

GENERAL ORDER NO. 54, October 22, 1975

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WHEREAS, reports from the law-enforcing agencies reveal that there is an upsurge in the commission of crimes or offenses involving prohibited and regulated drugs, swindling (estafa), robbery and murder;

WHEREAS, aside from causing physical, social, moral, economic and other forms of dislocation and imbalance, the foregoing situation is not conducive to the attainment of the objectives of the New Society, particularly in the promotion of peace and order and enhancement of the economic, social and moral uplift of the Filipino people; and

WHEREAS, it is imperative that the resurgence of the aforesaid crimes be minimized if not totally eliminated by providing a machinery for swiftly and decisively dealing with the same;

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

SECTION 1. The military tribunals created under General Order No. 8, dated September 27, 1972, in relation to Presidential Decree No. 39, dated November 7, 1972, as amended, shall exercise exclusive jurisdiction over the following cases, in addition to those covered under General Order No. 49, dated October 4, 1974:

- All cases involving violations of Republic Act No. 6425, otherwise known as "The Dangerous, Drugs Act of 1972," as amended, except with respect to mere users or victims of drug addiction, unless they are at the same time charged with other violations of the said law.
- All cases involving swindling (esafa) as defined and penalized under Articles 315? 316, 317 and 318, Revised Penal Code, as amended, when committed in large-scale or by a syndicate.
- All cases involving robbery when, on the occasion or by reason thereof, the crime of homicide and/or physical injuries, as defined and penalized under the pertinent provisions of the Revised Penal Code, as amended, shall have been committed; or when such robbery is committed by a band or a syndicate.
- All cases involving murder, whether consummated, frustrated or attempted, as defined and penalized under the Revised Penal Code, when committed by a band or a syndicate.

SEC. 2. Notwithstanding the foregoing, the President may, in the public interest, refer to the civil courts a case which, under this Order, falls within the exclusive jurisdiction of the Military Tribunals.

SEC. 3. For purposes of this Order, the following terms shall be interpreted and be understood as hereunder indicated:

- Swindling (estafa) shall be considered in "large-scale" when the amount involved is not less than one hundred thousand pesos (P100,000) or otherwise the swindling (estafa) causes widespread prejudice to public interest as determined by the Secretary of National Defense.
- A band consists of of three (3) or more persons, at least one of whom is armed, for use in the commission of a

crime or offense.

- A syndicate consists of five (5) or more persons formed with the intention of carrying out any unlawful or illegal act, transaction, enterprise or scheme.

SEC. 4. General Order No. 2, dated September 22, 1972, as amended, is hereby further amended to include the following provisions:

"27. Any person or persons who may have known to have committed the crime of swindling as defined in paragraph 2(d) of Article 315 of the Revised Penal Code."

SEC. 5. All orders instructions, rules/regulations and directives which are inconsistent herewith are hereby superseded and/or modified accordingly.

SEC. 6. This Order shall take effect immediately.

Done in the City of Manila, this 22nd day of October, in the year of Our Lord, nineteen hundred and seventy-five.

(Sgd.) FERDINAND E. MARCOS

President

Republic of the Philippines

By the President:

(Sgd.) ALEJANDRO MELCHOR

Executive Secretary

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