



S E N A T E

S. No. 2209

(In substitution of SBNos. 1854 and 2068 taking into consideration SRNos. 201, 423, 434, 487, 604 and 642)

PREPARED BY THE COMMITTEES ON WOMEN, CHILDREN, FAMILY RELATIONS AND GENDER EQUALITY, SCIENCE AND TECHNOLOGY, AND FINANCE WITH SENATORS MARCOS, HONTIVEROS, DE LIMA, ANGARA, BINAY, PANGILINAN, REVILLA JR., GORDON, GATCHALIAN, VILLANUEVA, ZUBIRI, RECTO, DELA ROSA, CAYETANO, POE, VILLAR, PACQUIAO AND DRILON AS AUTHORS

AN ACT STRENGTHENING PROTECTIONS AGAINST ONLINE SEXUAL ABUSE AND EXPLOITATION OF CHILDREN, AMENDING FOR THIS PURPOSE REPUBLIC ACT NO. 9775 OR THE ANTI-CHILD PORNOGRAPHY ACT OF 2009; AMENDING FOR THIS PURPOSE REPUBLIC ACT NO. 9995, OR THE ANTI-PHOTO AND VIDEO VOYEURISM ACT OF 2009, PROVIDING PENALTIES FOR ITS VIOLATIONS, AND FOR OTHER PURPOSES

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

1

ARTICLE I

2

TITLE, POLICY, PRINCIPLES AND DEFINITION OF TERMS

1 SECTION 1. *Short Title.* – This Act shall be known as
2 the “Special Protections against Online Sexual Abuse and
3 Exploitation of Children (OSAEC) Law” or the “Anti-
4 OSAEC Law”.

5 SEC. 2. *Declaration of State Policy and Principles.* – It
6 is the policy of the State to provide special protections to
7 children from all forms of sexual violence, abuse and
8 exploitation especially those committed with the use of
9 information and communications technology, provide
10 sanctions for their commission and carry out programs for
11 the prevention, deterrence and intervention in all
12 situations of online sexual abuse and exploitation of
13 children. The State shall intervene on behalf of the child
14 when acts of online sexual abuse and exploitation are
15 committed by the parent, caregiver, guardian, teacher or
16 person having care or custody of the child. It is also the
17 policy of the State to protect, rehabilitate and assist in the
18 reintegration of children who have been victimized and
19 gravely affected by the violations committed against them

1 in a manner that is gender-responsive and age-
2 appropriate. Cultural sensitivity shall likewise be given
3 due consideration, insofar as it does not contradict the
4 primary aim of protecting women and children.

5 The State recognizes the vital role of information and
6 communications technology in the education, skills and
7 growth and development of Filipino children. The State
8 also recognizes the inherent right of children to freedom of
9 expression which includes the freedom to seek, receive, and
10 impart information and ideas of all kinds, regardless of
11 frontiers in accordance with the rights of a child declared
12 in the United Nations Convention on the Rights of the
13 Child. Further, the State is obligated to adopt the
14 protective measures provided in the signed Optional
15 Protocol to the UN Convention on the Rights of the Child
16 (UNCRC) on the Sale of Children, Child Prostitution, and
17 Child Pornography. Finally, the best interests of children
18 shall be the paramount consideration in all actions
19 concerning them whether undertaken by public or private
20 social welfare institutions, courts of law, executive

1 agencies, law enforcement agencies, local government
2 units, legislative bodies and private business enterprises
3 especially those related to the online safety and protection
4 of children.

5 SEC. 3. *Definition of Terms.* –

6 (a) *Child* – refers to a person below eighteen (18)
7 years of age or those over but are unable to fully take care
8 of themselves or protect themselves from abuse, neglect,
9 cruelty, exploitation or discrimination because of physical,
10 mental, intellectual or sensory disability or condition. For
11 the purposes of this Act, a child shall also refer to:

12 (1) A person regardless of age who is presented,
13 depicted or portrayed as a child as defined herein; and

14 (2) Computer-generated, digitally or manually crafted
15 images, or graphics of a person who is represented or who
16 is made to appear to be a child as defined herein.

17 (b) *Child Sexual Abuse* – refers to any form of
18 communication through any platform or format, or any
19 physical interaction between a child and any person when
20 the child is being used for any act or activity inducing

1 sexual stimulation or for the purpose of sexual
2 gratification, regardless of the consent of the victim;

3 (c) *Child Sexual Exploitation* – refers to child sexual
4 abuse and/or other sexualized acts using children that
5 involve an exchange of some kind, including, but not
6 limited to, money, affection, food, drugs, shelter,
7 protection, favor or influence. It occurs where an individual
8 or group takes advantage or attempts to take advantage of
9 an imbalance of power to coerce, manipulate or deceive a
10 child for sexual purposes or lewd designs, or into
11 participating in or witnessing a sexual activity, even if
12 consent appears to have been granted by the child;

