

AMENDING THE PROVISIONS OF THE REVISED PENAL CODE ON CRIMES AGAINST PUBLIC ORDER.

PRESIDENTIAL DECREE NO. 942, June 10, 1976

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WHEREAS, it is primary goal of the martial law administration to restore peace, order and normalcy to Philippine conditions as early as possible;

WHEREAS, the attainment of this goal is greatly hampered by certain elements of society who continue to pursue acts and engage in activities destructive to the stability and security of the State;

WHEREAS, there is a pressing need to strengthen and re-enforce the continuing campaign against subversion by increasing the penalties for crimes against public order and by treating as distinct other offenses committed in the course of the commission of such crimes;

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

SECTION 1. Article one hundred and thirty-five of Act Numbered Thirty-eight hundred and fifteen, as amended, is hereby further amended to read as follows:

"ART. 135. Penalty for rebellion or insurrection.—Any person who promotes, maintains, or heads a rebellion or insurrection, or who, while holding any public office or employment takes part therein, engaging in war against the forces of the Government, destroying property or committing serious violence, exacting contributions or diverting public funds from the lawful purpose for which they have been appropriated, shall suffer the penalty of reclusion temporal in its medium period and a fine not to exceed 20,000 pesos.

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

"When the rebellion or insurrection 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 the leader of such rebellion."

SEC. 2. Article one hundred and thirty-six of the same Act is hereby amended to read as follows:

"ART. 136. Conspiracy and proposal to commit rebellion or insurrection.—The conspiracy and proposal to commit rebellion or insurrection shall be punished, respectively, by prision mayor in its maximum period and a fine which shall not exceed 5,000 pesos, and by prision mayor in its medium period and a fine not exceeding 2,000 pesos."

SEC. 3. Article one hundred and thirty-seven of the same Act is hereby amended to read as follows:

"ART. 137. Disloyalty of public officer or employees.— The penalty of prision mayor in its minimum period shall be imposed upon public officers or employees who have failed to resist a rebellion by all means in their power, or shall continue to discharge the duties of their offices under the control of the rebels or shall accept appointment to office under them."

SEC. 4. Article one hundred and thirty-eight of the same Act is hereby amended to read as follows:

"ART. 138. Inciting to rebellion or insurrection.—The penalty of reclusion temporal in its minimum period shall be imposed upon any person who, without taking arms or being in open hostility against the Government, shall incite others to the execution of any of the acts specified in article 134 of this Code, by means of speeches, proclamations, writings, emblems, banners or other representations tending to the same end."

SEC. 5. Article one hundred and forty of the same Act is hereby amended to read as follows:

"ART. 140. Penalty for sedition.—The leader of a sedition shall suffer the penalty of reclusion temporal in its minimum period and a fine not exceeding 10,000 pesos. Other persons participating therein shall suffer the penalty of prision mayor in its maximum period and fine not exceeding 5,000 pesos."

SEC. 6. Article one hundred and forty-one of the same Act is hereby amended to read as follows:

"ART. 141. Conspiracy to commit sedition.—Persons conspiring to commit the crime of sedition shall be punished by prision mayor in its medium period and a fine not exceeding 2,000 pesos."

SEC. 7. Article one hundred and forty-two of the same Act is hereby amended to read as follows:

"ART. 142. Inciting to sedition.—The penalty of prision mayor in its maximum period and a fine not exceeding 2,000 pesos shall be imposed upon any person who, without taking any direct part in the crime of sedition, should incite others to the accomplishment of any of the acts which constitute sedition, by means of speeches, proclamations, writings, emblems, cartoons, banners, or other representations tending to the same end, or upon any person or persons who shall utter seditious words or speeches, write, publish or circulate scurrilous libels against the Government of the Philippines, or any of the duly constituted authorities thereof, or which tend to disturb or obstruct any lawful officer in executing the functions of his office, or which tend to instigate others to cabal and meet together for unlawful purposes, or which suggest or incite rebellious conspiracies or riots, or which lead to tend to stir up the people against the lawful authorities or to disturb the peace of the community, the safety and order of the Government, or who shall knowingly conceal such evil practices."

SEC. 8. There is hereby added to the same Act, Article 142-A, to be inserted after Article 142 thereof, and which shall read as follows:

"ART. 142-A. Cases where other offenses are committed.—When by reason or on the occasion of any of the crimes penalized in this Chapter, acts which constitute offenses upon which graver penalties are imposed by law are committed, the penalty for the most serious offense in its maximum period shall be imposed upon the offender."

SEC. 9. This Decree shall take effect upon promulgation.

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

(Sgd.)

FERDINAND E. MARCOS

President

Republic of the Philippines

By the President:

(Sgd.)

JACOBO C. CLAVE

Presidential Executive Assistant

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