

AMENDING PRESIDENTIAL DECREE NO. 1835

PRESIDENTIAL DECREE NO. 1975, May 02, 1985

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WHEREAS, Presidential Decree No. 1835 codified the various laws on anti-subversion and increased the penalties for membership in subversive organizations;

WHEREAS, Presidential Decree No. 1835 imposed, among others, the penalties of forfeiture of rights as, a citizen of the Philippines and confiscation of real or personal properties in favor of the State;

WHEREAS, in the spirit of reconciliation the State desires to temper the penalties imposed under Presidential Decree No. 1835;

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

SECTION 1. Section 4 of Presidential Decree No. 1835 is hereby amended to read as follows:

"SEC. 4. Whoever knowingly, wilfully and by overt acts of affiliates with, becomes or remains a member of, a subversive association or organization as defined in Section 2 hereof, whether committed within or outside the territorial jurisdiction of the Philippines, shall be punished by reclusion temporal, and, in addition thereto, shall be permanently disqualified from holding any public office, appointive and elective, and from exercising the right to vote if he is a Philippine citizen; in case of a second conviction, the principal penalty shall be reclusion perpetua; and, in all subsequent convictions, the penalty of reclusion perpetua to death shall be imposed; and any alien convicted under this Decree shall be deported immediately after he shall have served the sentence imposed upon him: Provided, That if such member is an officer or a ranking leader of such subversive organization or association as defined in Section 2 hereof, or if such member takes up arms against the Government, he shall be punished by reclusion perpetua to death with all the accessory penalties provided therefor in the Revised Penal Code: Provided, finally, That one who conspires with any other person for the purpose of overthrowing the Government of the Republic of the Philippines or any of its political subdivisions and placing such Government or political subdivision under the control and domination of a foreign power, or for the purpose of removing from the allegiance to said Government or its laws, the territory of the Philippines or any part thereof, by force, violence, terrorism, arson, assassination, deceit or other illegal means, shall be punished by reclusion temporal with all the accessory penalties provided therefor in the same Code."

SEC. 2. This Decree shall take effect after fifteen (15) days following its publication in the Official Gazette.

DONE in the City of Manila, this 2nd day of May in the year of Our Lord, nineteen hundred and eighty-five.

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