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**The Official Gazette**

## **Presidential Decree No. 885, s. 1976**

Signed on [February 3, 1976](#)

**MALACAÑAN PALACE  
MANILA**

**PRESIDENTIAL DECREE No. 885**

**OUTLAWING SUBVERSIVE ORGANIZATIONS, PENALIZING MEMBERSHIP  
THEREIN AND FOR OTHER PURPOSES**

WHEREAS, there are certain associations or organizations in Republic of the Philippines, not covered by Republic Act No. 1700, which are seeking to overthrow the Government of the Republic of the Philippines or to dismember a portion thereof; and

WHEREAS, in order to protect the Government of the Republic of the Philippines and the people, it has become necessary to revise Republic Act No. 1700 to broaden its coverage;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines by virtue of the powers in me vested by the Constitution, do hereby decree as follows:

**Section 1.** Short Title This decree shall be known as the Revised Anti-Subversion Law.

**Section 2.** Subversive Associations and Organizations Any association, organization, political party, or group of persons organized for the purpose of overthrowing the Government of the Republic of the Philippines with the open or covert assistance and support of a foreign power by force, violence, deceit or other illegal means shall be considered and is hereby declared an illegal organization.

**Section 3.** Penalties

(a) Members. Whoever knowingly, wilfully and by overt act affiliates with, becomes or remains a member of a subversive associations or organization as defined in Section 2 hereof shall be punished by arresto mayor and shall be disqualified permanently from holding any public office, appointive or elective, and from exercising the right to vote; in case of a second conviction, the principal penalty shall be prison correccional; and in all subsequent convictions the penalty of prison mayor shall be imposed.

The following acts shall constitute prima facie evidence of membership in any subversive association:

1. Allowing himself to be listed as a member in any book or any of the lists, records, correspondence, or any other document of the organization;
2. Subjecting himself to the discipline of such association or organization in any form whatsoever;
3. Giving financial contribution to such association or organization in dues, assessments, loans, or in any other forms;
4. Executive order, plans or directives of any kind of such association or organization;
5. Acting as an agent, courier, messenger, correspondent, organizer, or in any other capacity, on behalf of such association or organization;
6. Conferring with officers or other members of such association or organization in furtherance of any plan or enterprise thereof;
7. Transmitting orders, directives, or plans of such association or organization orally or in writing or any other means of communication such as by signal, semaphore, sign or code;
8. Preparing documents, pamphlets, leaflets, books, or any other type of publication to promote the objectives and purposes of such association or organization;
9. Mailing, shipping, circulating, distributing, or delivering to other persons any material or propaganda of any kind on behalf of such association or organization;
10. Advising, counselling, or in other way giving instruction, information, suggestions, or recommendations to officers or members or to any other person to further the objectives of such association or organization;
11. Participating in any way in the activities, planning action, objectives, or purposes of such association or organization.

(b) Officers or Banking Leaders. If such member is an officer or a ranking leader of any subversive association or organization as defined in Section 2 hereof, or if such member takes up arms against the Government, he shall be punished by prison mayor to death with all the accessory penalties provided therefor in the Revised Penal Code.

(c) Deportation. Any alien convicted under this decree shall be deported immediately after he shall have served the sentence imposed upon him.

**Section 4. False Testimony** Any person who knowingly furnishes false evidence in any action brought under this decree shall be punished by prison correccional.

**Section 5. Sufficiency of Evidence** Except as provided in Section 7 hereof, the two-witness rule heretofore provided in Republic Act Numbered Seventeen hundred is hereby obrogated and the accused may be convicted on the testimony of one witness if sufficient under the rules of evidence, or on his confession given in open court.

**Section 6.** No Restriction of Thought Nothing in this decree shall be interpreted as a restriction on freedom of thought, or assembly and of association for purposes not contrary to law as guaranteed by the Constitution.

**Section 7.** Repealing Clause This decree supersedes Republic Act Numbered Seventeen Hundred, but acts committed in violation thereof and before the effectivity of this decree, shall be prosecuted and punished either in accordance with the provisions of the former Act. Nothing in this decree shall prevent prosecution of cases pending for violation of Republic Act Numbered Seventeen Hundred.

**Section 8.** Sequestration of Property The sequestration of the property of any person, natural or artificial, engaged in subversive activities against the Government and its duly activities against the Government and its duly constituted authorities, is hereby authorized, in accordance with implementing rules and regulations as may be issued by the Secretary of National Defense.

As used herein, the terms “sequester” and “sequestration” shall mean the seizure of private property or assets in the hands of any person or entity in order to prevent the utilization, transfer or conveyance of the same for purposes inimical to national security, or when necessary to protect the interest of the Government or any of its instrumentalities. It shall include the taking over and assumption of the management, control and operation of the private property or assets seized.

**Section 9.** Effectivity This decree shall take effect thirty days after its publication in the Official Gazette.

DONE in the City of Manila, this 3rd day of February, in the year of Our Lord, nineteen hundred and seventy-six.

