

The New Bouncing Check Law

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The Article is a review of Batas Pambansa Blg. 22 or “An Act Penalizing the Making or Drawing and Issuance of a Check Without Sufficient Funds or Credit and for Other Purposes” (Anti-Bouncing Check Law). It begins by giving a summary of the historical facts that led to the enactment of the said law.

It also discusses the constitutionality of Batas Pambansa Blg. 22. By providing the related jurisprudence, the Article affirms the constitutionality of the said law against the questions regarding imprisonment for non-payment of debt, the “one-subject-one bill” rule, and double jeopardy.

After this, the Author starts his analysis of Batas Pambansa Blg. 22. In his analysis, he discusses the scope of the law, the offenses it penalizes, the respective elements of the said offenses, the persons liable for the commission of the offense, the possible offenses, the requirement of knowledge in committing the offense, and dishonor on other grounds.

The Author concludes by stating that while the law may minimize the issuance of worthless checks, it will definitely not eradicate the said practice. He also takes note of a loophole in the law that may be used by the usurers to compel their debtors to pay.