

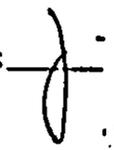
SIXTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Third Regular Session)



Senate
Office of the Secretary

'16 JAN 25 P5:10

SENATE
S. No. 3111

RECEIVED BY: 

Introduced by Senator Miriam Defensor Santiago

AN ACT
AMENDING REPUBLIC ACT NO. 6539, ALSO KNOWN AS THE ANTI-
CARNAPPING ACT OF 1972, SECTION 14 ON THE PENALTIES FOR
CARNAPPING

EXPLANATORY NOTE

Carnapping has become a very rampant occurrence. According to the Philippine National Police (PNP), from January to September 2015, 489 vehicles were reported stolen, with the Quezon City Police District (QCPD) getting the most number of carnapped vehicles at 213. In fact, the PNP has even created a special unit to go after car thieves.

It is depressing to note, however, that police and military men are themselves involved in carnapping. The police even described the carnapping group composed of police and military men as "more aggressive" because they take the cars away from their owners at gunpoint.

Republic Act No. 6539, also known as the "Anti-Carnapping Act of 1972," Section 14 already provides for the penalty for carnapping. It states:

Penalty for Carnapping. - Any person who is found guilty of carnapping, as this term is defined in Section two of this Act, shall, irrespective of the value of motor vehicle taken, be punished by imprisonment for not less than fourteen years and eight months and not more than seventeen years and four months, when the carnapping is committed without violence or intimidation of persons, or force upon things; and by imprisonment for not less than seventeen years and four months and not more than thirty years, when the carnapping is committed by means of violence against or intimidation of any person, or force upon things; and the penalty of reclusion perpetua to death shall be imposed when the owner, driver or occupant of the carnapped motor vehicle is killed

or raped in the course of the commission of the carnapping or on the occasion thereof.

The law, however, did not distinguish as to whether the offenders are civilians or police and/or military personnel. In view of the trust reposed in police and military personnel as guardians of civilians, and the subsequent breach of said trust when police and military personnel commit the crimes that they swore to combat, this bill aims to impose a harsher penalty on carnappers who are members and/or former members of the police and the military.¹

Miriam Defensor Santiago
MIRIAM DEFENSOR SANTIAGO
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¹ This bill was originally filed during the Thirteenth Congress, Second Regular Session.

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AN ACT
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CARNAPPING ACT OF 1972, SECTION 14 ON THE PENALTIES FOR
CARNAPPING

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

1 SECTION 1. Section 14 of Republic Act No. 6539, also known as the Anti-
2 Carnapping Act of 1972 is hereby amended to read as follows:

3 Section 14. *Penalty for Carnapping.* – Any person who is found
4 guilty of carnapping, as this term is defined in Section two of this Act,
5 shall, irrespective of the value of motor vehicle taken, be punished by
6 imprisonment for not less than fourteen years and eight months and not
7 more than seventeen years and four months, when the carnapping is
8 committed without violence or intimidation of persons, or force upon
9 things; and by imprisonment for not less than seventeen years and four
10 months and not more than thirty years, when the carnapping is committed
11 by means of violence against or intimidation of any person, or force upon
12 things; and the penalty of *reclusion perpetua* to death shall be imposed
13 when the owner, driver or occupant of the carnapped motor vehicle is killed
14 or raped in the course of the commission of the carnapping or on the
15 occasion thereof, **OR WHEN THE OFFENDER IS A MEMBER OR**

1 **FORMER MEMBER OF THE MILITARY OR THE POLICE**
2 **FORCE.**

3 SECTION 2. *Repealing Clause.* – All laws, decrees, orders, and issuances, or
4 portions thereof, which are inconsistent with the provisions of this Act, are hereby
5 repealed, amended or modified accordingly.

6 SECTION 3. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after
7 its publication in the *Official Gazette* or in two (2) newspapers of general circulation.

 Approved,

/lml27Nov2015