13 (d) *Child Sexual Abuse and Exploitation Materials*
14 *(CSAEM)* – refers to any representation, whether offline,
15 or by, through, and with the use of information and
16 communications technology (ICT), whether visual, video,
17 audio, written, or any combination thereof, by electronic,
18 mechanical, digital, optical, magnetic, or any other means,
19 depicting acts of sexual abuse or exploitation;

1 (e) *Content data* – refers to the communication
2 content of the communication, the meaning or purport of
3 the communication, or the message or information being
4 conveyed by the communication, other than traffic data
5 and subscriber’s information;

6 (f) *Electronic money issuers* – entities issuing
7 electronic money supervised by the Bangko Sentral ng
8 Pilipinas (BSP);

9 (g) *Financial intermediaries* – entities that facilitate
10 financial transactions between two (2) parties, whether via
11 electronic means or over-the-counter;

12 (h) *Grooming* – refers to the act of adults preparing a
13 child or someone the adult believes to be a child, for sexual
14 activity, sexual relationship, romantic relationship, or the
15 production of any form of child sexual abuse or exploitation
16 material;

17 (i) *Image-based sexual abuse* – a form of technology-
18 facilitated sexual violence. The term describes a pattern of
19 behavior involving the nonconsensual creation,
20 distribution, or threats to distribute, nude or sexual

1 images. It includes a diversity of behaviors including, but
2 not limited to, “sextortion scams”, the use of artificial
3 intelligence to construct “deepfake” pornographic videos,
4 threats to distribute photographs and videos; and the
5 taking or sharing of sexual assault imagery;

6 (j) *Information and Communications Technology* –
7 shall mean the totality of electronic means to access,
8 create, collect, store, process, receive, transmit, present,
9 and disseminate information;

10 (k) *Internet café or kiosk* – refers to an establishment
11 or any place or venue that offers or proposes to offer
12 services to the public for the use of its computer/s or
13 computer system for the purpose of accessing the internet,
14 computer games or related activities, including non-formal
15 business establishments that provide internet or Wi-Fi, as
16 well as business establishments that provide internet or
17 Wi-Fi as a secondary or additional service such as hotels,
18 restaurants, and public spaces;

1 (l) *Internet hotspot* – refers to a physical location
2 where people may obtain internet access, typically using
3 Wi-Fi technology;

4 (m) *Internet intermediaries* – refers to a person or
5 entity that provides infrastructure, platforms, access to,
6 and host, transmit and index content, products and
7 services originated by third parties on the internet. It
8 includes among others:

9 (1) Internet Service Providers (ISPs);

10 (2) Data processing and web hosting providers
11 including domain name registrars;

12 (3) Internet search engines and portals;

13 (4) E-commerce intermediaries;

14 (5) Internet payment system providers; and

15 (6) Participative network platform providers/social
16 media intermediaries.

17 (n) *Internet payment system provider* – refers to
18 payment systems provided by banks, money service
19 business, credit card companies and other non-bank

1 institutions operating in the internet or any other
2 electronic means, whether supervised by the BSP or not;

3 (o) *Internet service provider* – refers to a public
4 telecommunication entity (PTE) or value-added service
5 (VAS) provider duly authorized by or registered with the
6 National Telecommunications Commission (NTC) that
7 provides users or other entities with data connection
8 allowing access to the internet through physical transport
9 infrastructure, and such access is necessary for internet
10 users to access content and services on the internet, and
11 for content providers to publish or distribute materials
12 online;

13 (p) *Online Sexual Abuse and Exploitation of Children*
14 – refers to the use of digital or analog communication, and
15 ICT, as a means to abuse and exploit children sexually,
16 which includes cases in which contact child abuse and/or
17 exploitation offline is combined with an online component.
18 This can also include, but is not limited to, the production,
19 dissemination and possession of CSAEM; online grooming
20 of children for sexual purposes; sexual extortion of

1 children, sharing image-based sexual abuse; commercial
2 sexual exploitation of children; exploitation of children
3 through online prostitution; and live-streaming of sexual
4 abuse, with or without the consent of the victim;

5 (q) *Pandering* – refers to the act of offering,
6 advertising, promoting, representing or distributing
7 through any means any child sexual abuse or exploitation
8 material, or any material that purports to contain any form
9 of child sexual abuse or exploitation material, regardless of
10 its actual content;

11 (r) *Participative network platform provider/social*
12 *media intermediary* – refers to any person or entity that
13 facilitates social communication and information exchange
14 which are based on online technologies such as web,
15 instant messaging, or mobile technologies, that enable
16 users to contribute to developing, rating, collaborating and
17 distributing internet content and developing and
18 customizing internet applications or to conduct social
19 networking. It may also refer to a person or an entity that
20 provides a platform or site for blogging, video-sharing,

1 picture-sharing, filesharing sites, online gaming or instant
2 messaging, among others;

3 (s) *Streaming* – refers to the viewing of the broadcast
4 of child sexual abuse and exploitation through the use of
5 ICT, whether the viewer is passively watching or actively
6 directing the explicit sexual activity committed against the
7 child victim: *Provided*, That it is considered as live-
8 streaming of child sexual abuse and exploitation when the
9 broadcast occurs in real time.

