

AMENDING CERTAIN PROVISIONS OF PRESIDENTIAL DECREE NO. 960 WHICH AMENDED ARTICLE 201 OF THE REVISED PENAL CODE AND FOR OTHER PURPOSES.

PRESIDENTIAL DECREE NO. 969, July 24, 1976

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I, Ferdinand E. Marcos, President of the Philippines, by virtue of the powers in me vested by the Constitution, do hereby decree and order:

SECTION 1. Sections 1 and 2 and paragraph 1 of Section .4 of Presidential Decree No. 960 are hereby further amended to lead as follows:

SEC. 1. Amendment of Article 201, Revised Penal Code.—Article 201 of Act Numbered Thirty-Eight hundred and fifteen, otherwise known as the Revised Penal Code, is hereby amended to read as follows:

"ART. 201. Immoral doctrines, obscene publications and exhibitions, mid indecent shows.—The penalty of prison mayor or a fine ranging from six thousand to twelve thousand pesos, or both such imprisonment and fine, shall be imposed upon:

"1. Those who shall publicly expound or proclaim doctrines openly contrary to public morals;

"2. a. The authors of obscene literature, published with their knowledge in any form; the editors publishing such literature; and the owners/operators of the establishment selling the same; "b. Those who. in theaters, fairs, cinematographs or any other place, exhibit indecent or immoral plays, scenes, acts or shows it being understood that the obscene literature or indecent or immoral plays, scenes, acts or shows, whether live or in film, which are prescribed by virtue hereof, shall include those which: (1) glorify criminals cr condone crimes; (2) serve to other purpose but to satisfy the market for violence, lust or perroggraphy; (3) offend any race or religion; (4) tend to abet traffic in and use of prohibited drugs; and (5) are contrary to law, public order, morals, good customs, established policies, lawful orders, decrees and edicts.

"3. Those who shall sell, rive away or exhibit films, prints, engravings, sculpture or literature which are offensive to morals.

"SEC. 2. Deposition of the Prohibited Articles. The disposition of the literature films prints, engravings, sculptures, paintings, or other materials involved in the violation referred to in Section 1 hereof shall be governed by the following rules:

"a. Upon conviction of the offender, to be forfeited in favor of the government to be destroyed.

"b. Where the criminal case against any violator of this decree results in an acquittal, the obs-ene/immoral literature, films, prints, engravings, sculpture, paintings or other materials and articles involved in the violation referred to in Section 1 hereof shall nevertheless be forfeited in favor of 'he government to be destroyed, after forfeiture proceedings conducted by the Chief of Constabulary.

"c. The person aggrieved by the forfeiture action of the Chief of Constabulary may, within fifteen (15) days after his receipt of a copy of the decision, appeal the matter to the Secretary of National Defense for review. The decision of the Secretary of National Defense shall be final and unappealable.

"SEC. 4. Additional Penalties.—Additional penalties shall be imposed as follows:

"1. In case the offender is a government official or employee who allows the violations of Section 1 hereof, the penalty as provided herein shall be imposed in the maximum period and, in addition, the accessory penalties provided for in the Revised Penal Code, as amended, shall likewise be imposed."

SEC. 2. To be inserted between Sections 4 and 5 of Presidential Decree No. 960 is Section 4-A to read as follows:

"SEC. 4-A. The Chief of Constabulary shall, with the approval the Peremptory of National Defense, promulgate the necessary and regulations for the implementation of this decree."

SEC. 3. This decree shall take effect fifteen (15) days after its publication by the Department of Public Information in two (2) newspapers of general circulation.

Done in the City of Manila, this 24th day of July in the year of Our Lord, nineteen hundred and seventy-six.

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

By the President:

(Sgd.) JUAN C. TUVERA
Presidential Assistant.

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