

REPUBLIC ACT No. 6539

AN ACT PREVENTING AND PENALIZING CARNAPPING

Section 1. This Act shall be known and may be cited as the "*Anti-Carnapping Act of 1972.*"

Section 2. *Definition of terms.* The terms "carnapping", "motor vehicle", "defacing or tampering with", "repainting", "body-building", "remodeling", "dismantling", and "overhauling", as used in this Act, shall be understood, respectively, to mean

"Carnapping" is the taking, with intent to gain, of a motor vehicle belonging to another without the latter's consent, or by means of violence against or intimidation of persons, or by using force upon things.

"Motor vehicle" is any vehicle propelled by any power other than muscular power using the public highways, but excepting road rollers, trolley cars, street-sweepers, sprinklers, lawn mowers, bulldozers, graders, fork-lifts, amphibian trucks, and cranes if not used on public highways, vehicles, which run only on rails or tracks, and tractors, trailers and traction engines of all kinds used exclusively for agricultural purposes. Trailers having any number of wheels, when propelled or intended to be propelled by attachment to a motor vehicle, shall be classified as separate motor vehicle with no power rating.

"Defacing or tampering with" a serial number is the erasing, scratching, altering or changing of the original factory-inscribed serial number on the motor vehicle engine, engine block or chassis of any motor vehicle. Whenever any motor vehicle is found to have a serial number on its motor engine, engine block or chassis which is different from that which is listed in the records of the Bureau of Customs for motor vehicles imported into the Philippines, that motor vehicle shall be considered to have a defaced or tampered with serial number.

"Repainting" is changing the color of a motor vehicle by means of painting. There is repainting whenever the new color of a motor vehicle is different from its color as registered in the Land Transportation Commission.

"Body-building" is a job undertaken on a motor vehicle in order to replace its entire body with a new body.

"Remodeling" is the introduction of some changes in the shape or form of the body of the motor vehicle.

"Dismantling" is the tearing apart, piece by piece or part by part, of a motor vehicle.

"Overhauling" is the cleaning or repairing of the whole engine of a motor vehicle by separating the motor engine and its parts from the body of the motor vehicle.

Section 3. *Registration of motor vehicle engine, engine block and chassis.* Within one year after the approval of this Act, every owner or possessor of unregistered motor vehicle or parts thereof in knock down condition shall register with the Land Transportation Commission the motor vehicle engine, engine block and chassis in his name or in the name of the real owner who shall be readily available to answer any claim over the registered motor vehicle engine, engine block or chassis. Thereafter, all motor vehicle engines, engine blocks and chassis not registered with the Land Transportation Commission shall be considered as untaxed importation or coming from an illegal source or carnapped, and shall be confiscated in favor of the Government.

All owners of motor vehicles in all cities and municipalities are required to register their cars with the local police without paying any charges.

Section 4. *Permanent registry of motor vehicle engines, engine blocks and chassis.* The Land Transportation Commission shall keep a permanent registry of motor vehicle engines, engine blocks and chassis of all motor vehicles, specifying therein their type, make and serial numbers and stating therein the names and addresses of their present and previous owners. Copies of the registry and of all entries made thereon shall be furnished the Philippine Constabulary and all Land Transportation Commission regional, provincial and city branch offices: *Provided,* That all Land Transportation Commission regional, provincial and city branch offices are likewise obliged to furnish copies of all registration of motor vehicles to the main office and to the Philippine Constabulary.

Section 5. Registration of sale, transfer, conveyance, substitution or replacement of a motor vehicle engine, engine block or chassis. Every sale, transfer, conveyance, substitution or replacement of a motor vehicle engine, engine block or chassis of a motor vehicle shall be registered with the Land Transportation Commission. Motor vehicles assembled and rebuilt or repaired by replacement with motor vehicle engines, engine blocks and chassis not registered with the Land Transportation Commission shall not be issued certificates of registration and shall be considered as untaxed imported motor vehicles or motor vehicles carnapped or proceeding from illegal sources.

Section 6. *Original Registration of motor vehicles.* Any person seeking the original registration of a motor vehicle, whether that motor vehicle is newly assembled or rebuilt or acquired from a registered owner, shall within one week after the completion of the assembly or rebuilding job or the acquisition thereof from the registered owner, apply to the Philippine Constabulary for clearance of the motor vehicle for registration with the Land Transportation Commission. The Philippine Constabulary shall, upon receipt of the application, verify if the motor vehicle or its numbered parts are in the list of carnapped motor vehicles or stolen motor vehicle parts. If the motor vehicle or any of its numbered parts is not in that list, the Philippine Constabulary shall forthwith issue a certificate of clearance. Upon presentation of the certificate of clearance from the Philippine Constabulary and after verification of the registration of the motor vehicle engine, engine block and chassis in the permanent registry of motor vehicle engines, engine blocks and chassis, the Land Transportation Commission shall register the motor vehicle in accordance with existing laws, rules and regulations.