10 (t) *Subscriber information* – refers to any information
11 contained in the form of computer data or any other form
12 that is held by a service provider, relating to subscribers of
13 its services other than traffic or content data and by which
14 identity can be established, including:

15 (1) The type of communication service used, the
16 technical provisions taken in relation thereto and the
17 period of service;

18 (2) The identity, postal or geographic address,
19 telephone and other access numbers, assigned network
20 address, billing and payment information of the subscriber

1 that are available on the basis of the service agreement or
2 arrangement; and

3 (3) Any other available information on the site of the
4 installation of communication equipment, available on the
5 basis of the service agreement or arrangement.

6 (u) *Traffic Data or Non-Content Data* – refers to any
7 computer data other than the content of the
8 communication including the origin, destination, route,
9 time, date, size, duration, or type of communication of the
10 underlying service.

11 ARTICLE II

12 PUNISHABLE ACTS RELATED TO OSAEC

13 SEC. 4. *Unlawful or Prohibited Acts.* – Regardless of
14 the consent of the child, it shall be unlawful for any person
15 to commit the following acts through online means or
16 combined with an offline component:

17 (a) To hire, employ, use, persuade, induce, engage, or
18 coerce a child to perform or participate in whatever way in
19 the creation or production of any form of child sexual abuse

1 and exploitation material and any activity related to
2 OSAEC;

3 (b) To produce, direct, manufacture, facilitate, or
4 create any form of child sexual abuse and exploitation
5 material, or participate in the production, direction,
6 manufacture, facilitation or creation in the same;

7 (c) To knowingly publish, offer, transmit, sell,
8 distribute, broadcast, advertise, promote, export, or import
9 by any means, including the use of ICT, and the internet,
10 any form child sexual abuse and exploitation material;

11 (d) To possess any form of child sexual abuse and
12 exploitation material: *Provided*, That possession of three
13 (3) or more articles of child abuse and exploitation material
14 is *prima facie* evidence of the intent to sell, distribute,
15 publish or broadcast;

16 (e) To provide a venue for the commission of
17 prohibited acts under this section such as, but not limited
18 to, dens, private rooms, cubicles, cinemas, houses, private
19 homes, or other establishments;

1 (f) For film distributors, theaters and Information
2 and Communication Technology Services by themselves or
3 in cooperation with other entities, to distribute any form of
4 child sexual abuse and exploitation material or to facilitate
5 commission of OSAEC;

6 (g) For financial intermediaries, to allow its services
7 to be used for OSAEC;

8 (h) For a parent, guardian, primary caregiver, or
9 person having custody or control of a child to facilitate or
10 permit the child to engage, participate or assist in any
11 form of child sexual abuse and exploitation or in the
12 commission of OSAEC;

13 (i) For adults to engage in the grooming of a child,
14 which includes communicating by means of a computer
15 system or the internet or social media with the child for
16 the purposes of facilitating the commission of sexual
17 activity or romantic/sexual relationship or the production
18 of any form of CSAEM: *Provided*, That grooming taking
19 place offline as a prelude to violations under this Act shall
20 also be penalized;

1 (j) To engage in pandering of any form of CSAEM;

2 (k) To willfully access any form of CSAEM;

3 (l) To influence, recruit, transport, transfer, harbor,
4 provide, or receive a child by any means for the purpose of
5 committing OSAEC;

6 (m) To introduce or match for money, profit, or
7 material, economic or other consideration a child to a
8 foreign national or to any person for the purpose of
9 committing OSAEC;

10 (n) To advertise, publish, print, broadcast or
11 distribute, or cause the advertisement, publication,
12 printing, broadcasting or distribution by any means,
13 including the use of ICT and the internet, of any brochure,
14 flyer, or any material that promotes OSAEC;

15 (o) To stream or live-stream acts of, or any form of,
16 child sexual abuse and exploitation;

17 (p) To willfully subscribe to, join, donate to, or
18 support an internet address that hosts OSAEC or
19 streaming and/or live-streaming of child sexual abuse and
20 exploitation;

1 (q) To hire, employ or pay a facilitator to stream or
2 live stream child sexual abuse and exploitation;

3 (r) To produce, direct, manufacture, create or
4 facilitate the streaming or live-streaming of child sexual
5 exploitation;

6 (s) To knowingly benefit from, financial or otherwise,
7 the commission of OSAEC;

8 (t) To sexualize children by presenting them as
9 objects of sexual fantasy, or making them conversational
10 subjects of sexual fantasies, in any online or digital
11 platform;

12 (u) To attempt to commit any of the prohibited acts
13 stated in this section. Attempt to commit OSAEC shall be
14 committed when the offender commences the commission
15 of OSAEC directly or by overt acts, and does not perform
16 all the acts of execution which should produce the felony by
17 reason of some cause or accident other than his own
18 spontaneous desistance:

19 *Provided*, That the acts of online sexual abuse or
20 exploitation of children as defined in this Act shall be

1 without prejudice to appropriate investigation and
2 prosecution under Republic Act No. 9208 as amended, and
3 other related laws.

