

**EIGHTEENTH CONGRESS OF THE REPUBLIC
OF THE PHILIPPINES**
First Regular Session



Senate
Office of the Secretary

SENATE
S.B. NO. 1338

20 FEB 12 P 4:01

Introduced by Senator Maria Lourdes Nancy S. Binay

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**AN ACT
PUNISHING ANY PERSON WHO SHALL PROMOTE, FACILITATE, INDUCE
ANOTHER TO ENGAGE IN THE ACT OF PROSTITUTION AND PUNISHING
ANY PERSON WHO SHALL DERIVE MONEY OR PROFIT FROM
PROSTITUTION, PROVIDING PENALTIES THEREFOR, AND FOR OTHER
PURPOSES**

EXPLANATORY NOTE

Section 11 of Article II of the 1987 Constitution of the Republic of the Philippines provides:

"Section 11. The State values the dignity of every human, person and guarantees full respect for human rights."

The proposed law affirms that persons who are prostituted are victims, and tolerate vile acts against their person because of difficult economic and social condition in which they find themselves. In order to deter continued exploitation and degradation of human dignity, it is proposed that persons who promote, facilitate and induce prostitution should be held accountable and held liable under our penal laws. These are the so-called "pimps" or promoters of prostitutes who perpetuate violation of basic human right to dignity.

Similarly, acts which in the commission of acts of prostitution, such as knowingly deriving profit from unlawful acts of prostitution should likewise be punished.

In view of the foregoing, the passage of this bill is earnestly recommended.

MARIA LOURDES NANCY S. BINAY
Senator



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

Section 1. *Short Title.* – This Act shall be known as an "Act Punishing
Persons who Engage in the Promotion and Facilitation of Prostitution."

Sec. 2. *Unlawful Acts.* – It shall be unlawful for any person to:

(1) Engage in or promote, facilitate or induce prostitution which
include, but are not limited to, the following:

a. Acting as procurer of a prostitute;

b. Inducing a person to be a client of a prostitute by means of
written or oral advertisements or other similar means;

c. Threatening, using violence or intimidation, forcing, or in any
manner coercing, using undue influence to any person to
engage in prostitution;

1
2 (2) Knowingly derive profit or advantage from prostitution, whether as
3 manager or owner of the establishment where the prostitution
4 takes place, or of the sauna, disco, bar, resort, place of
5 entertainment or establishment serving as a cover or which
6 engages in prostitution in addition to the activity for which the
7 license has been issued to said establishment.

8
9 "Prostitution" for purposes of this Act shall mean, subjecting any person or
10 persons to habitually indulge in sexual intercourse or lascivious conduct, whether
11 or not for money or profit.

12
13 Sec. 3. *Penalty.* – Any person found violating this Act shall suffer the
14 penalty of prison mayor.

15
16 If the offended party is a person below eighteen (18) years of age or those over
17 but unable to fully take care of themselves or protect themselves from abuse,
18 neglect, cruelty, exploitation or discrimination because of a physical or mental
19 disability or condition, the provisions of Republic Act No. 7160, otherwise known
20 as the "Special Protection of Children Against Abuse, Exploitation and
21 Discrimination Act", shall apply.

22
23 Sec. 4. *Separability Clause.* – If for any reason, any section or part of this
24 Act is held unconstitutional or invalid, such parts not affected thereby shall
25 remain in full force and effect.

26
27 Sec. 5. *Repealing Clause.* – All laws, decrees, orders, rules and
28 regulations, other issuances, or parts thereof inconsistent with the provisions of
29 this Act are hereby repealed or modified accordingly.

1 Sec. 6. *Effectivity.* – This Act shall take effect fifteen (15) days after its
2 complete publication in at least two (2) newspapers of general circulation.

Approved,