



HOUSE OF REPRESENTATIVES

H. No. 6107

BY REPRESENTATIVES BELMONTE (V.), FERRER (J.), SEMA, BATAOIL AND
PAGDILAO, PER COMMITTEE REPORT NO. 864

AN ACT AUTHORIZING WIRE TAPPING IN CASES INVOLVING VIOLATIONS OF REPUBLIC ACT NO. 9165, OTHERWISE KNOWN AS THE "COMPREHENSIVE DANGEROUS DRUGS ACT OF 2002", AMENDING FOR THE PURPOSE SECTION 3 OF REPUBLIC ACT NO. 4200, ENTITLED "AN ACT TO PROHIBIT AND PENALIZE WIRE TAPPING AND OTHER RELATED VIOLATIONS OF THE PRIVACY OF COMMUNICATION, AND FOR OTHER PURPOSES"

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

1 SECTION 1. Section 3 of Republic Act No. 4200, entitled "An Act to
2 Prohibit and Penalize Wire Tapping and Other Related Violations of the
3 Privacy of Communication, and for Other Purposes", is hereby amended to
4 read as follows:

5 "SEC. 3. Nothing contained in this Act, however, shall
6 render it unlawful or punishable for any peace officer AND LAW
7 ENFORCER, who is authorized by a written order of the Court, to
8 execute any of the acts declared to be unlawful in the two
9 preceding sections in cases involving the crimes of treason,

1 espionage, provoking war and disloyalty in case of war, piracy,
2 mutiny in the high seas, rebellion, conspiracy and proposal to
3 commit rebellion, inciting to rebellion, sedition, conspiracy
4 to commit sedition, inciting to sedition, kidnapping as defined
5 by the Revised Penal Code, VIOLATIONS OF REPUBLIC ACT
6 NO. 9165, OTHERWISE KNOWN AS THE COMPREHENSIVE
7 DANGEROUS DRUGS ACT OF 2002, and violations of
8 Commonwealth Act No. 616, punishing espionage and other
9 offenses against national security: *Provided*, That such written
10 order shall only be issued or granted upon written application
11 and the examination under oath or affirmation of the applicant
12 and the witnesses he may produce and a showing: (1) that there
13 are reasonable grounds to believe that any of the crimes
14 enumerated hereinabove has been committed or is being
15 committed or is about to be committed: *Provided, however*,
16 That in cases involving the offenses of rebellion, conspiracy and
17 proposal to commit rebellion, inciting to rebellion, sedition,
18 conspiracy to commit sedition, and inciting to sedition, such
19 authority shall be granted only upon prior proof that a rebellion
20 or acts of sedition, as the case may be, have actually been or are
21 being committed; (2) that there are reasonable grounds to
22 believe that evidence will be obtained essential to the conviction
23 of any person for, or to the solution of, or to the prevention of,
24 any of such crimes; and (3) that there are no other means readily
25 available for obtaining such evidence.

26 "x x x

27 "The court referred to in this section shall be understood
28 to mean the [Court of First Instance] REGIONAL TRIAL COURT

1 within whose territorial jurisdiction the acts for which authority
2 is applied for are to be executed.”

3 SEC. 2. If any provision or part hereof is held invalid or
4 unconstitutional, the remainder of the law or the provision not otherwise
5 affected shall remain valid and subsisting.

6 SEC. 3. Section 3 of Republic Act No. 4200 and all other laws,
7 presidential decrees or issuances, executive orders, letters of instruction,
8 administrative orders, rules and regulations *contrary to or inconsistent with*
9 the provisions of this Act are hereby repealed, modified or amended
10 accordingly.

11 SEC. 4. This Act shall take effect fifteen (15) days after its complete
12 publication in at least two (2) newspapers of general circulation.

 Approved,

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