

Title

****Benedicto and Rivera vs. Court of Appeals, et al.****

Facts

On December 27, 1991, Mrs. Imelda Marcos, Roberto S. Benedicto, and Hector T. Rivera were charged in five Informations with violations of Section 10 of Central Bank (CB) Circular No. 960, related to Section 34 of the Central Bank Act (Republic Act No. 265, as amended). These were docketed as Criminal Cases Nos. 91-101879 to 91-101883 at the Regional Trial Court (RTC) of Manila. The prosecution alleged failure to report foreign exchange earnings and/or failure to register these with the CB.

On the same day, nine additional Informations (Criminal Cases Nos. 91-101884 to 91-101892) were filed with similar charges against Marcos and Benedicto. Further, on January 3, 1992, eleven more Informations (Criminal Cases Nos. 92-101959 to 92-101969) were filed. All these cases involved large sums maintained in foreign banks and alleged non-compliance with the prescribed CB reporting requirements.

These cases were consolidated before Branch 26 of the Manila RTC.

Subsequent to the filing, Circular No. 1318 revised rules governing non-trade foreign exchange transactions, and Circular No. 1353 further amended them. Both had saving clauses for pending actions. Petitioners Benedicto and Rivera returned to the Philippines conditionally on September 19, 1993, to face charges and posted bail.

Petitioners filed motions to quash the Informations on August 11, 1994, raising several grounds including lack of jurisdiction and claims of immunity under a Compromise Agreement. The motion was denied on September 6, 1994, leading to a petition for certiorari with the Court of Appeals. The CA affirmed the RTC's decision but dismissed one case (Criminal Case No. 91-101884).

Dissatisfied, Benedicto and Rivera filed a Petition for Review with the Supreme Court challenging the CA's decision.

Issues

1. Did the RTC have jurisdiction, and was there improper forum shopping?
2. Did the repeal of CB Circular No. 960 and Republic Act No. 265 extinguish the criminal liability of petitioners?
3. Had the criminal cases already prescribed?

4. Were the petitioners exempt from the CB reporting requirement?
5. Did the Compromise Agreement grant absolute immunity from prosecution for the alleged violations?

Court's Decision

Jurisdiction and Forum Shopping:

- The RTC had jurisdiction as the applicable law during the filing (Presidential Decree No. 1606) made the offenses triable by regular courts given the penalties.
- No forum shopping was found because the same act violated distinct laws (CB Circular No. 960 and Republic Act No. 3019) penalizing different aspects of the violations.

Repeal of Laws and Extinction of Liability:

- The court affirmed that despite the repeal of CB Circular No. 960, subsequent CB Circulars retained similar reporting requirements, and saving clauses preserved pending actions.
- Claim of extinction due to the repeal of Republic Act No. 265 by Republic Act No. 7653 was dismissed as the new law re-enacted similar provisions.

Prescription:

- The offenses had not prescribed as the eight-year prescriptive period was counted from the discovery in 1986 post-EDSA Revolution, not the dates of transactions.

Exemption from Reporting:

- Petitioners' claim of exemption was dismissed due to lack of evidence that their foreign currency accounts fell within those covered by Republic Act No. 6426.

Absolute Immunity:

- The Compromise Agreement did not cover the specific criminal cases in question, focusing on other specified cases. Hence, the immunity did not apply to the CB Circular No. 960 violations.

Therefore, the Supreme Court dismissed the petition and affirmed the CA's consolidated decision, except for dismissing the charges against Roberto S. Benedicto due to his death on May 15, 2000.

Doctrine

- ****Jurisdiction Determination:**** Determined by the law in force during the filing of the case.

- **Saving Clauses in Repeals:** Preserve pending cases unless explicitly nullified.
- **No Forum Shopping:** Where independent and unrelated laws define different offenses from the same act.
- **Prescription Computation:** From discovery of the offense where concealment was aided by influence and authority.
- **Immunity from Prosecution:** As stipulated specific cases; not implicitly applicable to all potential cases.

Class Notes

- **Jurisdiction:** Based on the law valid at the filing time.
- **Repealed Laws with Saving Clauses:** Pending cases are preserved.
- **Ex Post Facto Laws:** Penal laws must be prospective; retrospective application must benefit the accused.
- **Prescription:** Starts from the discovery if the offense was concealed.
- **Foreign Law Proof:** Philippine courts cannot take judicial notice and must be sufficiently proved.
- **Immunity Agreements:** Specific inclusion of cases and acts, strict interpretation.

Historical Background

Post-EDSA Revolution, this case reflects the Philippines' efforts to recover ill-gotten wealth and prosecute violations of financial regulations by influential figures during the Marcos regime. Amendments in CB Circulars aimed at liberalizing foreign exchange transactions indicated a transitional economic policy while addressing past violations remained a priority under the Aquino administration.