4 SEC. 5. Section 4 of Republic Act No. 9995 or the
5 “Anti-Photo and Video Voyeurism Act of 2009”, is hereby
6 amended as follows:

7 “Section 4. Prohibited Acts. – It is hereby
8 prohibited and declared unlawful for any
9 person:

10 “x x x

11 “The prohibition under paragraphs (b), (c)
12 and (d) shall apply notwithstanding that
13 consent to record or take photo or video
14 coverage of the same was given by such
15 person/s. FURTHER, WHEN THE PERSON/S
16 INVOLVED IN THE PROHIBITIONS
17 PROVIDED UNDER THIS LAW IS A CHILD,
18 CONSENT OF SUCH CHILD SHALL BE
19 IMMATERIAL AND MAY NOT BE USED AS
20 DEFENSE IN ANY OF THE PARAGRAPHS.

1 Any person who violates this provision shall be
2 liable for photo or video voyeurism as defined
3 herein.”

4 SEC. 6. *Syndicated OSAEC.* – The crime of OSAEC is
5 deemed committed by a syndicate if carried out by a group
6 of three (3) or more persons conspiring or confederating
7 with one another.

8 SEC. 7. *Large-scale OSAEC.* – If the crime was
9 committed against three (3) or more persons, it shall be
10 considered large-scale child sexual abuse or exploitation.

11 SEC. 8. *Safe Harbor Exception.* – Access, possession
12 and recording of any child sexual abuse and exploitation
13 material of any person for the purpose of reporting to
14 government authorities; legitimate investigation and
15 administration of the criminal justice system; and
16 legitimate policy, scholarly and academic purposes with
17 requisite ethical clearance, shall not be considered as a
18 violation of this Act.

19 SEC. 9. *Self-generated CSAEM.* – In cases of self-
20 generated CSAEM, the child producing the sexualized

1 materials shall be considered a victim and not an offender.
2 The child victim shall be accorded the necessary treatment
3 and services under this Act and in existing laws.

4 ARTICLE III

5 PROSECUTION AND INVESTIGATION OF CASES

6 SEC. 10. *Initiation of Investigation.* – Law
7 enforcement agencies are mandated to immediately
8 initiate investigation and counter-OSAEC-intelligence
9 gathering upon receipt of statements or affidavits from
10 victims of OSAEC, or their families, and other persons who
11 have knowledge or information about violations of this Act,
12 including the private sector.

13 Agencies that receive complaints of violations of this
14 law shall develop both online and face-to-face reporting
15 mechanisms that are gender-sensitive, age-appropriate
16 and culturally sensitive to children, especially girls.

17 In investigating violations of this Act involving the
18 use of the internet and other digital platforms, a law
19 enforcement officer may, upon a written order from the
20 regional trial court, track, intercept, view, monitor, surveil,

1 listen to, and record by technical or electronic means, any
2 communications, information or messages, including the
3 procurement of content data, transmitted by means of a
4 computer system involving at least one person reasonably
5 believed to have committed violations under this Act.

6 The Order shall only be issued or granted upon
7 written application of a law enforcement officer, who shall
8 be examined under oath or affirmation, and the witnesses
9 he or she may produce and the showing that (1) that there
10 are reasonable grounds to believe that any of the crimes
11 enumerated hereinabove has been committed, or is being
12 committed, or is about to be committed; (2) that there are
13 reasonable grounds to believe that evidence that will be
14 obtained is essential to the conviction of any person for, or
15 to the solution of, or to the prevention of, any such crimes;
16 and (3) that there are no other means readily available for
17 obtaining such evidence.

18 The Order shall only be effective for the length of
19 time determined by the court, which shall not exceed a
20 period of ten (10) days from its issuance. The court issuing

1 the Order may, upon motion, extend its effectivity based
2 only on justifiable reasons for a period not exceeding ten
3 (10) days from the expiration of the original period.

4 Victims of OSAEC who record the act of exploitation,
5 abuse or violence against him or her shall not be liable
6 under the provisions of Republic Act No. 4200, or the “Anti-
7 Wiretapping Act”, and Republic Act No. 10175, or the
8 “Cybercrime Prevention Act of 2012”.

9 SEC. 11. *Prosecution.* – Offenses punishable under
10 this Act are public crimes. Any person who has personal
11 knowledge of the commission of any offense under this Act,
12 such as the victim-survivor, the parents, spouse, siblings,
13 legal guardian, officer or social worker or representative of
14 a licensed child-caring institution, officer or social worker
15 of the Department of Social Welfare and Development
16 (DSWD), Philippine National Police (PNP) and National
17 Bureau of Investigation (NBI) officers, barangay
18 chairperson, at least three (3) concerned citizens where the
19 violation occurred, may file a complaint under this Act.

1 SEC. 12. *Venue.* – A criminal action arising from a
2 violation of this Act shall be filed where the offense was
3 committed, or where any of its elements occurred, or where
4 the victim-survivor actually resides at the time of the
5 commission of the offense: *Provided,* That the court where
6 the criminal action is first filed shall acquire jurisdiction to
7 the exclusion of other courts. Where the victim-survivor is
8 still a minor at the time of trial, the case shall be heard in
9 the chamber of the regional trial court duly designated as a
10 family court.

