acquittal of a level 4 crime or higher based on the following grounds shall not constitute a second jeopardy:

1. when the State is denied due process;
2. when the dismissal is based on outside evidentiary considerations, without the court passing upon the accused's guilt or innocence;
3. bias or prejudice stemming from an extrajudicial source.

Section 30. Meaning of terms. For the purpose of consistency of criminal laws, the following terms shall have their meanings:

1. Offended party – the State
2. Victim - a person who sustains injury or damage as a result of the commission of a crime
3. Respondent - a person under investigation for the commission of a crime
4. Accused – a person charged in court with the commission of a crime
5. Offender - a person who commits a crime
6. Detainee - a person under detention before final judgment
7. Detention facility – a place of confinement for detainees
8. Judgment - an order or decision issued by a court which disposes a case
9. Final judgment – a judgment that is no longer subject to appeal
10. Penalty - the punishment for the commission of a crime which includes imprisonment, fine, forfeiture, damages to the offended party and the victims including restitution, reparation, indemnification, suspension or removal from office, disqualification from practice of profession or vocation, deprivation or curtailment of rights or privileges and community service
11. Inmate – a person serving sentence of imprisonment
12. Correctional facility – a place of confinement for inmates
13. Prescription - the extinction of the right of the State to prosecute by lapse of time

Title 2
Crimes Against the State

Chapter 1. Crimes Against Existence of the State

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Chapter 1
Crimes Against Existence of the State

SECTION 31. Treason. Any person who:

- a. During war time, renounces his allegiance to the State by committing acts favoring the enemy, shall be punished with Life Imprisonment;
- b. At any other time, renounces allegiance to the State by performing an act which places the State in imminent threat of foreign domination or makes it dependent on a foreign power, shall be punished within Level 5.
- c. Gathers, transmits, distorts or loses information or data respecting the national defense to the injury of the State or to the advantage of any group or foreign nation whose purpose is to cause the State's downfall, shall be punished within Level 5.
- d. Commits an act which provokes war or exposes Filipino citizens to reprisals on their persons or property or violates regulations issued by the Philippine government for the purpose of enforcing neutrality, shall be punished within Level 4.

If the offender is a public officer or employee, he shall be punished with the penalty one level higher than that provided.

Section 32. Rebellion. Rebellion consists of participating in, supporting, or adhering to an armed public uprising against the government committed under the following circumstances:

- a. Causing the removal of the Philippine territory or any of its part from the allegiance to the Government or its laws shall be punished within Level 5;
- b. Causing the removal of any branch or unit of the armed forces or other government security forces from the allegiance to the Government or its laws shall be punished within Level 5;
- c. Depriving the Chief Executive, wholly or partially, of any of his powers or prerogatives shall be punished within Level 5;
- d. Without taking up arms or being in open hostility against the Government, inciting others to the execution of any act of rebellion shall be punished within Level 4.

Life imprisonment shall be imposed if the offender in paragraphs a, b, and c is a public officer or employee.

Section 33. Coup d'etat. Any member of the armed forces or any other government security forces or any public officer or employee, with or without civilian support or participation, who attacks, threatens or intimidates the duly constituted authorities of the Republic of the Philippines or attacks installations, utilities, equipment, facilities, or establishments of vital national interest for the purpose of seizing or diminishing state power shall be punished with Life Imprisonment.

An attempt to commit coup d'etat shall be punished within Level 5.

Chapter 2 **Crimes Affecting State Functions**

Crimes Affecting Enforcement of Laws

Section 34. Disrupting government proceedings and preventing attendance in such proceedings. Any person who, through force, fraud, coercion or intimidation, prevents, disturbs or interrupts proceedings of government bodies performing legislative, quasi-legislative or quasi-judicial functions under the following circumstances:

- a. Prevents, disturbs or interrupts the session of the Congress of the Philippines or the meeting of any of its committees or subcommittees, or the session of the Constitutional Commissions or committees or divisions thereof, or the session of the local legislative bodies shall be punished within Level 3;
- b. Prevents a member of Congress from attending its Sessions or meetings or the hearings of any of its committees or subcommittees, or from expressing his opinions or casting his vote shall be punished within Level 2;
- c. Prevents a member of the constitutional commissions or its committees or divisions from attending its Sessions, meetings, or hearings, or from expressing his opinions or casting his vote shall be punished within Level 3;
- d. Being a public officer or employee, arrests or searches any member of Congress while

in session shall be punished within Level 3.

Section 35. Assault upon authorities. Any person who assaults a person in authority or his agent performing official functions, or any person coming to the aid of such authorities or their agents, shall be punished within Level 3.

Any person who incites another to commit the crime of assault as defined in the preceding paragraph shall be punished within Level 2.

Section 36. Disobedience to authorities. Any person who willfully disobeys a person in authority performing official functions shall be punished within Level 1. When the act of disobedience endangers life or property, the offender shall be punished within Level 2.

Section 37. Obstruction of justice. Any person who willfully obstructs, impedes, frustrates or delays the apprehension of suspects or the investigation or prosecution of criminal cases, or intrudes in a crime scene shall be punished within Level 3.

