

[**REPUBLIC ACT NO. 1790, June 21, 1957**]

AN ACT TO AMEND ARTICLE THREE HUNDRED AND SIXTY-FIVE OF THE REVISED PENAL CODE. (RE PENALTY FOR RECKLESS IMPRUDENCE.)

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

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

"ART. 365. *Imprudence and negligence.*—Any person who, by reckless imprudence, shall commit any act which, had it been intentional, would constitute a grave felony, shall suffer the penalty of *arresto mayor* in its maximum period to *prision correccional* in its medium period; if it would have constituted a less grave felony, the penalty of *arresto mayor* in its minimum and medium periods shall be imposed; if it would have constituted a light felony, the penalty of *arresto menor* in its maximum period shall be imposed.

"Any person who, by simple imprudence or negligence, shall commit an act which would otherwise constitute a grave felony, shall suffer the penalty of *arresto mayor* in its medium and maximum periods; if it would have constituted a less serious felony, the penalty of *arresto mayor* in its minimum period shall be imposed. When the execution of the act covered by this article shall have only resulted in damage to the property of another, the offender shall be punished by a fine ranging from an amount equal to the value of said damages to three times such value, but which shall in no case be less than twenty-five pesos.

"A fine not exceeding two-hundred pesos and censure shall be imposed, upon any person who, by simple imprudence or negligence, shall cause some wrong which, if maliciously, would have constituted a light felony.

"In the imposition of these penalties, the courts shall exercise their sound discretion, without regard to the rules prescribed in Article sixty-four.

"The provisions contained in this article shall not be applicable:

"1. When the penalty provided for the offense is equal to or lower than those provided in the first two paragraphs of this article, in which case the courts shall impose the penalty next lower in degree than that which should be imposed in the period which they may deem proper to apply.

"2. When, by imprudence or negligence and with violation of the