11 SEC. 13. *Affidavit of Desistance.* – Cases involving
12 OSAEC should not be dismissed based on the affidavit of
13 desistance executed by the victims or their parents or legal
14 guardians. Public and private prosecutors are directed to
15 vigorously oppose and manifest objections to motions for
16 dismissal. Attempts to unduly pressure the complainant to
17 execute an affidavit of desistance shall be punishable
18 under this Act.

19 SEC. 14. *Immediate Protection of Children Victims.* –
20 In cases involving a child, he or she shall immediately be

1 placed under the protective custody of the Department of
2 Social Welfare and Development (DSWD), pursuant to
3 Republic Act No. No. 7610. In the regular performance of
4 this function, the DSWD shall be free from any
5 administrative, civil or criminal liability. Custody
6 proceedings shall be in accordance with the provisions of
7 Presidential Decree No. 603.

8 The child and his or her family members shall be
9 entitled to protection as well as preferential entitlement to
10 the rights and benefits of witnesses under Republic Act No.
11 6981, otherwise known as “The Witness Protection,
12 Security and Benefit Act”: *Provided*, That the family
13 members possess all the qualifications and none of the
14 disqualifications under the said law.

15 The child shall also be considered as a victim of a
16 violent crime defined under Section 3(d) of Republic Act
17 No. 7309, otherwise known as “An Act Creating a Board of
18 Claims under the Department of Justice for Victims of
19 Unjust Imprisonment or Detention and Victims of Violent

1 Crimes and for Other Purposes”, so that the child may
2 claim compensation therein.

3 SEC. 15. *Referral Pathway for OSAEC Cases.* – There
4 shall be an organized and unified referral pathway for
5 reporting, detecting, investigating, prosecuting and
6 providing of aftercare assistance and support in OSAEC
7 cases. The National Coordinating Center against Online
8 Sexual Abuse and Exploitation of Children (NCC-OSAEC)
9 shall develop a system and set of gender-responsive, child-
10 friendly, victim-centered and trauma-informed protocols
11 for referring OSAEC cases and recording and maintaining
12 a unified database for the purpose of tracking and
13 updating the status and stages of investigation and
14 prosecution of the same, consistent with existing laws on
15 the protection of the welfare of children. The NCC-OSAEC
16 shall also develop a feedback mechanism for victim-
17 survivors who have accessed the services via this pathway.

18 SEC. 16. *Confidentiality.* – All records and
19 proceedings involving children from the initial contact
20 until the final disposition of the case shall be considered

1 privileged and confidential. The public shall be excluded
2 during the proceedings and the records shall not be
3 disclosed directly or indirectly to anyone by any of the
4 parties or the participants in the proceedings for any
5 purpose whatsoever. It is prohibited to divulge the name of
6 the child or any other information tending to establish his
7 or her identity. Where the testimony of the child is
8 necessary, it shall be taken in accordance with A.M.
9 No. 004-07-SC or the Rules on the Examination of the
10 Child Witness.

11 Any form of child sexual abuse or exploitation
12 material that is part of the court records shall be subject to
13 a protection order that provides as follows:

14 (a) Any form of child sexual abuse and exploitation
15 material may be viewed only by the parties, their counsel,
16 their expert witness, and guardian *ad litem*;

17 (b) Neither form of child sexual abuse and
18 exploitation material nor any portion thereof shall be
19 divulged to any other person, except as necessary for
20 investigation, prosecution, or trial;

1 (c) No person shall be granted access to any form of
2 child sexual abuse and exploitation material unless he or
3 she signs a written affirmation that he or she has read a
4 copy of the protection order; that he or she submits to the
5 jurisdiction of the court with respect to the protective
6 order; and that, in case of violation thereof, he or she will
7 be subject to the contempt power of the courts;

8 It shall be unlawful for any editor, publisher, reporter
9 or columnist in case of printed materials, announcer,
10 producer or social media influencer or content creator, in
11 case of television and radio broadcasting and digital media,
12 and producer and director of the film in case of the movie
13 industry, to cause any undue publicity that may result in
14 the further suffering of the child. Any person or agency
15 involved in the reporting, investigation or trial of cases
16 under this Act shall refrain from any act or statement that
17 may be construed as blaming the victim or placing
18 responsibility on the victim for the offense committed
19 against them.

1 SEC. 17. *Reasonable Accommodation for Children*
2 *with Disabilities.* – The Department of Justice (DOJ) and
3 the DSWD shall develop guidelines, within ninety (90)
4 days from finalization of the Implementing Rules and
5 Regulations of this Act and pursuant to the UN
6 Convention of the Rights of Persons with Disabilities, for
7 the provision, as far as practicable, of necessary and
8 appropriate modification and adjustments across all stages
9 of case management of OSAEC cases to ensure children
10 with disabilities will have access to justice.

