

[PRESIDENTIAL DECREE NO. 1404, June 09, 1978]

FURTHER AMENDING ARTICLE 125 OF THE REVISED PENAL CODE AS AMENDED

WHEREAS, the periods within which arrested persons shall be delivered to the judicial authorities as provided in Article 125 of the Revised Penal Code, as amended, are on occasions inadequate to enable the government to file within the said periods the criminal information against persons arrested for certain crimes against national security and public order and allied offenses;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Republic of the Philippines, by virtue of the powers vested in me by the Constitution, and in the interest of national security as well as of public safety and order, do hereby decree and order as part of the law of the land the following further amendment to Article 125 of the Revised Penal Code, as amended:

SECTION 1. Article 125 of the Revised Penal Code, as amended, is hereby further amended to read as follows:

"ART. 125. *Delay in the delivery of detained persons.*—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 punishable by correctional penalties, or their equivalent; and eighteen hours, for crimes offenses punishable by afflictive or capital penalties, or their equivalent: *Provided, however,* that the President may, in the interest of national security and public order, authorize by Executive Order longer periods, which in no case shall exceed 30 days, or for as long as, in the determination of the President, the conspiracy to commit the crime against national security and public order continues or is being implemented, for the delivery of persons arrested for crimes or offenses against public order as defined in Title III, Book II of this Code, namely: Article 134, 136, 138, 139, 141, 142, 143, 144, 146 and 147, and for subversive acts in violation of Republic Act No. 1700, as amended by Presidential Decree No. 885, in whatever from such subversion may take; as well as for the attempt on, or conspiracy against, the life of the Chief Executive of the Republic of the Philippines, that of any member of his family, or against the life of any member of his Cabinet or that of any member of the latter's family; the kidnapping or detention, or, in any manner, the deprivation of the Chief Executive of the Republic of the Philippines, any member of his family, or any member of his Cabinet or members of the latter's family, of their liberty, or the attempt to do so; the crime of arson when committed by a syndicate or for offenses involving economic sabotage also when committed by a syndicate, taking into consideration the gravity of the offenses or acts committed, the number of persons arrested, the damage to the national economy or the degree of the threat to national security or to public safety and order, and/or the occurrence of a public calamity or other emergency situation