

THIRTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)

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SENATE
S.B. No. **1648**

RECEIVED BY: _____

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

The Constitution, Article 15, Section 3 (2), provides:

The State shall defend 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.

Many children, who run away from home fall prey to pornography and prostitution, suffer from a dependency on alcohol and drugs, and become juvenile offenders, have been victims of child abuse.

Disturbing increases have occurred in recent years in the number of children who are abused by persons who have previously committed crimes of child abuse.

Research has shown that child abuse tends to repeat itself, and many parents who abuse their children were once victims themselves. In recognition of the increase of cases of child abuse, the Department of Social Welfare and Development, other established government agencies and non-governmental organizations receive and maintain data relating to cases to cases of abuse. The purpose is to enable the government to use this information in its effort to mitigate the child abuse problem in the country.

However, there exists no centralized national source through which a law enforcement agency can obtain data relating to persons who have committed crimes of child abuse. Hence, this bill seeks to require government agencies and non-governmental organizations to register all offenders convicted of any acts involving child abuse with the Department of Justice.

Miriam Defensor Santiago
MIRIAM DEFENSOR SANTIAGO

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AN ACT
TO REQUIRE GOVERNMENT AGENCIES AND NON-GOVERNMENT AGENCIES TO
REGISTER ALL OFFENDERS CONVICTED OF ANY ACT INVOLVING CHILD ABUSE
WITH THE DEPARTMENT OF JUSTICE

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

SECTION 1. *Short Title.* – This Act shall be known as the “National Child Abuser Registration Act.”

SECTION 2. *Definitions.* – For purposes of this Act –

(1) the term “child” means a person who is a child for the purposes of pertinent criminal child abuse laws.

(2) the term “child abuse” means the physical, psychological, or emotional injuring, sexual abuse or exploitation, neglectful treatment, or maltreatment of a child by any person.

(3) the term “child abuser information” means the following facts concerning a person who has violated any criminal child abuse law. The facts shall contain the following:

(A) name, social security number, age, race, sex, date of birth, height, weight, hair and eye color, address of legal residence, and a brief description of the crime or crimes committed by the offender; and

(B) any other information that the National Bureau of Investigation and other related agencies determine may be useful in identifying child abusers.

SECTION 3. *Purposes.* – The purposes of this Act are –

(1) to establish a national system through which current, accurate information concerning persons who commit crimes of child abuse can be obtained from a centralized source;

(2) to assist in the prevention of second incidents of child abuse by providing information about persons who have been convicted of a crime of child abuse to organizations whose primary concern is that of child welfare and care;

(3) to understand the problem of child abuse by providing statistical and informational data to the Department of Justice, the Congress, and other interested parties.

SECTION 4. *Reporting by government agencies and non-government organizations.* –

(1) IN GENERAL – A child abuse information repository may report child abuser information to the Department of Justice.

(2) GUIDELINES – The Justice Secretary shall establish guidelines for the reporting of child abuser information, including procedures for carrying out the purposes of this Act.

(3) ANNUAL SUMMARY – The Secretary shall publish an annual statistical summary of the child abuser information, including procedures for carrying out the purposes of this Act.

SECTION 5. *Separability Clause.* – If any provision or part thereof, is held invalid or unconstitutional, the remainder of the law of the provision not otherwise affected shall remain valid and subsisting.

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

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

Approved.