11 The Supreme Court, in accordance with its rules and
12 the UN Convention on the Rights of Persons with
13 Disabilities, shall issue guidelines for the provision, as far
14 as practicable, of necessary and appropriate modification
15 and adjustments across all stages of case management of
16 OSAEC cases to ensure children with disabilities will have
17 access to justice.

18

ARTICLE III

19

DUTIES AND OBLIGATIONS OF THE PRIVATE SECTOR

1 SEC. 18. *Duties of Internet Intermediaries.* – Internet
2 intermediaries, including, but not limited to, internet
3 service providers, internet content hosts, participative
4 network platform providers/social media intermediaries,
5 financial intermediaries, electronic money issuers, as well
6 as any and all technologies, current or future, that give
7 access to, host, transmit and index content originated by
8 third parties or provide internet-based services to third
9 parties, shall prevent their facilities, infrastructure and
10 platforms from being utilized in violation of the provisions
11 of this Act, shall cooperate as far as practicable with law
12 enforcement authorities for the prosecution of offenders
13 and the preservation of evidence, including the provision of
14 subscriber information and/or traffic data of any person or
15 subscriber who has committed, is committing, or is
16 attempting to commit any violation of this Act upon formal
17 request of duly authorized law enforcement bodies with no
18 need of warrant and in accordance with due process, adopt
19 in their terms of service or service agreements with third-
20 party users or creators of content, products and services

1 the prohibition of any form of CSAEM or any conduct of
2 streaming or live-streaming of the same in the use of their
3 website, platform, server or facility, shall take measures as
4 far as practicable to immediately restrict access to, restrict
5 the streaming of, or take down, CSAEM, and shall adopt
6 and integrate child protection standards and settings in
7 their systems and processes.

8 (a) Duties of internet service providers (ISPs). All
9 ISPs shall:

10 (1) notify the PNP or the NBI within forty-eight (48)
11 hours from receipt of information that any form of child
12 sexual abuse or exploitation is being committed using its
13 server or facility, or is likely being committed using its
14 server or facility based on, among others, traffic analysis
15 and observed sudden surges in usage;

16 (2) block child sexual abuse or exploitation material
17 or the streaming or live-streaming of a child sexually
18 abused or exploited within twenty-four (24) hours from
19 receipt of notice containing sufficient information to
20 identify the content and its source: *Provided*, That if the

1 information contained in the notice points to a legitimate
2 website where the blocking thereof may result to blocking
3 of legitimate contents therein, the ISPs shall have the
4 obligation to inform the PNP or NBI within the same
5 period of such fact: *Provided, finally*, That failure of the
6 ISPs to block any form of child abuse and exploitation
7 materials or the streaming and/or live-streaming of child
8 sexual exploitation within twenty-four (24) hours from
9 receipt of notice as described above, shall be *prima facie*
10 evidence of knowledge, as punished under Section 4(c) of
11 this Act;

12 (3) notwithstanding the provisions of Republic Act
13 No. 10175 and in accordance with the provisions of
14 Republic Act No. 10173, furnish, upon the written request
15 of the PNP or the NBI, prosecutors, or the courts, with no
16 need of warrant, and in relation to a case of OSAEC
17 pending before their office, the subscriber information
18 and/or traffic data of any person who –

1 (i) gained or attempted to gain access to an internet
2 address or internet application containing any form of
3 child sexual abuse or exploitation materials,

4 (ii) or facilitated the commission of OSAEC;

5 (iii) or conducted the streaming or live-streaming of
6 child sexual abuse or exploitation:

7 *Provided*, That the issuance of warrant is required to
8 provide the authorities described above with content data;

9 (4) preserve for at least twelve (12) months extendible
10 by another six (6) months, or during the pendency of the
11 case, the relevant evidence in its possession for the purpose
12 of investigation and prosecution of OSAEC cases: *Provided*,
13 That ISPs shall maintain logs of each and every subscriber
14 and the IP address assigned to each and every subscribed
15 at a given date and time, and: *Provided, further*, That the
16 twelve-month period shall be reckoned from receipt of
17 notice containing sufficient information to identify the
18 content and its source;

19 (5) develop and adopt a set of systems and procedures
20 for preventing, blocking, detecting, and reporting of

1 OSAEC committed within their platforms, which are
2 compatible with the services and products they offer,
3 including the maintenance and management of an updated
4 list of uniform resource locators (URLs) containing child
5 sexual abuse and exploitation material by partnering with
6 organizations that maintain the most comprehensive list of
7 URLs with CSAEM, and those with hashes of the same,
8 such as the Internet Watch Foundation and/or INHOPE
9 hotline;

10 (6) adopt and integrate child protection standards in
11 their corporate governance practice and processes, such as
12 the Child Rights and Business Principles developed by the
13 UNICEF;

14 (7) establish high privacy setting as default safety
15 and privacy settings for children, and where practicable
16 and necessary, adopt age-verification controls and
17 protocols to restrict their access to materials within the
18 purview of Section 3(c)(iv) of Presidential Decree No. 1986;

