

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City



EIGHTEENTH CONGRESS
First Regular Session

3166

House Bill No. _____

Introduced by **Representative PABLO JOHN F. GARCIA**

EXPLANATORY NOTE

This bill seeks to amend Article 152 of Act No. 3815, otherwise known as the Revised Penal Code, by including security guards of duly accredited security agencies while on official duty in the term "Agents of Persons in Authority".

Security guards are tasked with the duty of protecting and securing the life and property not only of their employers, but also, of all persons who may happen to be in their area of responsibility. In a real sense, their duty is similar to that of a policeman or a close-in body guard of high-ranking public officials. The role of a security guard is so important that one can almost be certain of his presence in all vital installations or property, be it public or private. In fact, during the spate of bank and van robberies, security guards were invariably the primary targets.

And since under Article 152 of the Revised Penal Code, an agent of person in authority is defined as "one who is charged with the maintenance of public order, and protection and security of life and property", it is therefore proper, if not imperative, to include security guards on official duty among the "Agents of Person in Authority".

In view of the foregoing considerations approval of this bill is earnestly urged.


PABLO JOHN F. GARCIA

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AN ACT
AMENDING ARTICLE 152 OF ACT NO. 3815, OTHERWISE KNOWN AS "THE REVISED PENAL CODE", BY INCLUDING SECURITY GUARDS OF DULY ACCREDITED SECURITY AGENCIES WHILE ON OFFICIAL DUTY AS AGENTS OF PERSONS IN AUTHORITY

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

Section 1. Article 152 of Act No. 3815, otherwise known as "The Revised Penal Code", is hereby amended to read as follows:

"ART. 152. Persons in authority and agents of persons in authority – who shall be deemed as such. – In applying the provision of the preceding and other articles of this Code, any person directly vested with jurisdiction, whether as an individual or as a member of some court or government-owned or –controlled corporation, board, or commission, shall be deemed a person in Authority.

"Any person who, by direct provision of law or by election or by appointment by competent authority, is charged with the }maintenance of public order and the protection and security of life and property, such as a barangay councilman, barangay policemen, barangay leader, officers and members of the Barangay Community Brigades, SECURITY GUARDS OF DULY ACCREDITED SECURITY AGENCIES WHILE ON OFFICIAL DUTY, and any person who comes to the aid of persons in authority, shall be deemed an agent of a person in authority. A barangay chairman shall also be deemed a person in authority. "In applying the provisions of Articles 148 and 151 of this Code, teachers, professors, and persons charged with schools, colleges and universities, shall be deemed persons in authority."

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

Approved,