Obstruction of justice may be typically committed under the following circumstances:

- a. Preventing witnesses from testifying in any criminal investigation proceeding or from reporting the commission of any offense or the identity of any offender/s by means of bribery, misrepresentation, deceit, intimidation, force or threats;
- b. Altering, erasing, destroying, suppressing or concealing any paper, record, document, or object, traces or prints, with intent to impair its verity, authenticity, legibility, availability, or admissibility as evidence in a crime scene or in any investigation of or official proceedings in, criminal cases, or to be used in the investigation of, or official proceedings in, criminal cases;
- c. Harboring or concealing, or facilitating the escape of, any person he knows, or has reasonable ground to believe or suspect, has committed any offense under existing laws in order to prevent his arrest prosecution and conviction;
- d. Using a false identity or falsified document for the purpose of concealing a crime, evading prosecution or the execution of a judgment, or concealing his true name and other personal circumstances for the same purpose or purposes;
- e. Delaying the prosecution of criminal cases by obstructing the service of process or court orders or disturbing proceedings in the National Prosecution Service, Ombudsman, or in the courts;
- f. Making, presenting or using any record, document, paper or object with knowledge of its falsity and with intent to affect the course or outcome of the investigation of, or official proceedings in, criminal cases;
- g. Soliciting, accepting, or agreeing to accept any benefit in consideration for abstaining from, discontinuing, or impeding the legal proceedings;
- h. Threatening another, directly or indirectly, with the infliction of any wrong upon his person, honor or property or that of any immediate member or members of his family, or imposing a condition, whether lawful or unlawful, in order to prevent such person from appearing in the investigation of or official proceedings in criminal cases; or
- i. Giving false or fabricated information to mislead or prevent the law enforcement agencies from apprehending the offender or from protecting the life or property of

the victim; or publishing or fabricating information from the data gathered in confidence by investigating authorities.

Section 38. Facilitating escape of detainee or inmate. Any person who deliberately or through negligence removes, allows, or helps in the escape of any detainee or inmate shall be punished within the same Level imposable upon said detainee or imposed upon said inmate. This crime, when committed by a public officer or employee charged directly with the custody of the detainee or prisoner shall be punished within the next higher level than that imposable upon the detainee or imposed upon the prisoner.

Crimes Involving Graft and Corruption

Section 39. Corruption. Any public officer or employee, or any person in connivance with such public official or employee, who uses his public position for private interest or personal gain shall be punished within Level 4.

The following acts are punishable within Level 5:

- a. Performing or agreeing to perform an act constituting a crime in connection with the performance of his official duties, in consideration of any offer, promise, gift or present received, personally or through a conduit or agent (mediator). Any person who offers or promises or gives the gifts or presents and the conduit shall also suffer the same penalty as the public officer or employee.
- b. Agreeing to perform or refraining from performing an act not constituting a crime in connection with the performance of his official duties, in consideration of any offer, promise, gift or present received, personally or through a conduit. Any person who offers or promises or gives the gifts or presents and the conduit shall also suffer the same penalty as the public officer or employee.
- c. Persuading, inducing or influencing another public officer or employee to perform an act constituting a violation of rules and regulations duly promulgated by competent authority or an offense in connection with the official duties of the latter. The public officer who allows himself to be persuaded, induced, or influenced to commit such violation or offense shall suffer the same penalty.
- d. Directly or indirectly requesting or receiving any gift, present, share, percentage, or benefit, for himself or for any other person, in connection with any contract or transaction between the Government and any other part, wherein the public officer in his official capacity has to intervene under the law.
- e. Directly or indirectly requesting or receiving any gift, present or other pecuniary or material benefit, for himself or for another, from any person for whom the public officer or employee, in any manner or capacity, has secured or obtained, or will secure or obtain, any Government permit or license, in consideration for the help given or to be given.
- f. Accepting or having any member of his family accept employment in a private enterprise which has pending official business with him during the pendency thereof.
- g. Causing any undue injury to any party, including the Government, or giving

any private party any unwarranted benefits, advantage or preference in the discharge of his official functions through manifest partiality, evident bad faith or gross inexcusable negligence. This provision shall also apply to officers and employees of offices or government corporations charged with the grant of licenses or permits or other concessions.

- h. Neglecting or refusing to act on any matter pending before him for the purpose of obtaining, directly or indirectly, from any person interested in the matter some pecuniary or material benefit or advantage, or for the purpose of favoring his own interest or giving undue advantage in favor of or discriminating against any other interested party.
- i. Entering, on behalf of the Government, into any contract or transaction manifestly and grossly disadvantageous to the same, whether or not the public officer profited or will profit thereby.
- j. Directly or indirectly having financial or pecuniary interest in any business, contract or transaction in connection with which he intervenes or takes part in his official capacity, or in which he is prohibited by the Constitution or by any law from having any interest.
- k. Directly or indirectly performs acts to obtain interest in any transaction or act, for personal gain, requiring the approval of a board, panel or group of which he is a member even if he votes against the same or does not participate in the action of the board, committee, panel or group, or the approval of his office.

Interest for personal gain shall be presumed against those public officers responsible for the approval of manifestly unlawful, inequitable, or irregular transaction or acts by the board, panel or group to which they belong.

