

[PRESIDENTIAL DECREE NO. 1732, October 08, 1980]

PROVIDING IMMUNITY FROM CRIMINAL PROSECUTION TO GOVERNMENT WITNESSES AND FOR OTHER PURPOSES

WHEREAS, reports of law enforcement agencies reveal that activities of criminal elements in the country have become sophisticated, diversified and widespread;

WHEREAS, these activities have resulted not only in the wanton destruction of lives and property, but have likewise weakened the Nation's economic stability, threatened its security and undermined the general welfare of its citizens;

WHEREAS, crime continues to grow due to, among other reasons, the limited and inadequate system of evidence-gathering and the seeming apathy and reluctance of the citizenry in testifying against criminal elements for fear or reprisal;

WHEREAS, it is imperative to provoke the total involvement of the citizenry in the campaign against these criminal elements by providing immunity from criminal prosecution to any witnesses who shall give vital information to the government concerning the existence, operation and activity of such criminal elements, and to provide for a compulsory process against uncooperative and recalcitrant witnesses;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the power in me vested by the constitution do hereby order and decree the following:

SECTION 1. As used in this Act, the following terms shall mean or be interpreted and construed as hereunder defined:

- a. 'Witnesses' shall refer to any person who, having organs of sense, can perceive, and perceiving, can make known his perceptions to others.
- b. 'Court' shall refer to any military or civil court, quasi-judicial body or special court/tribunal.
- c. 'Agency' shall refer to any government agency, instrumentality or body and/or officer of said agency, instrumentality or body, which/who is legally authorized to perform investigation or law enforcement functions, and to gather or receive information and/ or evidence in connection with such functions.
- d. 'Vital information' shall mean any information, document, record, book, writing, or any other evidence, necessary to build up the people's case and/or secure the conviction of criminals.
- e. *Organized/syndicated crime* – means any crime committed by an organized/syndicated crime group including, but not limited to arson, robbery (hold-up), kidnapping for ransom, prostitution, illegal recruitment, carnapping, smuggling and piracy, cattle rustling, illicit drug trafficking, labor rackets, land title rackets, manufacture and/or circulation of fake documents, license, stamps, currencies and other government forms, counterfeiting and bank frauds, consumer frauds and other illegal activities of such groups.
- f. *Organized/syndicated crime group* – means a group of two (2) or more persons collaborating, confederating or mutually helping one another in the commission of any organized/syndicated crime.