

[REPUBLIC ACT NO. 1289, June 15, 1955]

**AN ACT TO AMEND ARTICLE THREE HUNDRED SIXTY OF THE
REVISED PENAL CODE BY AMENDING THE THIRD PARAGRAPH
THEREOF.**

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

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

"ART. 360. *Persons responsible*.—The person who shall publish, exhibit or cause the publication or exhibition of any defamation in writing or by similar means, shall be responsible for the same.

"The author or editor of a book or pamphlet, or the editor or business manager of a daily newspaper, magazine or serial publication, shall be responsible for the defamations contained therein to the same extent as if he were the author thereof.

"The criminal and civil action for damages in cases of written defamations as provided for in this chapter, shall be filed simultaneously or separately with the court of first instance of the province or city where any of the accused or any of the offended parties resides at the time of the commission of the offense: *Provided, however,* That where the libel is published, circulated, displayed, or exhibited in a province or city wherein neither the offended nor the offended party resides the civil and criminal actions may be brought in the court of first instance thereof: *Provided, further,* That the civil action shall be filed in the same court where the criminal action is filed and vice versa: *Provided, furthermore,* That the court where the criminal action or civil action for damages is first filed, shall acquire jurisdiction to the exclusion of other courts: *And provided, finally,* That this amendment shall not apply to cases of written defamations, the civil and/or criminal actions to which, have been filed in court at the time of the effectivity of this law.

"No criminal action for defamation which consists in the imputation of a crime which cannot be prosecuted *de officio* shall be brought except at the instance of and upon complaint expressly filed by the offended party."

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

Approved, June 15, 1955.