- l. Approving or granting any license, permit, franchise, concession, privilege or benefit in favor of any person not qualified for or not legally entitled to such license, permit, franchise, concession privilege or advantage, or to a mere representative or dummy of one who is not qualified or entitled.
- m. Divulging valuable information of a confidential character, acquired by his office or by him on account of his official position for a consideration to unauthorized persons, or releasing such information in advance of its authorized release date.
- n. Receiving any personal pecuniary interest in any specific business enterprise which will be directly and particularly favored or benefited by any law or resolution authored by him, previously approved, or adopted by Congress, during the same term.

The provision of this section shall apply to Members of Congress and any other public officer who recommended the initiation in Congress of the enactment or adoption of any law or resolution, and acquires or receives any such interest during the Member's incumbency.

It shall likewise be unlawful for such member of Congress or other public officer, who, having such interest prior to the approval of such law or resolution authored or recommended by him, continues for thirty days after such approval to retain such interest.

- o. Knowingly nominates or appoints to any public office any person lacking the legal qualifications therefor.

Section 40. Malversation. Any public officer who, by reason of the duties of his office, is accountable for public funds or property or private funds or property under the custody of the law and shall take or misappropriate the same or shall consent, through abandonment or negligence, to any other person's taking such public funds or property, wholly or partially, shall be guilty of misappropriation of such funds or property and shall be punished:

- a. Within Level 3, if the amount involved in the misappropriation does not exceed five hundred thousand pesos.
- b. Within Level 4, if the amount involved is more than five hundred thousand pesos but does not exceed five million pesos.
- c. Within Level 5, if the amount involved is more than five million pesos.

Any administrator or depository of funds or property attached, seized or deposited by public authority, even if such property belongs to a private individual shall be liable under this Section.

The person who connives with the accountable public officer or employee also commits malversation as defined in the preceding paragraphs.

The following shall be *prima facie* evidence of misappropriation:

- i. Failure of a public officer to have duly forthcoming any public funds or property with which he is chargeable, upon demand by any duly authorized officer.
- ii. Failure of any public officer, upon retirement, resignation, or any other mode of separation from service to render accounts.
- iii. Failure of an accountable public officer, who unlawfully leaves or attempts to leave the country without rendering accounts.
- iv. Failure of a public officer, under obligation to deliver Government property or make payment from Government funds in his possession, to make such delivery or payment.

Section 41. Technical malversation. Any public officer who shall apply any public fund or property under his administration to any public use other than that for which such fund or property was appropriated by law or ordinance shall be penalized:

- a. Within Level 2, if the amount involved does not exceed five hundred thousand pesos.
- b. Within Level 3, if the amount involved is more than five hundred thousand pesos but does not exceed five million pesos.
- c. Within Level 4, if the amount involved is more than five million pesos.

The person who connives with the public officer or employee in the illegal use of public funds or property is also liable under this section.

Section 42. Infidelity in the custody of property and information. Any public officer or employee entrusted with the custody of documents, information, papers, or property who:

- a. Breaks the seal of papers or property sealed by proper authorities, or permits it to be broken, shall be punished within Level 3.
- b. Removes or destroys or conceals documents, information or papers to the damage of any person or public interest, shall be punished within Level 4.
- c. Opens or permits to be opened, without proper authority, any closed papers, documents or property entrusted to his custody, shall be punished within Level 3.
- d. Knowingly reveals any secret known to him by reason of his official capacity or wrongfully deliver papers or copies of papers of which he may have charge and which should not be published, shall be punished within Level 4.

Crimes Involving Abuse of Authority

Section 43. Arbitrary restraint. Any public officer or employee who restrains or detains any person without legal grounds shall be punished within Level 3.

Insanity or uncontrollably violent behavior or any other ailment requiring the compulsory confinement of the patient in a hospital shall be considered legal ground for the detention of any person.

Section 44. Violation of custodial investigation rights. Any arresting or investigating officer who fails to inform any person arrested, detained, or under custodial investigation of the following rights during custodial investigation shall be penalized within Level 1:

- a. The right to be informed of the charge against him in a language known to him and understood by him;
- b. The right to remain silent and that any statement he makes may be used against him;
- c. The right to be informed that he may be assisted at all times by an independent and competent attorney, preferably of his own choice and that if he has no lawyer one will be provided to him if he cannot afford the services of a lawyer;
- d. The right to be informed that whether or not he has an attorney no custodial investigation in any form shall be conducted except in the presence of his counsel or only after a valid waiver can be made;
- e. The right to be informed that he has the right to waive any of these rights provided the waiver is made freely and voluntarily, knowingly and intelligently, and that with respect to the waiver of his rights to a lawyer he must do so in writing in the presence of counsel otherwise even if he insists on his waiver and chooses to speak his confession is still inadmissible;
- f. And finally, the right to be informed that he may indicate in any manner and at any stage of the process that he does not wish to be questioned, and that when he makes that indication, he may not be interrogated and if this has been commenced it must cease. He must also be informed that if there was an initial waiver of his right to remain silent he can invoke it at any time thereafter.

The deliberate refusal of an arresting or investigating officer to provide a competent and independent counsel after the said person communicates he cannot afford one shall be penalized within Level 2.

