

# Recent Legislation

## AMENDMENTS TO THE REVISED ADMINISTRATIVE CODE

[REPUBLIC ACT No. 383]

AN ACT TO AMEND SECTION TWENTY-ONE HUNDRED AND SEVENTY-SIX OF THE REVISED ADMINISTRATIVE CODE OF NINETEEN HUNDRED AND SEVENTEEN AS AMENDED.

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

SECTION 1. Section twenty-one hundred and seventy-six of the Revised Administrative Code of nineteen hundred and seventeen, as amended, is hereby amended so as to read as follows:

“Sec. 2176. *Inhibition against holding of pecuniary interest of municipal official, exceptions.*—It shall be unlawful for a municipal officer to possess a pecuniary interest, either direct or indirect, in any municipal contract, contract work, or other municipal business, or to hold such interest in any cockpit or other game licensed by municipal authority, but the Vice-Mayor when not acting as or performing the duties of the Mayor, and the councilors when not attending sessions of the council, may be employed in National or provincial public works within the province in which they reside and may receive compensation therefrom in addition to the ‘per diems’ authorized by section twenty-one hundred and eighty-seven of this Code.”

Sec. 2. This Act shall take effect upon its approval.

Approved, June 17, 1949.

[REPUBLIC ACT No. 389]

AN ACT AMENDING THE LAST PARAGRAPH OF SECTION SIXTEEN HUNDRED AND SEVENTY-FOUR OF THE REVISED ADMINISTRATIVE CODE, AS AMENDED.

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

SECTION 1. The last paragraph of section sixteen hundred and seventy-four of the Revised Administrative Code, as amended by Republic Act Numbered Two hundred and eighty-two, is further amended to read as follows:

“Sec. 1674. *Assistant provincial fiscals.*— \* \* \*

“These officers shall be appointed by the President of the Philippines with the consent of the Commission on Appointments of the Congress of the Philippines, and their salaries shall be paid by the provinces concerned. The salary of the assistant provincial fiscal shall be included in the annual appropriation of the province in the same manner as the salary of the provincial fiscal. To be eligible for appointment to this position, a person must be a citizen of the Philippines who has been duly admitted to practice in the court of said Islands, and has been in actual practice for at least three years, prior to his appointment.”

Sec. 2. This Act shall take effect upon its approval.

Approved, June 18, 1949.

**AMENDMENTS TO THE  
REVISED PENAL CODE**

[REPUBLIC ACT No. 120]

AN ACT AMENDING ARTICLE THREE HUNDRED AND TEN OF ACT NUMBERED THIRTY-EIGHT HUNDRED AND FIFTEEN, OTHERWISE KNOWN AS THE REVISED PENAL CODE, AS AMENDED.

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

SECTION 1. Article three hundred and ten of Act Numbered Thirty-eight hundred and fifteen, otherwise known as the Revised Penal Code, as amended by Commonwealth Act Numbered Four hundred and seventeen, is hereby further amended to read as follows:

"Art. 310. *Qualified theft.*—The crime of theft shall be punished by the penalties next higher by two degrees than those respectively specified in the next preceding article, if committed by a domestic servant, or with grave abuse of confidence, or if the property stolen is motor vehicle, mail matter or large cattle or consists of coconuts taken from the premises of a plantation, or fish taken from a fish-pond or fishery.

Sec. 2. This Act shall take effect upon its approval.

Approved, June 14, 1947.



[REPUBLIC ACT No. 384]

AN ACT TO AMEND THE FIFTH PARAGRAPH OF ARTICLE THREE HUNDRED AND SIXTY-FIVE OF THE REVISED PENAL CODE.

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

SECTION 1. The fifth paragraph of article three hundred and sixty-five

of the Revised Penal Code is amended to read as follows:

"In the imposition of these penalties, the courts shall exercise their sound discretion, without regard to the rules prescribed in article sixty-four."

Sec. 2. This Act shall take effect upon its approval.

Approved, June 17, 1949.



[REPUBLIC ACT No. 373]

AN ACT INCREASING THE PENALTY IN CERTAIN CASES OF ROBBERY, BY AMENDING ARTICLE TWO HUNDRED NINETY-FIVE OF THE REVISED PENAL CODE.

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

SECTION 1. Article two hundred ninety-five of the Revised Penal Code is hereby amended so as to read as follows:

"Art. 295. *Robbery with physical injuries, committed in an uninhabited place and by a band, or with the use of firearm on a street, road or alley.*—

"If the offenses mentioned in subdivisions three, four, and five of the next preceding article shall have been committed in an uninhabited place or by a band, or by attacking a moving train, street car, motor vehicle or airship, or by entering the passengers' compartments in a train or, in any manner, taking the passengers thereof by surprise in the respective conveyances, or on a street, road, highway, or alley, and the intimidation is made with the use of a firearm, the offender shall be punished by the maximum period of the proper penalties."

Sec. 2. This Act shall take effect upon its approval.

[REPUBLIC ACT No. 379]  
 AN ACT TO AMEND ARTICLE  
 ONE HUNDRED AND SEVENTY-  
 SEVEN OF THE REVISED PENAL  
 CODE.

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

SECTION 1. Article one hundred  
 and seventy-seven of Act Numbered  
 Thirty-eight hundred and fifteen,  
 otherwise known as the Revised Penal  
 Code, is amended to read as follows:

"Art. 177. *Usurpation of authority  
 or official functions.*—Any person who  
 shall knowingly and falsely represent

himself to be an officer, agent or rep-  
 resentative of any department or  
 agency of the Philippine Government  
 or of any foreign government, or who,  
 under pretense of official position,  
 shall perform any act pertaining to  
 any person in authority or public of-  
 ficer of the Philippine Government or  
 of any foreign government, or any  
 agency thereof, without being lawfully  
 entitled to do so, shall suffer the pe-  
 nalty of *prisión correccional* in its mi-  
 nimum and medium periods."

Sec. 2. This Act shall take effect  
 upon its approval.

Approved, June 14, 1949.

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Judges ought to be more learned than  
 witty, more reverent than plausible,  
 and more advised than confident.  
 Above all things, integrity is their por-  
 tion and proper virtue.

—BACON