(Sgd.) **FERDINAND E. MARCOS**

By the President:

(Sgd.) **JACOBO C. CLAVE**  
Presidential Executive Assistant

*Source:* **Malacañang Records Office**

**Ref.:** <https://www.officialgazette.gov.ph/1976/02/03/presidential-decree-no-885-s-1976/>

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REPUBLIC OF THE PHILIPPINES  
**Congress of the Philippines**  
Metro Manila

**REPUBLIC ACT No. 1700**

**AN ACT TO OUTLAW THE COMMUNIST PARTY OF THE PHILIPPINES AND  
SIMILAR ASSOCIATIONS, PENALIZING MEMBERSHIP THEREIN, AND FOR  
OTHER PURPOSES.**

WHEREAS, the Communist Party of the Philippines, although purportedly a political party, is in fact an organized conspiracy to overthrow the Government of the Republic of the Philippines not only by force and violence but also by deceit, subversion and other illegal means, for the purpose of establishing in the Philippines a totalitarian regime subject to alien domination and control;

WHEREAS, the continued existence and activities of the Communist Party of the Philippines constitutes a clear, present and grave danger to the security of the Philippines; and

WHEREAS, in the face of the organized, systematic and persistent subversion, national in scope but international in direction, posed by the Communist Party of the Philippines and its activities, there is urgent need for special legislation to cope with this continuing menace to the freedom and security of the country: Now, therefore,

**Section 1.** This Act shall be known as Anti-Subversion Act.

**Section 2.** The Congress hereby declares the Communist Party of the Philippines to be an organized conspiracy to overthrow the Government of the Republic of the Philippines for the purpose of establishing in the Philippines a totalitarian regime and place the Government under the control and domination of an alien power. The said party and any other organization having the same purpose and their successors are hereby declared illegal and outlawed.

**Section 3.** As used in this Act, the term "Communist Party of the Philippines" shall mean and include the organizations now known as the Communist Party of the Philippines and its military arm, the Hukbong Mapagpalaya ng Bayan, formerly known as HUKBALAHAPS, and any successors of such organizations.

**Section 4.** After the approval of this Act, whoever knowingly, willfully and by overt acts affiliates himself with, becomes or remains a member of the Communist Party of the Philippines and/or its successor or of any subversive association as defined in section two hereof shall be punished by the penalty of arresto mayor and shall be disqualified permanently from holding any public office, appointive and elective, and from exercising the right to vote; in case of a second conviction, the principal penalty shall be prison correctional, and in all subsequent convictions the penalty of prison mayor shall be imposed; and any alien convicted under this Act shall be deported immediately after he shall have served the sentence imposed upon him: *Provided*, That if such member is an officer or a ranking leader of the Communist Party of the Philippines or of any subversive association as defined in section two hereof, or if such member takes up arms against the Government, he shall be punished by prison mayor to death with all the accessory penalties provided therefor in the Revised Penal Code: And *provided, finally*, That one who conspires with any other person to overthrow the Government of the Republic of the Philippines or the government of any of its political subdivisions by force, violence, deceit, subversion or other illegal means, for the purpose of placing such Government or political subdivision under the control and domination of any alien power, shall be punished by prison correctional to prison mayor with all the accessory penalties provided therefor in the same Code.

**Section 5.** No prosecution under this Act shall be made unless the city or provincial fiscal, or any special attorney or prosecutor duly designated by the Secretary of Justice, as the case may be, finds after due investigation of the facts, that a prima facie case for violation of this Act exists against the accused, and thereafter presents an information in court against the said accused in due form, and certifies under oath that he has conducted a proper preliminary investigation thereof, with notice, whenever it is possible to give the same, to the party concerned, who shall have the right to be represented by counsel, to testify, to have compulsory process for obtaining witnesses in his favor, and to cross-examine witnesses against him: *Provided*, That the preliminary investigation of any offense defined and penalized herein by prison mayor to death shall be conducted by the proper Court of First Instance.

**Section 6.** Any person who knowingly furnishes false evidence in any action brought under this Act shall be punished by prison correctional.

**Section 7.** No person shall be convicted of any of the offenses penalized herein with prison mayor to death unless on the testimony of at least two witnesses to the same overt act or on confession of the accused in open court.

**Section 8.** Within thirty days after the approval of this Act, any person who is a member of the Communist Party of the Philippines or of any such association or conspiracy, who desires to renounce such membership, may do so in writing and under oath before a municipal or city mayor, a provincial governor, or a person authorized by law to administer oaths. Such renunciation shall exempt such person or persons from the penal sanction of this Act, but the same shall in no way exempt him from liability for criminal acts or for any violation of the existing laws of the Republic of the Philippines committed before this Act takes effect.

**Section 9.** Nothing in this Act shall be interpreted as a restriction to freedom of thought, of assembly and of association for purposes not contrary to law as guaranteed by the Constitution.

**Section 10.** This Act shall take effect upon its approval.

Approved: June 20, 1957

Ref.: [https://www.lawphil.net/statutes/repacts/ra1957/ra\\_1700\\_1957.html](https://www.lawphil.net/statutes/repacts/ra1957/ra_1700_1957.html)