

INCREASING THE JURISDICTION OF THE CIRCUIT CRIMINAL COURTS

PRESIDENTIAL DECREE NO. 126, February 12, 1973

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WHEREAS, the Circuit Criminal Courts created under Republic Act No. 5179, dated September 8, 1967 have only limited jurisdiction concurrent with the Courts of First Instance to try certain specific cases falling under the original and exclusive jurisdiction of the latter;

WHEREAS, miscarriages of justice had often resulted when complex crimes filed with the Circuit Criminal Courts were dismissed because not all the elements of the offense cognizable by the Circuit Criminal Court could be proved — as in kidnapping with murder, where the latter offense could not be proved and leaving only kidnapping over which offense the Circuit Criminal Courts have no jurisdiction; and

WHEREAS, it is necessary to place within the concurrent jurisdiction of the Courts of First Instance and the Circuit Criminal Courts offenses, whether simple or complex and not otherwise falling under the exclusive jurisdiction of military tribunals, where the penalty provided by law is life imprisonment or death, or within the range of said penalties;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers in me vested by the Constitution as Commander-in-Chief of all the Armed Forces of the Philippines, and pursuant to Proclamation No. 1081, dated September 21, 1972 and General Order No. 1, dated September 22, 1972, as amended, do hereby decree as follows:

SECTION 1. Section 1 of Republic Act No. 5179 is hereby amended so as to include the following provision:

“SEC. 1-A. The Circuit Criminal Courts shall have concurrent jurisdiction with the Courts of First Instance over crimes, whether simple or complex, which may be punishable by reclusion perpetua or death: Provided, however, That were the offense charged is a complex crime and only the lesser offense which is punishable by a penalty less than reclusion perpetua is proved, the court shall not dismiss the case but shall decide the same and impose the corresponding penalty.”

SEC. 2. This amendment shall take effect immediately.

SEC. 3. This Decree shall take effect immediately.

Done in the city of Manila, this 12th day of February, in the year of Our Lord, nineteen hundred and seventy-three.

(Sgd.) FERDINAND E. MARCOS

President

Republic of the Philippines

By the President:

(Sgd.) ROBERTO V. REYES

Assistant Executive Secretary

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