

AMENDING THE LAW ON ARSON

PRESIDENTIAL DECREE NO. 1613, March 07, 1979

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/b10dc6690f3d/>

WHEREAS, findings of the police and intelligence agencies of the government reveal that fires and other crimes involving destruction in Metro Manila and other urban centers in the country are being perpetrated by criminal syndicates, some of which have foreign connections;

WHEREAS, the current law on arson suffers from certain inadequacies that impede the successful enforcement and prosecution of arsonists;

WHEREAS, it is imperative that the high incidence of fires and other crimes involving destruction be prevented to protect the national economy and preserve the social, economic and political stability of the country;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order and decree as part of the law of the land, the following:

SECTION 1. Arson.—Any person who burns or sets fire to the property of another shall be punished by Prison Mayor.

The same penalty shall be imposed when a person sets fire to his own property under circumstances which expose to danger the life or property of another.

SEC. 2. Destructive Arson.— The penalty of Reclusion Temporal in its maximum period to Reclusion Perpetua shall be imposed if the property burned is any of the following:

- Any ammunition factory and other establishment where explosives, inflammable or combustible materials are stored.
- Any archive, museum, whether public or private, or any edifice devoted to culture, education or social services.
- Any church or place of worship or other building where people usually assemble.
- Any train, airplane or any aircraft, vessel or watercraft, or conveyance for transportation of persons or property.
- Any building where evidence is kept for use in any legislative, judicial, administrative or other official proceedings.
- Any hospital, hotel, dormitory, lodging house, housing tenement, shopping center, public or private market, theater or movie house or any similar place or building.
- Any building, whether used as a dwelling or not, situated in a populated or congested area.

SEC. 3. Other Cases of Arson.? The penalty of Reclusion Temporal to Reclusion Perpetua shall be imposed if the property burned is any of the following:

- Any building used as offices of the government or any of its agencies;
- Any inhabited house or dwelling;

- Any industrial establishment, shipyard, oil well or mine shaft, platform or tunnel;
- Any plantation, farm, pastureland, growing crop, grain field, orchard, bamboo grove or forest;
- Any rice mill, sugar mill, cane mill or mill central; and
- Any railway or bus station, airport, wharf or warehouse.

SEC. 4. Special Aggravating Circumstances in Arson.—The penalty in any case of arson shall be imposed in its maximum period:

- If committed with intent to gain;
- If committed for the benefit of another;
- If the offender is motivated by spite or hatred towards the owner or occupant of the property burned;
- If committed by a syndicate.

The offense is committed by a syndicate if it is planned or carried out by a group of three (3) or more persons.

SEC. 5. Where Death Results from Arson. — If by reason of or on the occasion of the arson death results, the penalty of Reclusion Perpetua to death shall be imposed.

SEC. 6. Prima Facie evidence of Arson. — Any of the following circumstances shall constitute prima facie evidence of arson:

- If the fire started simultaneously in more than one part of the building or establishment.
- If substantial amount of flammable substances or materials are stored within the building not necessary in the business of the offender nor for household use.
- If gasoline, kerosene, petroleum or other flammable or combustible substances or materials soaked therewith or containers thereof, or any mechanical, electrical, chemical, or electronic contrivance designed to start a fire, or ashes or traces of any of the foregoing are found in the ruins or premises of the burned building or property.
- If the building or property is insured for substantially more than its actual value at the time of the issuance of the policy.
- If during the lifetime of the corresponding fire insurance policy more than two fires have occurred in the same or other premises owned or under the control of the offender and/or insured.
- If shortly before the fire, a substantial portion of the effects insured and stored in a building or property had been withdrawn from the premises except in the ordinary course of business.
- If a demand for money or other valuable consideration was made before the fire in exchange for the desistance of the offender or for the safety of the person or property of the victim.

SEC. 7. Conspiracy to commit Arson.— Conspiracy to commit arson shall be punished by Prison Mayor in its minimum period.

SEC. 8. Confiscation of Object of Arson.—The building which is the object of arson including the land on which it is situated shall be confiscated and escheated to the State, unless the owner thereof can prove that he has no participation in nor knowledge of such arson despite the exercise of due diligence on his part.

SEC. 9. Repealing Clause.—The provisions of Articles 320 to 326-B of the Revised Penal Code and all laws,

executive orders, rules and regulations, or parts thereof, inconsistent with the provisions of this Decree are hereby repealed or amended accordingly.

SEC. 10. Effectivity.—This Decree shall take effect immediately upon publication thereof at least once in a newspaper of general circulation.

Done in the City of Manila, this 7th day of March, in the year of Our Lord, nineteen hundred and seventy-nine.

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

By the President:

(Sgd.) JACOBO C. CLAVE
Presidential Executive Assistant

ABOUT BATAS.ORG

Study smarter at BATAS.org

The Philippine bar review and law-school companion built around how your brain actually remembers.

The complete Philippine law library - free for everyone.

More than 100,000 Supreme Court decisions, Republic Acts, and executive issuances - full-text searchable, browsable by category and year, and always free. No paywall, no login. This PDF came from it.

Audio case-brief lectures.

Any decision becomes a podcast-style lecture - facts, issues, ruling, and doctrine - with read-along highlighting and a hands-free presentation mode. Study while commuting, working out, or resting your eyes.

Bar review built on the science of memory.

Complete, sequenced courses for all eight bar subjects, narrated like podcasts and reinforced with retrieval practice and spaced review - the study techniques with the strongest evidence behind them.

The full law-school curriculum.

One subscription unlocks the entire J.D. curriculum - every subject, every lesson, with your progress tracked down to the paragraph so you can pick up exactly where you left off, on any device.

Mock exams that tell you where you stand.

Timed multiple-choice exams graded instantly, with per-subject score breakdowns and focus suggestions that point you at your weakest topics first.

A study planner that keeps you on pace.

Set your schedule and BATAS tells you every day whether you are on track for bar day - and exactly which lesson to take next.

Start free at <https://batas.org>

The law library is free forever - and your first lesson is one click away.

The text of this document is an official public record and remains in the public domain. Formatting, presentation, and compilation © 2026 batas.org.

Downloaded free from the batas.org Law Library. Share it freely - the library is free for every law student, bar reviewee, and practitioner.