Section 7. *Duty of Collector of Customs to report arrival of imported motor vehicle, etc.* The Collector of Customs of a principal port of entry where an imported motor vehicle, motor vehicle engine, engine block chassis or body is unloaded, shall, within seven days after the arrival of the imported motor vehicle or any of its parts enumerated herein, make a report of the shipment to the Land Transportation Commission, specifying the make, type and serial numbers, if any, of the motor vehicle engine, engine block and chassis or body, and stating the names and addresses of the owner or consignee thereof. If the motor vehicle engine, engine block, chassis or body does not bear any serial number, the Collector of Customs concerned shall hold the motor vehicle engine, engine block, chassis or body until it is numbered by the Land Transportation Commission.

Section 8. *Duty of importers, distributors and sellers of motor vehicles to keep record of stocks.* Any person engaged in the importation, distribution, and buying and selling of motor vehicles, motor vehicle engines, engine blocks, chassis or body, shall keep a permanent record of his stocks, stating therein their type, make and serial numbers, and the names and addresses of the persons from whom they were acquired and the names and addresses of the persons to whom they were sold, and shall render an accurate monthly report of his transactions in motor vehicles to the Land Transportation Commission.

Section 9. Duty of manufacturers of engine blocks, chassis or body to cause numbering of engine blocks, chassis or body manufactured. Any person engaged in the manufacture of engine blocks, chassis or body shall cause the numbering of every engine block, chassis or body manufactured in a convenient and conspicuous part thereof which the Land Transportation Commission may direct for the purpose of uniformity and identification of the factory and shall submit to the Land Transportation Commission a monthly report of the manufacture and sale of engine blocks, chassis or body.

Section 10. *Clearance and permit required for assembly or rebuilding of motor vehicles.* Any person who shall undertake to assemble or rebuild or cause the assembly or rebuilding of a motor vehicle shall first secure a certificate of clearance from the Philippine Constabulary: *Provided,* That no such permit shall be issued unless the applicant shall present a statement under oath containing the type, make and serial numbers of the engine, chassis and body, if any, and the complete list of the spare parts of the motor vehicle to be assembled or rebuilt together with the names and addresses of the sources thereof.

In the case of motor vehicle engines to be mounted on motor boats, motor bancas and other light water vessels, the applicant shall secure a permit from the Philippine Coast Guard, which office shall in turn furnish the Land Transportation Commission the pertinent data concerning the motor vehicle engines including their type, make and serial numbers.

Section 11. Clearance required for shipment of motor vehicles, motor vehicle engines, engine blocks, chassis or body. Any person who owns or operates inter-island shipping or any water transportation with launches, boats, vessels or ships shall within seven days submit a report to the Philippine Constabulary on all motor vehicle, motor vehicle engines, engine blocks, chassis or bodies transported by it for the motor vehicle, motor vehicle engine, engine block, chassis or body to be loaded on board the launch, boat vessel or ship.

Section 12. *Defacing or tampering with serial numbers of motor vehicle engines, engine blocks and chassis.* It shall be unlawful for any person to deface or otherwise tamper with the original or registered serial number of motor vehicle engines, engine blocks and chassis.

Section 13. *Penal Provisions.* Any person who violates any provisions of this Act shall be punished with imprisonment for not less than two years nor more than six years and a fine equal in amount to the acquisition cost of the motor vehicle, motor vehicle engine or any other part involved in the violation: *Provided,* That if the person violating any provision of this Act is a juridical person, the penalty herein provided shall be imposed on its president or secretary and/or members of the board of directors or any of its officers and employees who may have directly participated in the violation.

Any government official or employee who directly commits the unlawful acts defined in this Act or is guilty of gross negligence of duty or connives with or permits the commission of any of the said unlawful act shall, in addition to the penalty prescribed in the preceding paragraph, be dismissed from the service with prejudice to his reinstatement and with disqualification from voting or being voted for in any election and from appointment to any public office.

Section 14. *Penalty for Carnapping.* Any person who is found guilty of carnapping, as this term is defined in Section two of this Act, shall, irrespective of the value of motor vehicle taken, be punished by imprisonment for not less than fourteen years and eight months and not more than seventeen years and four months, when the carnapping is committed without violence or intimidation of persons, or force upon things; and by imprisonment for not less than seventeen years and four months and not more than thirty years, when the carnapping is committed by means of violence against or intimidation of any person, or force upon things; and the penalty of life imprisonment to death shall be imposed when the owner, driver or occupant of the carnapped motor vehicle is killed in the commission of the carnapping.

Section 15. *Aliens.* Aliens convicted under the provisions of this Act shall be deported immediately after service of sentence without further proceedings by the Deportation Board.

Section 16. *Reward.* Any person who voluntarily gives information leading to the recovery of carnapped vehicles and for the conviction of the persons charged with carnapping shall be given as reward so much reward money as the Philippine Constabulary may fix. The Philippine Constabulary is authorized to include in its annual budget the amount necessary to carry out the purposes of this section. Any information given by informers shall be treated as confidential matter.

Section 17. *Separability clause.* If any provisions of this Act is declared invalid, the provisions thereof not affected by such declaration shall remain in force and effect.

Section 18. *Repealing clause.* All laws, executive orders, rules and regulations, or parts thereof, inconsistent with the provisions of this Act are hereby repealed or amended accordingly.

Section 19. *Effectivity.* This Act shall take effect upon its approval.

Approved: August 26, 1972