

AN ACT PUNISHING THE CRIME OF COUP D'ETAT BY AMENDING ARTICLES 134,135 AND 136 OF CHAPTER ONE, TITLE THREE OF ACT NUMBERED THIRTY-EIGHT HUNDRED AND FIFTEEN, OTHERWISE KNOWN AS T...

REPUBLIC ACT NO. 6968, October 24, 1990

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

SECTION 1. The heading of Chapter One, Title Three of the Revised Penal Code is hereby amended to read as follows: "REBELLION, COUP D'ETAT, SEDITION AND DISLOYALTY".

SEC. 2. Article 134 of the Revised Penal Code is hereby amended to read as follows:

"Article 134. Rebellion or insurrection. - How committed. - "The crime of rebellion or insurrection is committed by rising publicly and taking arms against the Government for the purpose of removing from the allegiance to said Government or its laws, the territory of the Republic of the Philippines or any part thereof, of any body of land, naval or other armed forces, or depriving the Chief Executive or the Legislature, wholly or partially, of any of their powers or prerogatives."

SEC 3. Chapter One, Title Three of the Revised Penal Code is hereby further amended by adding a new article as follows:

"Article 134-A. Coup d'etat. - How committed. -The crime of coup d'etat is a swift attack accompanied by violence, intimidation, threat, strategy or stealth, directed against duly constituted authorities of the Republic of the Philippines, or any military camp or installation, communications networks, public utilities or other facilities needed for the exercise and continued possession of power, singly or simultaneously carried out anywhere in the Philippines by any person or persons, belonging to the military or police or holding any public office or employment, with or without civilian support or participation, for the purpose of seizing or diminishing state power."

SEC. 4. Article 135 of the Revised Penal Code is hereby amended to read as follows:

"Article 135. Penalty for rebellion, insurrection or coup d'etat. - Any person who promotes, maintains, or heads a rebellion or insurrection shall suffer the penalty of reclusion perpetua.

"Any person merely participating or executing the commands of others in a rebellion or insurrection shall suffer the penalty of reclusion temporal.

"Any person who leads or in any manner directs or commands others to undertake a coup d'etat shall suffer the penalty of reclusion perpetua.

"Any person in the government service who participates, or executes directions or commands of others in undertaking a coup d'etat shall suffer the penalty of reclusion temporal in its maximum period.

"Any person not in the government service who participates, or in any manner supports, finances, abets or aids in undertaking a coup d'etat shall suffer the penalty of prison mayor in its maximum period.

"When the rebellion, insurrection, or coup d'etat shall be under the command of unknown leaders, any person who in fact directed the others, spoke for them, signed receipts and other documents issued in their name, or performed similar acts, on behalf of the rebels shall be deemed a leader of such rebellion, insurrection, or coup d'etat."

SEC. 5. Article 136 of the Revised Penal Code is hereby amended to read as follows:

"Article 136. Conspiracy and proposal to commit coup d'etat, rebellion or insurrection. - The conspiracy and proposal to commit coup d'etat shall be punished by prision mayor in its minimum period and a fine which shall not exceed eight thousand pesos (P8,000.00).

"The conspiracy and proposal to commit rebellion or insurrection shall be punished, respectively, by prision correccional in its maximum period and a fine which shall not exceed five thousand pesos (P5,000.00), and by prision correccional in its medium period and a fine not exceeding two thousand pesos (P2,000.00)."

SEC. 6. Repealing Clause. - All laws, executive orders, rules and regulations, or any part thereof inconsistent herewith are deemed repealed or modified accordingly.

SEC. 7. Separability Clause. - If for any reason, any section or provision of this Act, or any part thereof, or the application of such section, provision, or portion is declared invalid or unconstitutional the remainder thereof shall not be affected by such declaration.

SEC. 8. Effectivity. - This Act shall take effect upon its approval and publication in at least two (2) newspapers of general circulation.

Approved,

(Sgd.) JOVITO R. SALONGA (Sgd.) RAMON V. MITRA

President of the Senate Speaker of the House of Representatives

This Act which originated from the Senate was finally passed by the Senate and the House of Representatives on October 9, 1990.

(Sgd.) EDWIN P. ACOBA (Sgd.) QUIRINO D. ABAD SANTOS, JR.

Secretary of the Senate Secretary of the House of Representatives

Approved: October 24, 1990

(Sgd.) CORAZON C. AQUINO President of the Philippines

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