

REPUBLIC ACTS

REPUBLIC ACT NO. 1060

AN ACT INCREASING THE PENALTY FOR THE CRIME OF MALVERSATION OF PUBLIC FUNDS OR PROPERTY, BY AMENDING ARTICLE TWO HUNDRED SEVENTEEN OF THE REVISED PENAL CODE.

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

SECTION 1. Article two hundred seventeen of the Revised Penal Code is amended to read as follows:

"ART. 217. *Malversation of public funds or property—Presumption of malversation.*—Any public officer who, by reason of the duties of his office, is accountable for public funds or property, shall appropriate the same, or shall take or misappropriate or shall consent, or through abandonment or negligence, shall permit any other person to take such public funds or property, wholly or partially, or shall otherwise be guilty of the misappropriation or malversation of such funds or property, shall suffer:

"1. The penalty of *prisión correccional* in its medium and maximum periods, if the amount involved in the misappropriation or malversation does not exceed two hundred pesos.

"2. The penalty of *prisión mayor* in its minimum and medium periods, if the amount involved is more than two hundred pesos but does not exceed six thousand pesos.

"3. The penalty of *prisión mayor* in its maximum period to *reclusión temporal* in its minimum period, if the amount involved is more than six thousand pesos but is less than twelve thousand pesos.

"4. The penalty of *reclusión temporal* in its medium and maximum periods, if the amount involved is more than twelve thousand pesos but less than twenty-two thousand pesos. If the amount exceeds the latter, the penalty shall be *reclusión temporal* in its maximum period to *reclusión perpetua*.

"In all cases, persons guilty of malversation shall also suffer the penalty of perpetual special disqualification and a fine equal to the amount of the funds malversed or equal to the total value of the property embezzled.

"The failure of a public officer to have duly forthcoming any public funds or property with which he is chargeable, upon demand by any duly authorized officer, shall be *prima facie* evidence that he has put such missing funds or property to personal uses."

SEC. 2 This Act shall take effect upon its approval.

Approved, June 12, 1954.

REPUBLIC ACT NO. 1083

AN ACT TO AMEND ARTICLE ONE HUNDRED AND TWENTY-FIVE OF ACT NUMBERED THIRTY EIGHT HUNDRED AND FIFTEEN, OTHERWISE KNOWN AS THE REVISED PENAL CODE, AS AMENDED, BY EXTENDING THE PERIOD OF LEGAL DETENTION IN CERTAIN CASES.

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

SECTION 1. Article One hundred and twenty-five of Act Numbered Thirty eight hundred and fifteen, otherwise known as the Revised Penal Code, as amended, is hereby further amended to read as follows:

ART. 125. *Delay in the delivery of detained persons to the proper judicial authorities.*—The penalties provided in the next preceding article shall be imposed upon the public officer or employee who shall detain any person for some legal ground and shall fail to deliver such person to the proper judicial authorities within the period of: six hours, for crimes or offenses punishable by light penalties, or their equivalent; nine hours, for crimes or offenses punish-

able by correctional penalties, or their equivalent; and eighteen hours, for crimes or offenses punishable by afflictive or capital penalties, or their equivalent.

SEC. 2. All acts, executive orders, proclamations, rules and regulations, or parts thereof, inconsistent with the provisions of this Act are hereby repealed or amended accordingly.

SEC. 3. This Act shall take effect upon its approval.

Approved, June 15, 1954.

REPUBLIC ACT NO. 1084

AN ACT TO AMEND SECTION TWO HUNDRED AND SIXTY-SEVEN OF THE REVISED PENAL CODE.

(Re kidnapping and serious illegal detention.)

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

SECTION 1. Section two hundred and sixty-seven of the Revised Penal Code, as amended by section two of Republic Act Numbered Eighteen, is hereby further amended to read as follows:

"SEC. 267. *Kidnapping and serious illegal detention.*—Any private individual who shall kidnap or detain another, or in any other manner deprive him of his liberty, shall suffer the penalty of *reclusión perpetua* to death:

"1. If the kidnapping or detention shall have lasted more than five days.

"2. If it shall have been committed simulating public authority.

"3. If any serious physical injuries shall have been inflicted upon the person kidnapped or detained; or if threats to kill him shall have been made.

"4. If the person kidnapped or detained shall be a minor, female or a public officer.

"The penalty shall be death where the kidnapping or detention was committed for the purpose of extorting ransom from the victim or any other person, even if none of the circumstances above mentioned were present in the commission of the offense."

SEC. 2. This Act shall take effect upon its approval.

Approved, June 15, 1954.

REPUBLIC ACT NO. 1096

AN ACT FURTHER AMENDING SECTION FIFTY-EIGHT OF ACT NUMBERED FOUR HUNDRED NINETY-SIX, KNOWN AS THE "LAND REGISTRATION ACT," TO FACILITATE DEALINGS IN LANDS SOLD BY THE GOVERNMENT PENDING APPROVAL OF THE SUBDIVISION SURVEYS.

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

SECTION 1. Section fifty-eight of Act Numbered Four Hundred ninety-six, known as the Land Registration Act, is hereby further amended by adding at the end thereof the following additional paragraph:

"For the purpose of securing loans from banking and credit institutions, the foregoing prohibition against the acceptance for registration or annotation of a subsequent deed or other voluntary instrument shall not apply in the case of deeds of sale duly executed by the Government, or any of its instrumentalities, with respect to portions of lands registered in the name of the Republic of the Philippines."

SEC. 2. All laws and regulations, or parts thereof inconsistent with the provisions of this Act, are hereby repealed.

SEC. 3. This Act shall take effect upon its approval.

Approved, June 15, 1954.