

[REPUBLIC ACT NO. 2632, June 18, 1960]

AN ACT TO AMEND ARTICLE THREE HUNDRED AND THIRTY-FIVE OF THE REVISED PENAL CODE. (Re rape)

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

SECTION 1. Article Three hundred and thirty-five of the Revised Penal Code is hereby amended to read as follows:

"ART. 335. *When and how rape is committed—Penalties.*—Rape is committed by having carnal knowledge of a woman under any of the following circumstances:

1. By using force or intimidation;
2. When the woman is deprived of reason or otherwise unconscious;
and
3. When the woman is under twelve years of age, even though neither of the circumstances mentioned in the two next preceding paragraphs shall be present:

The crime of rape shall be punished by *reclusión temporal*.

Whenever the crime of rape is committed with the use of a deadly weapon or by two or more persons, the penalty shall be imposed in its maximum period.

When by reason or on the occasion of the rape, a homicide is committed the penalty shall be *reclusión perpetua* to death.

When the rape is frustrated or attempted and a homicide is committed by reason or on the occasion thereof, the penalty shall be *reclusión perpetua*.

When by reason or on the occasion of the rape, the victim has become insane the penalty shall be likewise *reclusión perpetua*.

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