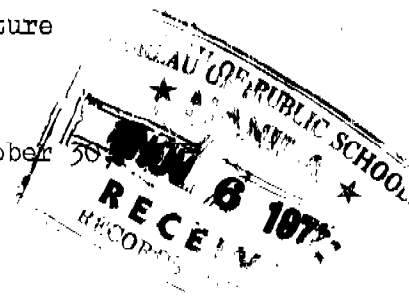


Republic of the Philippines
Department of Education and Culture
OFFICE OF THE SECRETARY
Manila

October 30, 1973



DEPARTMENT ORDER
No. 37, s. 1973

AMENDMENT TO ARTICLE 152 OF THE REVISED PENAL CODE

To All Bureau Directors
and Heads of Offices:

1. Enclosed is a copy of Presidential Decree No. 299, dated September 19, 1973, "Amending Article One Hundred Fifty-Two of Act Numbered Thirty Eight Hundred and Fifteen, as Amended, Entitled the Revised Penal Code."
2. The amendment provides that barrio captains and barangay chairmen shall also be deemed persons in authority and barrio councilmen, barrio policemen and barangay leaders, as well as any person who comes to the aid of persons in authority, agents of a person in authority.
3. Attention is invited to the last paragraph of Article 152 which states that: "In applying the provisions of Articles 148 and 151 of this Code, teachers, professors, and persons charged with the supervision of public or duly recognized private schools, colleges and universities, shall be deemed persons in authority." It is stressed that the above-quoted provision applies only when such teachers, professors, and school officials are victims in the crime of direct assault (Art. 148) or the crime of resistance and disobedience (Art. 151).
4. It is requested that the contents of this Department Order be disseminated immediately to all concerned.

(SGD) JUAN L. MANUEL
Secretary of Education and Culture

Encl.: As stated
/ttm

MALACAÑANG
Manila

PRESIDENTIAL DECREE NO. 299

AMENDING ARTICLE ONE HUNDRED FIFTY-TWO OF ACT NUMBERED THIRTY EIGHT HUNDRED AND FIFTEEN, AS AMENDED, ENTITLED THE REVISED PENAL CODE.

WHEREAS, barangays (citizens assemblies) have been created throughout the land to broaden the base of citizen participation in the democratic process and to afford ample opportunities for the citizenry to express their views on vital national issues;

WHEREAS, the responsibility for the successful operation of the various barangays (citizens assemblies) has been reposed on the barrio captains and council members in municipal districts, municipalities or chartered cities where there are barrios or on the barangay chairman and barangay leaders where there are no barrios existing;

WHEREAS, the barangay chairman and the barangay leaders as responsible officials of the barangay (citizen assembly) have been vested with same authority and/or responsibility as that of the barrio captain and the council members, respectively; and

WHEREAS, there is a need to safeguard their persons against harm or injury as not to hamper their movement while in the prosecution of the objectives of the barangays (citizens assemblies).

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution as Commander-in-Chief of all the Armed Forces of the Philippines, and pursuant to Proclamation No. 1081 dated September 22, 1972, as amended, and in order to effect the desired changes and reforms in the social, economic and political structures in our society, do hereby order and decree the amendment of Act No. 3815, as amended, as follows:

SECTION 1. Article one hundred and fifty-two of Act Numbered thirty-eight hundred and fifteen, as amended, 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 provisions of the preceding and other articles of this Code, any person directly vested with jurisdiction, whether as an individual or as member of some court or government corporation, board, or commission, shall be deemed a person in authority. A barrio captain and a barangay chairman shall also 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 barrio councilman, barrio policeman and barangay leader and any person who comes to the aid of persons in authority, shall be deemed an agent of a person in authority.

"In applying the provisions of Articles 148 and 151 of this Code, teachers, professors, and persons charged with the supervision of public or duly recognized private schools, colleges and universities, shall be deemed persons in authority."

SEC. 2. This Decree shall take effect immediately.

Done in the City of Manila, this 19th day of September, in the year of Our Lord, nineteen hundred and seventy-three.

(SGD) FERDINAND E. MARCOS
President of the Philippines

By the President:

(SGD) ROBERLO V. REYES
Acting Executive Secretary

