

[PRESIDENTIAL DECREE No. 1737, September 12, 1980]

AN ACT PROVIDING FOR THE PRESERVATION OF PUBLIC ORDER AND THE PROTECTION OF INDIVIDUAL RIGHTS AND LIBERTIES DURING PERIODS OF EMERGENCY AND EXERCISE OF EXTRAORDINARY EXECUTIVE POWERS

WHEREAS, it is recognized that the State exists for the individual and that it is the responsibility of government to protect his rights and liberties;

WHEREAS, the preservation of the State and the protection of the public order are the primordial concern of all citizens for in their absence their enjoyment of life, liberty and property is but an illusion;

WHEREAS, even in times of emergency the fundamental policy of government remains unaltered that the rights and liberties of the individual including his social and economic rights shall not only be preserved but enhanced.

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

SECTION 1. In these times of global stress and crises, when no state or nation sits undisturbed, and where, at any moment, anarchic and subversive forces may, by force and violence, overthrow and dismantle legitimate government, it is necessary and imperative that such powers of government be identified to reassure the people that their government is capable of discharging its responsibilities.

SEC. 2. Whenever in the judgment of the President/ Prime Minister there exist a grave emergency or a threat or imminence thereof, he may issue such orders as he may deem necessary to meet the emergency including but not limited to preventive detention, prohibiting the wearing of certain uniforms and emblems, restraining or restricting the movement and other activities of persons or entities with a view to preventing them from acting in a manner prejudicial to the national security or the maintenance of public order, directing the closure of subversive publications or other media of mass communications, banning or regulating the holding of entertainment or exhibitions detrimental to the national interest, controlling admission to educational institutions whose operations are found prejudicial to the national security, or authorizing the taking of measures to prevent any damage to the viability of the economic system. The violation of orders, issued by the President/Prime Minister pursuant to this Decree, unless the acts are punishable with higher penalties under the Anti-Subversive Act, the Revised Penal Code or other existing laws, shall be punishable by imprisonment for not less than thirty (30) days but not exceeding one (1) year.

The President/Prime Minister may authorize the Minister of National Defense to issue, in accordance with such regulations as he may prescribe, search warrants for the seizure of any document or property subject of the offense or used or intended to be used as the means of committing the offense pursuant to this section.

SEC. 3. The incumbent President/Prime Minister, any Cabinet member or any other public officer shall not be held responsible or liable in any civil, criminal or other