

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



'16 JAN 11 P3 47

SENATE
S. No. 3050

RECEIVED BY: *J.*

Introduced by Senator Miriam Defensor Santiago

AN ACT
DEFINING AND PENALIZING THE CRIMINAL INVASION OF PERSONAL
PRIVACY

EXPLANATORY NOTE

The Constitution, Article 2, Section 11, provides:

The State values the dignity of every human person and guarantees full respect for human rights.

Further, the Civil Code, Article 26, provides:

Every person shall respect the dignity, personality, privacy and peace of mind of his neighbors and other persons.

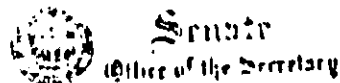
Privacy covers many things. It encompasses our right to self-determination and to define who we are. Although we live in a world of noisy self-confession, privacy allows us to keep certain facts to ourselves if we so choose. The right to privacy, it seems, is what makes us civilized. Privacy is a fundamental right. As such, it must be viewed differently than any ordinary economic good.

Criminal invasion of privacy immediately calls to mind the activity of snoopers and blackmailers who collect information about the personal lives of people for the purpose of extortion. This Bill is designed to make an 'invasion of privacy' a wrongful act and enables a person whose privacy has been invaded to sue the wrongdoer.¹

Miriam Defensor Santiago
MIRIAM DEFENSOR SANTIAGO
SP

¹ This bill was originally filed during the Fourteenth Congress, Second Regular Session.

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

- 1 SECTION 1. *Short Title.* – This Act shall be known as the “Personal Privacy Act.”
- 2 SECTION 2. *Criminal Invasion of Personal Privacy.* – Except as provided in
3 Section 2, a person commits the offense of invasion of personal privacy if the person
4 knowingly or purposely obtains or attempts to obtain personal or confidential information
5 about an individual while posing as the individual or someone in his confidence.
- 6 SECTION 3. *Exceptions.* – This Act shall not apply to a person who poses as
7 another individual with the express consent of that other individual.
- 8 SECTION 4. *Penalty Clause.* – Any violation of Section 2 of this Act shall be
9 punishable by *prision mayor* or a fine of not less than Fifteen Thousand Pesos
10 (P15,000.00), or both upon the discretion of the court.
- 11 SECTION 5. *Separability Clause.* – If any provision of this Act is held invalid or
12 unconstitutional, the same shall not affect the validity and effectivity of the other
13 provisions hereof.

1 SECTION 6. *Repealing Clause.* – All laws, decrees, orders, and issuances, or
2 portions thereof, which are inconsistent with the provisions of this Act, are hereby
3 repealed, amended or modified accordingly.

4 SECTION 7. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after
5 its publication in the *Official Gazette* or in two (2) newspapers of general circulation.

Approved,

/fmf26Nov2015