

AMENDING ARTICLE 201 OF THE REVISED PENAL CODE AND FOR OTHER PURPOSES

PRESIDENTIAL DECREE NO. 960, July 14, 1976

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WHEREAS, it is the obligation of the State to safeguard the morality of society, particularly the youth, against the eroding influence of immoral doctrines, obscene publications and exhibitions and indecent shows;

WHEREAS, in order to arrest the proliferation of such doctrines, publications, exhibitions and shows, it is necessary to amend the pertinent provision of the Revised Penal Code;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order and decree as part of the law of the land, the following:

SECTION 1. Amendment of Article 201, Revised Penal Code.—Article 201 of Act Numbered Thirty-eight hundred and fifteen, otherwise known as the Revised Penal Code, is hereby amended to read as follows:

"ART. 201. Immoral doctrines, obscene publications and exhibitions, and indecent shows.—The penalty of prison mayor or a fine ranging from six thousand to twelve thousand pesos, or both such imprisonment and fine, shall be imposed upon:

"1. Those who shall publicly expound or proclaim doctrines openly contrary to public morals;

"2. The authors of obscene literature, published with their knowledge in any form, the editors publishing such literature, and the owners/operators of the book store or other establishments selling the same;

"3. Those who in theaters, fairs, cinematographs or any other place, shall exhibit indecent or immoral plays, scenes, acts or shows, including the following:

"(a) Films which tend to incite subversion, insurrection or rebellion against the State;

"(b) Films tend to undermine the faith and confidence of the people in their Government and/or duly constituted authorities;

"(c) Films which glorify criminals or condone crimes; "(d) Films which serve no other purpose but to satisfy the market for violence, lust or pornography;

"(e) Films which offend any race or religion;

"(f) Films which tend to abet traffic in and use of prohibited drugs;

"(g) Films contrary to law, public orders, morals, good customs, established policies, lawful orders, decrees, edicts, and any or all films which in the judgment of the Board of Censors for Motion Pictures or other agency established by the Government to oversee such motion pictures are objectionable on some other legal or moral grounds.

"4. Those who shall sell, give away or exhibit prints, engravings, sculptures or literature which are offensive to morals."

SEC. 2. Confiscation of articles.—The literature, films, prints, engravings, sculpture, paintings, or other materials and articles involved in the violation referred to in Section 1 hereof shall be confiscated and forfeited in favor of the Government to be destroyed.

SEC. 3. Jurisdiction.—Violations of Section 1 hereof shall be subject to trial by the military tribunals and the offenders shall be subject to arrest and detention pursuant to existing laws, decrees, orders and instructions promulgated pursuant to Proclamations No. 1081, dated September 21, 1972 and No. 1104, dated January 17, 1973.

SEC. 4. Additional Penalties.—Additional penalties shall be imposed as follows:

1. In case the offender is a government official or employee allows the violations of Section 1 hereof, the penalty shall be imposed in the maximum period and in addition, the accessory penalties provided for in the Revised Penal Code, as amended shall likewise be imposed.
2. The license or permit of the theater, cinematograph or other place or establishment where the violation has been committed shall be cancelled temporarily or permanently, depending upon the gravity of the violation as determined by the proper military tribunal.

SEC. 5. Effectivity.—This Decree shall take effect fifteen (15) days after its publication by the Department of Public Information in two (2) newspapers of general circulation.

Done in the City of Manila this 14th day of July in the year of Our Lord, nineteen hundred and seventy-six.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President:

(Sgd.) JACOBO C. CLAVE
Presidential Executive Assistant.

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