Section 45. Delay in turn over for inquest. Any public officer or employee who fails to deliver any detainee, lawfully arrested without the benefit of warrant of arrest, to the Office of the City or Provincial Prosecutor for the conduct of Inquest Proceedings within the period of: twenty-four (24) hours for crimes or crime punished within Levels 1, 2, and 3; and thirty-six (36) hours, for crimes or crime punishable within Levels 4, 5, and Life imprisonment, shall be penalized within Level 4.

Section 46. Delaying release. Any public officer or employee who unduly delays the enforcement of a judicial or executive order or the service of notice of such order to release a detainee or an inmate shall be punished within Level 4.

Chapter 3 Crimes Against State Interests

Section 47. Complicity in an organized crime group. Any person who organizes, maintains, utilizes, or is a known member of an organized crime group shall be punished within Level 1 without prejudice to his being punished separately for crimes he may commit while acting as such.

An organized crime group is an association of persons that commits crimes for purposes of gain.

Section 48. Complicity in private armed group. Any person who organizes, maintains, or utilizes a private armed group shall be punished within Level 5. The members thereof shall be punished within Level 4 without prejudice to their being punished separately for crimes they may commit while acting as such.

A private armed group is a group of two (2) or more persons with legally issued or illegally possessed firearm utilized for the purpose of advancing or protecting the political, economic interest or security of any person.

The organization and maintenance of private armed group shall encompass any activity in which the government official or private person recruits for employment to operate as a private security force where: (1) in the case of government official, there is no provision in the plantilla of his office for the employment of such number of security personnel; (2) in the case of private person, his occupation or profession does not warrant the recruitment and maintenance of security personnel.

Section 49. Illegal assemblies. Any person conducting or attending a meeting, whether in a fixed place or moving, among armed persons for the purpose of committing acts punishable by penal statutes shall be punished within Level 3.

Any person conducting or attending a meeting, whether in a fixed place or moving, for the purpose of inciting the audience to commit treason, rebellion, or coup d' etat shall be punished within Level 4.

Section 50. Alarms. Any person who commits any of the following acts shall be punished within Level 1:

- a. Unlawfully fighting or challenging another person to a fight where such fight is causing disturbance of peace.

- b. Uttering words producing an immediate violent or disorderly reaction in public.
- c. Uttering invectives breaching tranquility or causing public disturbance or scandalizing the public or creating public disorder.
- d. Uttering words in a public forum which encourages disobedience to the law or to duly constituted authorities or which praise or justify any act punishable by law.
- e. Willfully disturbing peace and order by maliciously producing discordant noises.
- f. Publicizing or causing to be publicized as news any false information, knowing it to be false, which may cause damage to the interest of the State or endanger public order.
- g. Lighting a firecracker or pyrotechnic device causing alarm among other persons or producing danger in public.

However, discharging of firearms and the use of explosives causing alarm among other persons or producing danger in public shall be punished within Level 2.

Title 3 Crimes Against Persons

Chapter 1. Crimes Affecting Life and Involving Harm

Section 51. Homicide

Section 52. Murder

Section 53. Abortion

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Chapter 1 Crimes Affecting Life and Involving Harm

Section 51. Homicide. Any person who shall kill another without lawful cause and not defined as murder shall be punished within level 4. (RPC Art. 249)

An attempt to commit homicide shall be punished within level 3. The same punishment shall be imposed if in the course of committing any unlawful act, a person is killed and the act is not considered as another crime under this Code or another law. (RPC, Art. 4)

Any person who acts as an accessory to homicide shall be punished within level 2.

Section 52. Murder. Any person who shall kill another, under any of the following circumstances shall be punished by life imprisonment:

1. With evident premeditation;
2. Using means to weaken or avoid defense by the victim;
3. Taking advantage of superior strength;
4. Using a motor vehicle;
5. On occasion of fire, earthquake or any other calamity;
6. By means of fire, poison, explosion, shipwreck, derailment of a train, stranding of a vessel, or fall of an aircraft;
7. The victim is the offender's natural or legal father or mother or child or his spouse;
8. With cruelty by deliberately and inhumanly adding to the suffering of the victim;
9. For in consideration of prize, reward, promise or other base motives.

An attempt to commit murder shall be punished within level 4.

Any person who acts as accessory to murder shall be punished within level 3. (RPC Art. 246, 248, 255)

Section 53. Abortion. Any person who terminates the pregnancy of any woman after implantation or completion of nidation with violence and without her consent shall be punished within level 4. If the termination of pregnancy is without violence and with her consent, the act shall be punished within level 3. Terminating pregnancy by the woman herself or her parents shall be punished within level 2. The termination of the pregnancy without violence by another person and without her consent shall be punished within level 2.

An attempt to commit abortion shall be punished within level 1.

Any person who acts as an accessory to abortion shall be punished within level 1. (RPC 256, 257, 258)

Section 54. Reckless conduct causing death. Any person who causes the death of another through reckless imprudence or by reason of inexcusable lack of precaution while performing a lawful act shall be punished within level 3. (RPC 365)

Section 55. Rape.

55.1. Any person who: through force, threat, or intimidation; when the victim is deprived of reason or otherwise unconscious; by means of fraudulent machination or grave abuse of authority; shall commit an act of sexual intercourse or sexual assault upon another non-consenting person, by having his penis or any other object or instrument touch or inserted into the victim's genital, anus or mouth; or when the victim is under twelve (12) years of age, shall be punished within level 5.

