

AN ACT TO AMEND ARTICLES SIXTY-TWO, TWO HUNDRED AND SIXTY-SEVEN, TWO HUNDRED AND SIXTY-EIGHT, TWO HUNDRED AND SEVENTY, TWO HUNDRED AND SEVENTY-ONE, TWO HUNDRED AND NINETY-FOUR, ...

REPUBLIC ACT NO. 18, September 25, 1946

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Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

SECTION 1. The last paragraph of article sixty-two of the Revised Penal Code is hereby amended to read as follows:

"For the purposes of this article, a person shall be deemed to be habitual delinquent, if within a period of years from the date of his release or last conviction of the crimes of serious or less serious physical injuries, robo, hurto, estafa, or falsification, he is found guilty of any of said crimes a third time or oftener."

SEC. 2. Article two hundred sixty-seven of the Revised Penal Code is hereby amended to read as follows:

"ART. 267. Kidnapping and serious illegal detention.—any private individual who shall kidnap or detain another, or in any other manner deprive him of his liberty, shall suffer the penalty of reclusion temporal in its maximum period to death:

"1. If the kidnapping or detention shall have lasted more than five days.

"2. If it shall have been committed simulating public authority.

"3. If any serious physical injuries shall have been inflicted upon the person kidnapped or detained, or if threats to kill him shall have been made.

"4. If the person kidnapped or detained shall be a minor, female or a public officer.

"The penalty shall be reclusion perpetua to death where the kidnapping or detention was committed for the purpose of extorting ransom from the victim or any other person, even if none of the circumstances above mentioned were present in the commission of the offense."

SEC. 3. Article two hundred and sixty-eight of the Revised Penal Code is hereby amended to read as follows:

"Art. 268. Slight illegal detention.—The penalty of reclusion temporal shall be imposed upon any private individual who shall commit the crimes described in the next preceding article without the attendance of any of the circumstances enumerated therein.

"The same penalty shall be incurred by anyone who shall furnish the place for the perpetration of the crime.

"If the offender shall voluntarily release the person so kidnapped or detained within three days from the commencement of the detention, without having attained the purpose intended, and before the institution of criminal proceedings against him, the penalty shall be prision mayor in its minimum and medium periods and a fine not exceeding seven hundred pesos."

SEC. 4. Article two hundred and seventy of the Revised Penal Code should be amended to read as follows:

"Art. 270. Kidnapping and failure to return a minor.— The penalty of reclusion perpetua shall be imposed upon

any person who, being entrusted with the custody of person, shall deliberately fail to restore the latter to his Parents or guardians."

SEC. 5 Article two hundred and seventy-one of the Revised Penal Code should be amended to read as follows:

"Art. 271 Inducing a minor to abandon his home.—The penalty of prision correccional and a fine not exceeding seven hundred pesos shall be imposed upon anyone who shall induce a minor to abandon the home of his parents or guardians or the persons entrusted with his custody.

"If the person committing any of the crimes covered by the two preceding articles shall be the father or the mother of the minor, the penalty shall be arresto mayor or a fine not exceeding three hundred pesos, or both."

SEC. 6. Cases 2, 4 and 5 of article two hundred ninety-four of the Revised Penal Code are hereby amended to read as follows:

"2. The penalty of reclusion temporal in its medium period to reclusion perpetua, when the robbery shall have been accompanied by rape or intentional mutilation, or if by reason or on occasion of such robbery, any of the physical injuries penalized in subdivision 1 of article 263 shall have been inflicted.

"4. The penalty of prision mayor in its maximum period to reclusion temporal in its medium period, if the violence or intimidation employed in the commission of the robbery shall have been carried to a degree clearly unnecessary for the commission of the crime, or when in the course of its execution, the offender shall have inflicted upon any person responsible for its commission any of the physical injuries covered by subdivisions 3 and 4 of said article 263.

"5. The penalty of prision correccional in its maximum period to prision mayor in its medium period in other cases."

SEC. 7. The first paragraph of article two hundred ninety-nine of the Revised Penal Code is hereby amended to read as follows

"Art. 299 Robbery in an inhabited house or public building or edifice devoted to worship.—Any armed person who shall commit robbery in an inhabited house or public building or edifice devoted to religious worship, shall be punished by reclusion temporal, if the value of the property taken shall exceed two hundred fifty pesos, and if—

"(a) The malefactors shall enter the house or building in which the robbery was committed, by any of the following means:

"1. Through an opening not intended for entrance or egress.

"2. By breaking any wall, roof, or floor or breaking any door or window.

"3. By using false keys, picklocks or similar tools.

"4. By using any fictitious name or pretending the exercise of public authority.

"Or if—

(b) The robbery be committed under any of the following circumstances:

"1. By the breaking of doors, wardrobes, chests, or any other kind of locked or sealed furniture or receptacle;

"2. By taking such furniture or objects away to be broken or forced open outside the place of the robbery."

SEC. 8. This Act shall take effect upon its approval.

Approved, September 25, 1946.

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