

EXECUTIVE ORDER NO. 214

FURTHER AMENDING ARTICLE 29 OF THE REVISED PENAL CODE, AS AMENDED

WHEREAS, Executive Order No. 59 dated November 7, 1986, as amended by Executive Order No. 191 dated June 10, 1987, repealed Presidential Decrees Nos. 1836, 1877 and 1877-A, and the rules, regulations and instructions issued to implement the aforesaid decrees;

WHEREAS, consistent with the foregoing, the exception of any detention by virtue of an arrest, search and seizure order (ASSO), from the rule in the last paragraph of Article 29 of the Revised Penal Code, as amended by Batas Pambansa Blg. 85, is deemed to have likewise been repealed impliedly;

WHEREAS, to erase any doubt, the express repeal of such exception is necessary;

NOW, THEREFORE, I, CORAZON C. AQUINO, President of the Philippines, do hereby order:

SECTION 1. Article twenty-nine of the Revised Penal Code, as amended, is hereby further amended to read as follows:

"ART. 29. Period of preventive imprisonment deducted from term of imprisonment. - Offenders or accused who have undergone preventive imprisonment shall be credited in the service of their sentence consisting of deprivation of liberty, with the full time during which they have undergone preventive imprisonment, if the detention prisoner agrees voluntarily in writing to abide by the same disciplinary rules imposed upon convicted prisoners except in the following cases:

1. When they are recidivists, or have been convicted previously twice or more times or any crime; and
2. When upon being summoned for the execution of their sentence they have failed to surrender voluntarily.

If the detention prisoner does not agree to abide by the same disciplinary rules imposed upon convicted

prisoners, he shall be credited in the service of his sentence with four-fifths of the time during which he has undergone preventive imprisonment.

Whenever an accused has undergone preventive imprisonment for a period equal to or more than the possible maximum imprisonment of the offense charged to which he may be sentenced and his case is not yet terminated, he shall be released immediately without prejudice to the continuation of the trial thereof or the proceeding on appeal, if the same is under review. In case the maximum penalty to which the accused may be sentenced is destierro, he shall be released after thirty (30) days of preventive imprisonment."

Done in the City of Manila, this 10th day of July in the year of Our Lord, nineteen hundred and eighty-seven.

Sp. Mag. B. Aquino

By the President:

J. P. Arroyo
JOKER P. ARROYO
Executive Secretary