

LETTER OF INSTRUCTION NO. 40, November 10, 1972

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TO: The Secretary of Finance
The Secretary of Justice

Pursuant to Proclamation No. 1081, dated September 21, 1972 and in my capacity as Commander-in-Chief of all the Armed Forces of the Philippines, and in order to expedite the trial of criminal cases which, not infrequently, has been delayed due to the failure of the accused to appear for trial despite due notice, it is hereby directed that--

- Every bail bond for the provisional release of the accused in every criminal case shall contain the following stipulation: that the surety (with the written conformity of the accused) hereby agrees that in case the accused jumps, bail or fails to appear for trial despite due notice to his bondsman, his absence will be deemed an express waiver of his right to be present, which will warrant the court to proceed with the case as if the accused were present.
- All existing bail bonds shall be recalled so that the above stipulation can be incorporated therein.
- The Secretary of Finance and the Secretary of Justice shall take such actions as may be necessary to give immediate effect to the foregoing.

Done in the City of Manila, this 10th day of November, in the year of Our Lord, nineteen hundred and seventy-two.

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

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