1 (b) *Duties of participative network platform provider/
2 social media intermediary* – All participative network
3 platform provider/social media intermediary shall:

4 (1) not host any form of child sexual abuse or
5 exploitation materials or any conduct of streaming and/or
6 live-streaming of child sexual abuse or exploitation on its
7 internet address;

8 (2) notify the PNP or the NBI within forty-eight (48)
9 hours from receipt of information that any form of child
10 sexual abuse or exploitation is being committed using its
11 server or facility, or is likely being committed using its
12 server or facility: *Provided*, That in the case of foreign
13 service providers, reports filed in compliance with an
14 obligation to report CSAEM under the laws of their
15 jurisdiction shall be deemed compliance with this
16 provision;

17 (3) block and/or remove the existence of child sexual
18 abuse or exploitation material or the streaming or live-
19 streaming of a child sexually abused or exploited, within
20 twenty-four (24) hours from receipt of notice containing

1 sufficient information to identify the content and its
2 source: *Provided*, That failure of participative network
3 platform providers/social media intermediaries to block or
4 remove any form of child abuse and exploitation materials
5 or to block the streaming and/or live-streaming of child
6 sexual abuse or exploitation material within twenty-four
7 (24) hours from receipt of notice as described above shall be
8 *prima facie* evidence of knowledge, as punished under
9 Section 4(c) of this Act;

10 (4) notwithstanding the provisions of Republic Act
11 No. 10175, or the “Cybercrime Prevention Act of 2012” and
12 in accordance with the provisions of Republic Act No.
13 10173, or the “Data Privacy Act of 2012”, furnish upon the
14 written request of the PNP or the NBI, investigating
15 authorities, prosecutors, or the courts, with no need of
16 warrant, and in relation to a case of OSAEC pending
17 before their office, the subscriber information and/or traffic
18 data, of any person who –

1 (i) gained or attempted to gain access to an internet
2 address or internet application containing any form of
3 child sexual abuse or exploitation materials;

4 (ii) or facilitated the commission of OSAEC;

5 (iii) or conducted the streaming or live-streaming of
6 child sexual abuse or exploitation.

7 (5) preserve for at least six (6) months, or during the
8 pendency of the case, the relevant evidence in its
9 possession for the purpose of investigation and prosecution
10 of OSAEC cases: *Provided*, That the six month period is
11 reckoned from receipt of notice containing sufficient
12 information to identify the content and its source;

13 (6) develop and adopt a set of systems and procedures
14 for preventing, blocking, detecting, and reporting of
15 OSAEC committed within their platforms, which are
16 compatible with the services and products they offer,
17 including the maintenance and management of an updated
18 list of URLs containing child sexual abuse and exploitation
19 material by partnering with organizations that maintain
20 the most comprehensive list of URLs with CSAEM, and

1 those with hashes of the same, such as the Internet Watch
2 Foundation and/or INHOPE hotline;

3 (7) adopt and integrate child protection standards in
4 their corporate governance practice and processes, such as
5 the Child Rights and Business Principles developed by the
6 UNICEF;

7 (8) establish high privacy setting as default safety
8 and privacy settings for children, and where necessary,
9 adopt age-verification controls and protocols to restrict
10 their access to materials within the purview of Section
11 3(c)(iv) of Presidential Decree No. 1986;

12 (c) *Duties of internet payment system providers and*
13 *electronic money issuers* – In addition to the duties
14 specified for internet intermediaries as applicable to
15 internet payment system providers, any person who has
16 direct knowledge of any OSAEC financial activity shall
17 have the duty to report any suspected OSAEC-related
18 activity or transaction to the law enforcement agencies and
19 the Anti-Money Laundering Council (AMLC), within seven
20 (7) days from discovery thereof. The Department of the

1 Interior and Local Government (DILG) and AMLC shall
2 promulgate, within ninety (90) days from the effectivity of
3 this Act, the necessary rules and regulations for the
4 implementation of this provision.

5 (d) Within ninety (90) days from the finalization of
6 the Implementing Rules and Regulations (IRR) of this Act,
7 the Department of Information and Communications
8 Technology (DICT), through the National
9 Telecommunications Commission (NTC), shall promulgate
10 the necessary rules and regulations for the implementation
11 of this provision which shall include, among others, the
12 development and adaption of systems and procedure and
13 installation of technology or software that will block
14 websites containing OSAEC and streaming and/or
15 live-streaming of child sexual abuse and exploitation.

16 (e) Nothing in this section may be construed to
17 require internet intermediaries to engage in the
18 monitoring of any user, subscriber or customer, or the
19 content of any communication of any such person.

