

# [ PRESIDENTIAL DECREE NO. 818, October 22, 1975 ]

## AMENDING ARTICLE 315 OF THE REVISED PENAL CODE BY INCREASING THE PENALTIES FOR ESTAFA COMMITTED BY MEANS OF BOUNCING CHECKS.

**WHEREAS**, reports received of late indicate an upsurge of estafa (swindling) cases committed by means of bouncing checks;

**WHEREAS**, if not checked at once, these criminal acts would erode the people's confidence in the use of negotiable instruments as a medium of commercial transaction and consequently result in the retardation of trade and commerce and the undermining of the banking system of the country;

**WHEREAS**, it is vitally necessary to arrest and curb the rise in this kind of estafa cases by increasing the existing penalties provided therefor;

**NOW, THEREFORE, I, FERDINAND E. MARCOS**, President of the Philippines, by virtue of the powers in me vested by the Constitution, do hereby decree as part of the law of the land the following amendment to Article 315 of the Revised Penal Code:

**SECTION 1.** Any person who shall defraud another by means of false pretenses or fraudulent acts as defined in paragraph 2(d) of Article 315 of the Revised Penal Code, as amended by Republic Act No. 4885, shall be punished by:

1st. The penalty of *reclusion temporal* if the amount of the fraud is over 12,000 pesos but does not exceed 22,000 pesos, and if such amount exceeds the latter sum, the penalty provided in this paragraph shall be imposed in its maximum period, adding one year for each additional 10,000 pesos but the total penalty which may be imposed shall in no case exceed thirty years. In such cases, and in connection with the accessory penalties which may be imposed under the Revised Penal Code, the penalty shall be termed *reclusion perpetua*:

2nd. The penalty of *prision mayor* in its maximum period, if the amount of the fraud is over 6,000 pesos but does not exceed 12,000 pesos;

3rd. The penalty of *prision mayor* in its medium period, if such amount is over 200 pesos but does not exceed 6,000 pesos; and,

4th. By *prision mayor* in its minimum period, if such amount does not exceed 200 pesos.

**SEC. 2.** This decree shall take effect immediately.

Done in the City of Manila, this 22nd day of October, in the year of our Lord, nineteen hundred and seventy-five.

(Sgd.) **FERDINAND E. MARCOS**  
President