

AMENDING PRESIDENTIAL DECREE NO. 1877

PRESIDENTIAL DECREE No. 1877-A, July 23, 1983

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WHEREAS, by virtue of Proclamation No. 2045, as amended by Proclamation No. 2045-A, the privilege of the Writ of Habeas Corpus remains suspended in the two autonomous regions of Mindanao and in all other places with respect to —

"persons at present detained as well as others who may hereafter be similarly detained for the crimes of insurrection or rebellion, subversion, conspiracy or proposal to commit such crimes, sedition, conspiracy to commit sedition, inciting to sedition, and for all other crimes and offenses committed by them in furtherance or on the occasion thereof, or incident thereto, or in connection therewith, such as but not limited to offenses involving economic sabotage, illegal assemblies, illegal associations, tumults and other disturbances of public orders, unlawful use of means of publication and unlawful utterances, and alarms and scandals, or with respect to any person whose arrest or detention is, in the judgment of the President, required by public safety as a means to repel or quell the existing rebellion in the country."

WHEREAS, Presidential Decree No. 1877 effectuates and implements Proclamation No. 2045;

WHEREAS, it thus becomes necessary to amend Presidential Decree No. 1877 in view of the amendment introduced by Proclamation No. 2045-A;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby decree:

SECTION 1. Section 1 of Presidential Decree No. 1877 is hereby amended to read as follows:

"SECTION 1. All cases involving the crimes of insurrection, rebellion, subversion, conspiracy or proposal to commit such crimes, sedition, conspiracy to commit sedition, inciting to sedition, and all other crimes or offenses committed in furtherance thereof, or on the occasion thereof, or incident thereto, or in connection therewith, such as but not limited to offenses involving economic sabotage, illegal assemblies, illegal associations, tumults and other disturbances of public orders, unlawful use of means of publication unlawful utterances, and alarms and scandals, shall be referred to the Provincial or City Fiscal, or to the proper Court for preliminary examination or investigation in accordance with existing laws."

SEC. 2. There shall be a new paragraph incorporated in Section 2 of Presidential Decree No. 1877 which shall read as follows:

"SEC. 2. * * * * *

"The President may also issue a preventive detention action against any person or persons whose arrest and detention is, in his judgment, required by public safety as a means to repel or quell the existing rebellion in the country."

SEC. 3. Section 3 of Presidential Decree No. 1877 is hereby amended to read as follows:

"SEC. 3. When issued, the preventive detention action shall constitute authority to arrest the subject person or persons, and to preventively detain him or them for a period not exceeding one year; to restrain/ prevent the

further commission/performance of the crime(s) or offense (s) complained of or act(s) in furtherance or on the occasion thereof, related or incident thereto, or in connection therewith, by such person or persons; to search the said person or persons and/or his or their premises, residence, office, temporary abode or place of business or operations as described by the military commander or the head ; of law enforcement agency; and to sequester, distrain, confiscate or destroy all arms, equipment or property used or to be used in the commission of the crime or crimes mentioned in Section 1 hereof."

SEC. 4. All laws, decrees, letters of instructions, executive or administrative orders, rules and regulations inconsistent with this Decree are hereby repealed, amended or modified accordingly.

SEC. 5. This Decree shall take effect after fifteen (15) days following its publication in the Official Gazette.

Done in the City of Manila, Philippines, this 23rd day of July in the year of Our Lord, nineteen hundred and eighty-three.

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

By the President:

(Sgd.) JUAN C. TUVERA
Presidential Executive Assistant

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