An attempt to commit rape under this sub-section shall be punished within level 3.

Any person who acts as accessory to rape under this sub-section shall be punished within level 3. (RPC Art. 266-A, 266-B, 266-C).

55.2. Rape committed under any of the following aggravating circumstances shall be punished with life imprisonment:

1. Whenever the rape is committed with the use of a deadly weapon or by two or more persons;
2. When by reason or on the occasion of the rape, the victim becomes insane;
3. When by reason or on the occasion of the rape, homicide is committed;
4. When the victim is under eighteen (18) years of age and the offender is a parent, ascendant, step-parent, guardian, relative by consanguinity or affinity within the third civil degree, or the common-law spouse of the parent of the victim;
5. When the victim is under the custody of the police or military authorities or any law enforcement or penal institution;
6. When the rape is committed in full view of the spouse, parent, any of the children or other relatives within the third civil degree of consanguinity;
7. When the victim is a religious engaged in legitimate religious vocation or calling and is personally known to be such by the offender before or at the time of the commission of the crime;
8. When the victim is a child below seven (7) years old;
9. When the offender knows that he is afflicted with the Human Immuno-Deficiency Virus (HIV) or Acquired Immune Deficiency Syndrome (AIDS) or any other sexually transmissible disease and the virus or disease is transmitted to the victim;
10. When committed by any member of the Armed Forces of the Philippines or paramilitary units thereof or the Philippine National Police or any law enforcement agency or penal institution, when the offender took advantage of his position to facilitate the commission of the crime;
11. When by reason or on the occasion of the rape, the victim has suffered permanent physical mutilation or disability;
12. When the victim is pregnant at the time of the commission of the crime; and
13. When the victim is suffering from mental disability, emotional disorder and/or physical handicap at the time of the commission of the crime.

An attempt to commit rape under this sub-section shall be punished within level 4.

Any person who acts as accessory to rape under this sub-section shall be punished within level 4.

Section 56. Molestation. Any person who shall commit an act that subjects or exposes another to unwanted or improper sexual advances or activity shall be punished within level 2.

If the victim is a child, the penalty shall be within level 3.

Section 57. Physical assault. Any person who shall physically assault another without inflicting any physical injuries shall be punished within level 1.

If the assault shall result in physical injury, the penalty shall depend on the extent of injury caused, as follows:

1. If the injury incapacitates the victim from performing his usual labor or requiring medical attendance for a period not exceeding 9 days, the penalty shall be within level 1.
2. If the injury incapacitates the victim from performing his usual labor or requiring medical attendance for a period of at least 10 days and not exceeding 30 days, the penalty shall be within level 2.
3. If the injury causes the victim to lose any body part or its use, or incapacitates the victim from performing his usual labor or requiring medical attendance for a period exceeding 30 days the penalty shall be within level 3.
4. If the injury causes the victim to become insane, imbecile or impotent, the penalty shall be within level 3.

Any person who acts as accessory to assault resulting in physical injuries shall be punished within level 1. (RPC Art. 262, 263, 264, 265 and 266)

Section 58. Reckless conduct resulting to injuries. Any person who causes the physical injuries of another through negligence or by reason of inexcusable lack of precaution while performing a lawful act, shall be punished within level 2. (RPC 365)

Chapter 2 Crimes Against Liberty and Security

Section 59. Kidnapping

59.1. Any person who shall kidnap or detain another without lawful cause shall be punished within level 5.

An attempt to kidnap or detain under 59.1 shall be punished within level 4.

Any person who acts as accessory to kidnapping under 59.1 shall be punished within level 4.

59.2. Kidnapping shall be punished with life imprisonment if any of the following circumstances is present:

1. If the offender demands any money or other forms of consideration to end the detention;
2. If the offender threatens to kill, injure or continue to detain another person to compel a third party, namely: a State, an international or intergovernmental organization, a natural or juridical person, or groups of persons, to do or abstain from doing any act as an explicit or implicit condition for the release of the person detained;
3. If the victim is a minor, a woman or a person deprived of normal mental or physical abilities;

4. If the duration of the detention lasted for more than three days.

An attempt to commit kidnapping under 59.2 shall be punished within level 5.

Any person who acts as accessory to kidnapping under 59.2 shall be punished within level 5. (RPC Art. 268, 342, 343, International Convention Against the Taking of Hostages)

Section 60. Illegal arrest. Any person who shall arrest another without a warrant of arrest or under circumstances not considered as lawful warrantless arrests shall be punished within level 3. (RPC, 269)

Section 61. Illegal search.

