

FURTHER AMENDING PRESIDENTIAL DECREE NO. 39, AS AMENDED.

PRESIDENTIAL DECREE NO. 884, February 03, 1976

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SECTION 1. Paragraph 3 of the Rules governing Military Tribunals as promulgated by Presidential Decree No. 39 is hereby amended to read as follows:

"3. Jurisdiction.

- Military Commission. All cases involving offenses where the range of punishment that may be imposed is confinement for at least six (6) years and one (1) day, or a fine of not less than two thousand pesos (P2,000.00) shall be referred to a Military Commission.

- Provost Court. The following cases shall be referred to a Provost Court:

- Where the range of punishment for the offense charged is confinement of not more than six (6) years or a fine of less than two thousand pesos (P2,000.00).

- Illegal possession of firearms or explosives (violation of the laws on firearms and explosives as defined and penalized in the Revised Administrative Code, as amended, and General Orders Numbered 6 and 7, as amended, in relation to Presidential Decree No. 9); or any offense or offenses committed with the use of an illegally possessed firearm or explosive: Provided, however, That the range of penalty imposable for the attendant crime or crimes is within the jurisdiction of a Provost Court as herein provided.

- A commissioned officer on active duty in the Armed Forces of the Philippines, shall, in all cases, however, be tried only by a Military Commission."

SEC. 2. All cases of illegal possession of firearms or explosives now pending before Military Commissions, whether or not there has been arraignment, shall be tried and decided by said Military Commissions.

SEC. 3. This decree shall take effect immediately.

Done in the City of Manila, this 3rd day of February, in the year of Our Lord, nineteen hundred and seventy-six.

(Sgd.)

FERDINAND E. MARCOS

President

Republic of the Philippines

By the President:

(Sgd.)

JACOBO C. CLAVE

Presidential Executive Assistant

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