

[REPUBLIC ACT NO. 4111, June 20, 1964]

AN ACT TO AMEND FURTHER 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 further 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 *reclusion perpetua*.

Whenever the crime of rape is committed with the use of a deadly weapon or by two or more persons, the penalty shall be *reclusion perpetua* to death.

When by reason or on the occasion of the rape, the victim has become insane the penalty shall be death.

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

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

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

Approved, June 20, 1964.



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