1. Any person who shall obtain a search warrant without just cause or with a misrepresentation as to any of the elements for obtaining a search warrant for implementation, either by himself or through another, shall be punished within level 1.
2. Any person who legally obtains a search warrant but exceeds the authority stated in said warrant shall be punished within level 1.
3. Any person who shall implement a search warrant and conduct a search and seizure without the presence of the lawful occupant of the premises searched or any member of his family, or in case of premises without any occupant without the presence of at least two witnesses residing in the locality, shall be punished within level 2. (RPC 129, 130)

Section 62. Threats. Any person who shall threaten another with the infliction of wrong or harm to the latter's person, family, honor or property, shall be punished under any of the following circumstances:

1. If the threat is subject to a condition or any monetary consideration, if carried out amounts to a crime, or if done in writing or using another person, the penalty shall be within level 2;
2. Any person who threatens another to publish a libel against the latter or any member of the latter's family unless compensation in money or other valuable consideration is paid, shall be punished within level 3.
3. If the threat is done using a weapon, the penalty shall be within level 1. (RPC 254, 282, 283, 285, 356)

Section 63. Coercion. Any person who shall compel another to perform an act or to render service, except when authorized by law, or prevent another from performing an act not otherwise prohibited by law shall be accordingly punished under any of the following circumstances:

1. If the compulsion of service is not a single occurrence, and the period of the compulsion is for a continuous service perpetually or for a period of time, the penalty shall be within level 3.

2. If the compulsion is done by means of violence, or consists of the performance of a religious act or the prevention of its performance, the penalty shall be within level 2.
3. If the compulsion to render service is for the purpose of payment of a debt, monetary or otherwise, the penalty shall be within level 1. (RPC 272, 274, 286 and 287)

Section 64. Trespassing. Any person who, not being authorized by law, shall enter the premises of another without permission or against the will of the lawful occupant shall be punished as follows:

1. If the offender is a public officer who is not authorized by a court order, the penalty shall be within level 2.
2. If the offender commits any act of force, violence or intimidation and the same does not amount to another crime, the penalty shall be within level 2.
3. If the trespassing is committed without violence and intimidation, the penalty shall be within level 1.

Trespassing is excused when the entry is made for the purpose of preventing some serious harm, or for the purpose of rendering some humanitarian service. (RPC 280, 281)

Chapter 3 Crimes Involving Marriage

Section 65. Bigamy. Any legally married person who shall contract another marriage shall be punished within level 3. (RPC 349)

Section 66. Infidelity. Any married person who shall have any sexual act with a person other than the spouse shall be punished within level 2. (RPC 333, 334)

Title 4 Crimes Against Property

Chapter 1. Theft

Section 67. Theft

Section 68. Serious theft

Section 69. Identity theft

Chapter 2. Robbery

Section 70. Robbery

Section 71. Serious robbery

Chapter 3. Unlawful destruction or damage of properties

Section 72. Arson

Section 73. Serious arson

Section 74. Damage to property

Section 75. Serious damage to property

Chapter 4. Fraud

Section 76. Fraud

Section 77. Serious fraud

Section 78. Fraud against civil status

Chapter 5. Breach or Abuse of Trust

Section 79. Breach or abuse of trust

Chapter 1
Theft

Section 67. Theft. Any person who, with intent to gain, takes or appropriates any personal property belonging to another without the latter's consent is punishable within Level 3, (provided that the amount or the value of the property stolen does not exceed PhP2 million. An additional one year of imprisonment shall be imposed upon the offender for up to PhP1 million in excess of PhP2 million).

Personal property may include gas, electricity, software, business, services and electronic data.

Any attempt shall be punishable within Level 2.

Section 68. Serious theft.

(a) A serious case of theft, punishable within Level 4, occurs if the offender steals –

- (1) By breaking into enclosed premises or space using special, extraordinary, or violent means, disguise, or similar method or strategy; by exploiting the helplessness of another person, a calamity, an accident, or a common danger; in a manner that puts the victim or his family in grave economic situation; or on a commercial basis;
- (2) Property dedicated to religious worship or veneration or from a church or space used for the practice of religion; anything of significance to science, art or history or technical development; stored or transmitted electronic data; electrical energy; firearm. Explosive, or other military weapon; or property protected by a sealed container or other protective equipment; or
- (3) With grave abuse of confidence.

(b) Except in case of firearm, explosive, or other military weapon, an especially serious case shall be excluded from all cases under subsection (a) above if the property is of minor value.

Section 69. Identity theft. Any person who shall, through any means, such as search engines, insider attacks, attacks from outside (illegal access to computer systems, Trojans, keyloggers, spyware and other malware) or through the use of phishing and or other social engineering techniques, obtain the identity information of another like name, birth date, current address or previous addresses, email accounts, passwords or other access credentials, without the latter's consent and/or disposes such identity information, which includes the sale of such information to third persons shall be punished within Level 3.

An attempt to obtain, possess or dispose another person's identity information shall be punishable by Level 2.

Chapter 2

Robbery

Section 70. Robbery.

- (a) Any person who, with intent to gain, takes or appropriates personal property belonging to another with force, intimidation or violence shall be punished within Level 4.

When by means of violence against or intimidation of persons, the property taken consists of any real property or when real rights are usurped in real properties belonging to another, the offender shall be punished within Level 4 and fined from 50 to 100 percent of the gain which he obtained, but in no case not less than Php 50,000.00.

- (b) Any person who attempts the commission of these crimes shall be punished within Level 3.

Section 71. Serious robbery. An especially serious case of robbery, punishable within Level 5, occurs when the offender:

- (a) carries or uses a weapon or other dangerous instrument during the commission of the offence, or during its commission (i) seriously abuses another person physically; or (ii) places another person in danger of death;
- (b) takes part, together with two or more armed offenders, in the commission of the offence with violence against or intimidation of any person;

When any of the arms used in the commission of the offense be an unlicensed firearm, it is presumed that such persons are highway robbers or brigands, and imposable penalty upon all offenders shall be the maximum of Level 4, without prejudice to the criminal liability for illegal possession of such unlicensed firearm.

