

SIXTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Second Regular Session)



'14 NOV 18 P1:44

SENATE
S. No. **2455**

RECEIVED BY: *[Signature]*

Introduced by Senator Miriam Defensor Santiago

AN ACT
STRENGTHENING REPUBLIC ACT NO. 7610, ALSO KNOWN AS THE SPECIAL
PROTECTION OF CHILDREN AGAINST ABUSE, EXPLOITATION AND
DISCRIMINATION ACT

EXPLANATORY NOTE

The Constitution, Article 15, Section 3, paragraph 2, provides:

Section 3. The State shall defend:

...

2. The right of children to assistance, including proper care and nutrition, and special protection from all forms of neglect, abuse, cruelty, exploitation and other conditions prejudicial to their development;

Republic Act No. 7610, also known as the Special Protection of Children Against Abuse, Exploitation and Discrimination Act, defines and penalizes child prostitution and other sexual abuse. However, according to Minette Rimando, a spokeswoman for the U.N.'S International Labour Organization's Manila office, an estimated 60,000 to 100,000 children in the Philippines were involved in prostitution rings in 2010.¹ This shows that despite the law, there is still a large number of prostituted children in the country.

It should be noted that R.A. No. 7610 does not specifically provide for the indemnification of child victims, instead, it leaves the determination of the fine to the court. The fine is then imposed and administered as a cash fund by the Department of

¹ <http://www.cnn.com/2010/WORLD/asiapcf/02/19/angeles.philippines/index.html>

Social Welfare and Development and disbursed for the rehabilitation of each child victim.

To serve as a deterrent to the proliferation of child prostitution in the Philippines, it is imperative for the State to impose stiffer penalties against those involved or engaged in child prostitution and child abuse. This bill therefore proposes to strengthen R.A. No. 7610 by providing a specific range for the fines to be imposed against the perpetrator of the crime, in addition to the penalty of incarceration.


MIRIAM DEFENSOR SANTIAGO
SP

SIXTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Second Regular Session)



14 NOV 18 P1:43

SENATE
S. No. 2455

RECEIVED BY: *J*

Introduced by Senator Miriam Defensor Santiago

Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:

1 AN ACT
2 STRENGTHENING REPUBLIC ACT NO. 7610, ALSO KNOWN AS THE SPECIAL
3 PROTECTION OF CHILDREN AGAINST ABUSE, EXPLOITATION AND
4 DISCRIMINATION ACT

5 SECTION 1. A new paragraph Section 5-A is hereby inserted after Section 5(c) of
6 Republic Act No. 7610, also known as the Special Protection of Children Against Abuse,
7 Exploitation and Discrimination Act, to read as follows:

8 "Section 5-A. *Additional penalties.* – Those found guilty of violating
9 any of the enumerated acts under the immediately preceding section, shall,
10 in addition to suffering incarceration, indemnify the victim with a fine of
11 not less than ₱500,000 and not more than ₱2,000,000, at the discretion of
12 the court. Provided, that those found guilty of lascivious conduct shall
13 indemnify the victim with a fine of not less than ₱300,000 and not more
14 than ₱500,000, at the discretion of the court."

15 SECTION 2. A new paragraph Section 6-A is hereby inserted after Section 6 of
16 Republic Act No. 7610, to read as follows:


17 "Section 6-A. *Additional penalty.* – Those found guilty of attempting
18 to commit child prostitution, as defined in the immediately preceding
19 section, shall, in addition to suffering incarceration, indemnify the victim

1 with a fine of not less than ₱125,000 and not more than ₱ 300,000, at the
2 discretion of the court.”

3 SECTION 2. *Repealing Clause.* - Any law, presidential decree or issuance,
4 executive order, letter of instruction, administrative order, rule or regulation contrary to
5 or inconsistent with, the provisions of this Act is hereby repealed, modified, or amended
6 accordingly.

7 SECTION 3. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after
8 its publication in at least two (2) newspapers of general circulation.

Approved,



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