

SYLLABUS FOR THE 2019 BAR EXAMINATIONS
CRIMINAL LAW

NOTE: This syllabus is an outline of the key topics that fall under the core subject “Criminal Law”. Accordingly, all Bar candidates should be guided that only laws, rules, issuances, and jurisprudence pertinent to these topics as of **June 30, 2018** are examinable materials within the coverage of the 2019 Bar Examinations.

I. REVISED PENAL CODE - BOOK I

- A. General principles
 - 1. *Mala in se* vs. *mala prohibita*
 - 2. Applicability and effectivity of the RPC
 - a. Generality
 - b. Territoriality
 - c. Prospectivity
 - 3. *Pro reo* principle
- B. Felonies
 - 1. Criminal liabilities and felonies
 - a. Grave vs. less grave vs. light felonies
 - b. *Aberratio ictus*, *error in personae*, and *praeter intentionem*
 - c. Impossible crime
 - d. Stages of execution
 - e. Continuing crimes
 - f. Complex crimes and composite crimes
 - 2. Circumstances affecting criminal liability
 - a. Justifying circumstances
 - b. Exempting circumstances
 - c. Mitigating circumstances
 - d. Aggravating circumstances
 - e. Alternative circumstances
 - f. Absolutory causes
 - 3. Persons liable and degree of participation
 - a. Principals, accomplices, and accessories
 - b. Conspiracy and proposal
- C. Penalties
 - 1. Penalties that may be imposed and retroactive effect of penal laws
 - 2. Classification
 - 3. Duration and effects
 - 4. Application
 - a. RPC provisions
 - b. Indeterminate Sentence Law (Act No. 4103)
 - c. Three-fold rule
 - d. Subsidiary imprisonment
 - 5. Graduation of penalties
 - 6. Accessory penalties
 - 7. Execution and service
 - a. RPC provisions
 - b. Probation Law (PD 968, as amended)
 - c. Juvenile Justice and Welfare Act (RA 9344, as amended)
- D. Extinction of criminal liability
- E. Civil liability in criminal cases

II. REVISED PENAL CODE - BOOK II

- A. Crimes against National Security and Laws of Nations

- B. Crimes against the Fundamental Law of the State
- C. Crimes against Public Order
- D. Crimes against Public Interest
- E. Crimes against Public Morals
- F. Crimes committed by Public Officers
- G. Crimes against Persons
- H. Crimes against Personal Liberty and Security
- I. Crimes against Property
- J. Crimes against Chastity
- K. Crimes against the Civil Status of Persons
- L. Crimes against Honor
- M. Quasi-offenses (or Criminal Negligence)

III. SPECIAL LAWS

Punishable acts and circumstances affecting criminal liability of the following:

- A. Anti-Arson Law (Secs. 1 to 5, PD 1613, as amended by PD 1744)
- B. Anti-Child Pornography Act of 2009 (Secs. 3[a-c], 4, and 5, RA 9775)
- C. Anti-Fencing Law of 1979 (Secs. 2 and 5, PD 1612)
- D. Anti-Graft and Corrupt Practices Act (Sec. 3, RA 3019, as amended)
- E. Anti-Hazing Act of 2018 (Secs. 2 and 3, RA 8049, as amended by RA 11053)
- F. Anti-Hijacking Law (Secs. 1 and 3, RA 6235)
- G. Anti-Photo and Video Voyeurism Act of 2009 (Secs. 3 [a, b, d, f] and 4, RA 9995)
- H. Anti-Plunder Act (Secs. 1 and 2, RA 7080, as amended by RA 7659)
- I. Anti-Sexual Harassment Act of 1995 (Sec. 3, RA 7877)
- J. Anti-Torture Act of 2009 (Secs. 3 [a, b], 4, and 5, RA 9745)
- K. Anti-Trafficking in Persons Act of 2003 (Secs. 3, 4, and 6, RA 9208, as amended)
- L. Anti-Violence Against Women and their Children Act of 2004 (Secs. 3, 5, and 26, RA 9262)
- M. Bouncing Checks Law (Sec. 1, BP 22)
- N. Comprehensive Dangerous Drugs Act of 2002 (Secs. 5, 11, 15, and 21, RA 9165, as amended by RA 10640)
- O. Comprehensive Firearms and Ammunition Regulation Act (Secs. 28 and 29, RA 10591)
- P. Cybercrime Prevention Act of 2012 (Secs. 4 to 6, RA 10175)
- Q. Human Security Act of 2007 (Secs. 3 to 6, RA 9372)
- R. New Anti-Carnapping Act of 2016 (Secs. 3 to 4, RA 10883)
- S. Obstruction of Justice Law (Sec. 1, PD 1829)
- T. Special Protection of Children Against Abuse, Exploitation, and Discrimination Act (Secs. 3[a], 5, and 10, RA 7610)

- NOTHING FOLLOWS -