An offender who is present at the commission of a theft with violence against or intimidation of any person shall be punished as principal of any of the assaults committed, unless it be shown that he attempted to prevent the same.

Any person knowingly and in any manner aiding, abetting or protecting a band of brigands as described above, or giving them information of the movements of the police or other Government law enforcers, or acquiring or receiving the property taken by such brigands shall be punishable within Level 4.

- (c) Unlawful destruction or damage of properties

Chapter 3 Unlawful destruction or damage of properties

Section 72. Arson. Any person who sets fire or burns any property shall be punishable within Level 3.

The penalty imposed in the succeeding section shall be imposed when the arson is perpetrated by a group of persons.

If by arson, death of a person results, the penalty shall be within Level 5.

Section 73. Serious arson.

- (a) Serious arson occurs if the offender burns:

One or more buildings or edifices, consequent to one single act of burning, or as a result of simultaneous burnings;

- (1) Any building devoted to public utilities, or of inflammable or explosive materials, or of public or private ownership, devoted to the public in general;
- (2) Any mode of transportation or conveyance for public use, entertainment or leisure;
- (3) Any building to conceal or destroy evidence of a crime, or to conceal bankruptcy or to commit fraud.

(b) Serious arson shall be penalized within Level 5.

Section 74. Damage to property. Any person who damages the property of another, including but not limited to altering, deleting, suppressing or rendering unusable data that is stored or transmitted electronically or in some other similar way shall be punishable within Level 2.

Section 75. Serious damage to property. Serious damage to property occurs when the offender:

- (a) Causes damage to obstruct the performance of public functions, or uses any poisonous or corrosive substance, or spreads any infection or contagion among poultry and livestock;
- (b) Causes damage to the property of the National Museum or National Library, any archive or registry, or any property for public use or enjoyment;
- (c) Unlawfully explores, excavates, demolishes or digs on archeological or historical sites, world heritage sites, government historical buildings, shrines, landmarks, monuments and sites;
- (d) Damages any waterworks, public or railway transport, or telecommunication utilities;
- (e) Directly or indirectly cuts, gathers, removes or smuggles timber, or other forest products, either from any of the public timber or other forest products in violation of existing laws, rules, and regulations;
- (f) Damages electronic data by-
 - i. Interfering with data processing operations; or
 - ii. Causing major financial loss, acting on a commercial basis, or as a member of a gang or legal entity the purpose of which is the commercial commission of computer sabotage.

In serious cases of damage to property, the penalty shall be within Level 3.

If the damage shall result in any derailment of cars or trains, collision or other accident, the penalty to be imposed shall be within Level 4.

The electric wires, traction cables, cellular sites, towers, signal system and other things pertaining to railways and mobile communications shall be deemed to constitute an integral part of a railway and telecommunications system.

Chapter 4

Fraud

Section 76. Fraud. Any person who intentionally or deliberately misrepresents, alters or conceals the truth, with or without the use of a devise, scheme, or artifice, to induce another to rely on it to part with money, anything of value or to surrender a legal or property right or any material benefit shall be liable for fraud and shall suffer the penalty of imprisonment within Level 2 and fine. Devise” is an invention, contrivance, or a result of a plan, ploy or design. “Scheme” is a design or plan formed to accomplish a purpose, while “artifice” is an ingenious contrivance or plan of some kind. Fraud typically occurs when the offender-

- (a) Having sufficient funds in or credit with a drawee bank when he makes or draws and issues a check, shall fail to keep sufficient funds or to maintain a credit to cover the full amount of the check if presented within 90 days from the date appearing on the check, for which reason it is dishonoured;
- (b) Damages the property of another by influencing the result of a data processing operation through incorrect configuration of a program, use of incorrect or incomplete data, unauthorized use of data or other unauthorized influence on the course of the processing or writes a computer program for material benefit, or procures them for himself or another, offers them for sale, or holds or supplies them to another for illegal purposes;
- (c) Damages, destroys, impairs the usefulness of, disposes of or supplies to another an object which is insured against destruction, damage, impairment of use, loss or theft in order to obtain for himself or a third party a payment from the insurance; or
- (d) Assumes a false identity; or falsely pretends – (i) to have particular qualifications of another; or (ii) to have, or to be entitled to act in, a particular capacity by making a false pretense to the damage of another. A person assumes a false identity if the person pretends to be, or passes himself or herself off as, some other person. The other person may be living or dead; real or fictional; natural or corporate.

Section 77. Serious Fraud. A serious case of fraud shall be punishable within Level 3 if the offender -

- (a) Abuses his powers or his position as a public official;
- (b) Causes a major financial loss to a large number of persons, particularly the poor, the oppressed and the marginalized, or puts them in danger of financial loss by the continued commission of fraud; places another person in financial hardship; defrauds a bank or banking institution;
- (c) Acts on a commercial basis or as a member of a gang or legal entity the purpose of which is the continued commission of forgery, counterfeiting or fraud; perpetrates fraud against a government, its processes, obligations and securities, or accountable documents; undermines judicial or official proceedings, or when the fraud or falsity is made before a competent person authorized to administer an oath or affirmation.

Section 78. Fraud against civil status. Any person who shall damage or destroy the status of another shall be punished within Level 3.

Any person who shall usurp the civil status of another, should he do so for the purpose of defrauding the victim or his heirs shall be punished within Level 3; otherwise, the penalty within Level 2 shall be imposed. (Sec. 169, German Code, RPC 348)

Chapter 5
Breach or Abuse of Trust

Section 79. Breach or abuse of trust. Any person who misappropriates or converts, to the prejudice of another, any asset, money, goods, or any other personal property received by the offender in trust or on commission, or for administration, or under any other obligation involving the duty to deliver or to return the same, even though such obligation be totally or partially guaranteed by a bond; or by denying having received such money, goods, or other property shall be liable to imprisonment within Level 3. Any person who abuses the power accorded him by statute, by commission of a public authority or legal transaction to dispose of assets of another or to make binding agreements for another, or violates his duty to safeguard the property interests of another incumbent upon him by reason of statute, commission of a public authority, legal transaction or fiduciary relationship, and thereby causes damage to the person, whose property interests he was responsible for shall also be penalized under this section.

Title 5
Final Provisions

Section 80. Transitory provisions.

- (1) The penalty of death and of imprisonment established in the Revised Penal Code shall have the equivalent penalty of imprisonment in this Code as follows:

Death	Life imprisonment
<i>Reclusion perpetua</i>	More than 20 years to 30 years
<i>Reclusion temporal</i>	More than 10 years to 20 years
<i>Prision mayor</i>	More than 5 years to 10 years
<i>Prision correccional</i> medium to	More than 1 year to 5 years
<i>Prision correccional</i> maximum	
<i>Arresto menor</i> to	More than 10 days to 1 year minimum
<i>prision correccional</i>	

- (2) The penalty of fine established in the Revised Penal Code, whether imposed as a single or as an alternative penalty, shall be replaced with the schedule of fines established in the table of penalties under this Code and shall have the equivalent penalty set out below, whether to be imposed as an additional penalty or alternative penalty:

<u>Fines under Revised Penal Code</u>	<u>Equivalent under the Code</u>
More than P48,000	Level life imprisonment fine
More than P24,000 to P48,000	Level 5 fine
More than P12,000 to P24,000	Level 4 fine
More than P6,000 to P12,000	Level 3 fine
P200 to P6,000	Level 2 fine
Less than P200	Level 1 fine

- (3) Upon the effectivity of this Code, the penalties for the crimes defined and penalized under Book 2 shall be the corresponding penalties provided in paragraphs above.

Section 81. Laws repealed. The following laws are repealed:

1. Revised Penal Code (Act No. 3815, as amended)
2. Indeterminate Sentence Law (Act No. 4103, as amended)
3. Probation Law of 1976 (Presidential Decree No. 968, as amended)

4. An Act Providing for Enforcement of Conditions of Pardon (Act No. 1524)
5. An Act to Establish Periods of Prescription for Violations Penalized by Special Acts and Municipal Ordinances and to Provide When Prescription Shall Begin to Run (Act No. 3326)
6. Death Penalty Law (Republic Act No. 7659)
7. Act Designating Death by Lethal Injection (Republic Act No. 8177)
8. Article 192, Child and Youth Welfare Code (Presidential Decree No. 603)
9. Section 66, Comprehensive Dangerous Drugs Act of 2002 (Republic Act No. 9165)
10. Sections 6, 7 and 20 of Republic Act No. 9344 – Juvenile Justice Welfare Act of 2006
11. Section 66 of Republic Act No. 9165 - Comprehensive Dangerous Drugs Act of 2002
12. Section 5 of Republic Act No. 9372 - Human Security Act of 2007
13. Section 27 of Republic Act No. 9745 - Anti-Torture Act of 2009
14. Republic Act No. 10159 - An Act Amending Article 39 of Act No. 3815, as Amended
15. Section 12 Republic Act No. 8484 - Access Devices Regulation Act of 1998
16. Commonwealth Act 217 - Act Amending Articles 61, 70 and 71 of the Revised Penal Code

All other laws and issuances not consistent with the provisions of this Code are hereby repealed.

Section 82. Continuing research. A Criminal Justice Policy and Research Center is created under the Department of Justice as the national criminal policy and research center with the following functions:

1. Serves as the primary research arm of the government in evaluating and advocating for reforms in the framework and philosophy of the criminal justice system;
2. Provides analysis, evaluation and assistance to criminal justice agencies;
3. Adopts simple, modern and inter-disciplinary, holistic and systems approach;
4. Employs both empirical and theoretical methods to address gaps in statistical data, working definitions and common usage fields in the criminal justice system;
5. Simplifies processes and develop systems to improve the governance and administration of the criminal justice system; and
6. Provides for guidelines in the implementation of this Code during the transitory stage.

Section 83. Separability. If any portion of this Code, or its application to any person or circumstance, is declared unconstitutional, the remaining unaffected portions or the application of such portion to other persons or circumstances shall remain in full force and effect.

Section 84. Effectivity. This Criminal Code shall take effect on 01 January 2016 after publication in a newspaper of general circulation and posting in two (2) public websites.