1 SEC. 19. *Duties of Owners and Operators of Internet*
2 *Cafes, Hotspots and Kiosks, Money Transfer and*
3 *Remittance Centers, Transport Services, Tourism*
4 *Enterprises, Malls, and Other Business Establishments*
5 *Open and Catering to the Public.* – These persons and
6 entities shall notify the PNP or the NBI, within forty-eight
7 (48) hours from obtaining facts and circumstances, that a
8 child sexual abuse or exploitation or OSAEC is being
9 committed within their premises: *Provided,* That there is a
10 *prima facie* knowledge by the owners/operators and owners
11 or lessors of other business establishments that a violation
12 of this Act is being committed in their premises. Internet
13 cafes, hotspots, and kiosks as well as establishments
14 offering Wi-Fi and other analogous services shall install
15 and update programs and software designed to detect
16 sexually explicit activities involving children, and ensure
17 that access to or transmittal of such materials will be
18 blocked or filtered. These establishments shall promote
19 awareness against OSAEC and trafficking in persons
20 through clear and visible signages in both English and the

1 local dialect, with local and national hotlines posted within
2 their facilities. Money transfer and remittance centers
3 shall require individuals transacting with them to present
4 valid government identification cards.

5 SEC. 20. *Non-applicability.* – The duties and
6 obligations of private entities as provided in this Act to
7 notify law enforcers, to preserve evidence and to provide
8 the necessary information requested by law enforcers,
9 prosecutors and other investigative bodies through proper
10 processes and performed in good faith shall not be
11 construed as a violation of Republic Act 10173, or the
12 “Data Privacy Act of 2012” and/or Republic Act 10175, or
13 the “Cybercrime Prevention Act of 2012”.

14 SEC. 21. *Effect of Mutual Legal Assistance Treaties.* –
15 In case there is an existing mutual legal assistance treaty
16 (MLAT) between the Philippines and the country of origin
17 of a foreign corporation subject to the provisions of this
18 Act, the MLAT shall apply and requests by law
19 enforcement treaties shall be coursed through the same.

20

ARTICLE IV

1 PENALTIES

2 SEC. 22. *Penalties.* – The following penalties and
3 sanctions are hereby established for the offenses
4 enumerated in this Act:

5 (a) Any person who violates Section 4, Section 6 and
6 Section 7 thereof shall suffer the penalty of life
7 imprisonment and a fine of not less than Two million pesos
8 (P2,000,000.00) but not more than Five million pesos
9 (P5,000,000.00): *Provided,* That if he or she is a
10 government employee he or she shall be held
11 administratively liable, without prejudice to criminal
12 liability under this Act. The concerned government official
13 or employee shall, upon conviction, be dismissed from the
14 service and be barred permanently to hold public office.
15 His or her retirement and other benefits shall likewise be
16 forfeited;

17 (b) Any person who violates Section 13 thereof shall
18 suffer the penalty of imprisonment of not less than six (6)
19 months to not more than six (6) years and a fine of not less
20 than Five hundred thousand pesos (P500,000.00) to not

1 more than One million pesos (P1,000,000.00): *Provided,*
2 That if he or she is a government employee he or she shall
3 be held administratively liable, without prejudice to
4 criminal liability under this Act. The concerned
5 government official or employee may, upon conviction, be
6 dismissed from the service and be barred permanently to
7 hold public office. His or her retirement and other benefits
8 shall likewise be forfeited;

9 (c) Any person who violates Section 16 thereof shall
10 suffer the penalty of imprisonment of not less than six (6)
11 months to not more than six (6) years and a fine of not less
12 than Five hundred thousand pesos (P500,000.00) to not
13 more than One million pesos (P1,000,000.00): *Provided,*
14 That if he or she is a government employee he or she shall
15 be held administratively liable, without prejudice to
16 criminal liability under this Act. The concerned
17 government official or employee may, upon conviction, be
18 dismissed from the service and be barred permanently to
19 hold public office. His or her retirement and other benefits
20 shall likewise be forfeited;

1 (d) Any person who violates Sections 18 and 19 of this
2 Act, shall suffer the penalty of a fine of not less than Two
3 million pesos (P2,000,000.00) but not more than Five
4 million pesos (P5,000,000.00) for the first offense. In case of
5 subsequent offense, the penalty of fine of not less than Five
6 million pesos (P5,000,000.00) but not more than Ten
7 million pesos (P10,000,000.00) and revocation of franchise
8 and license to operate. Without prejudice to the criminal
9 liability of the person or persons willfully refusing to
10 perform the responsibilities under Section 8 of this Act,
11 juridical persons owning or managing the aforementioned
12 enterprises shall be subsidiarily liable, and their license or
13 permit to operate may be revoked. Willful and intentional
14 violations of Sections 18 and 19 are subject to the penalties
15 under Section 4.

16 SEC. 23. *Child Offenders.* – In cases when the
17 offender is a child, the prosecution of the offense shall be in
18 accordance with the Juvenile Justice and Welfare Act of
19 2006 and he or she shall be accorded the appropriate
20 treatment and services under the said law.

1 SEC. 24. *Juridical Persons.* – If the offender is a
2 juridical person, the penalty shall be imposed upon the
3 owner, manager, partner, member of the board of directors
4 and/or any responsible officer who participated in the
5 commission of the crime or shall have knowingly permitted
6 or failed to prevent its commission.

7 SEC. 25. *Alien Offenders.* – If the offender is a
8 foreigner, he or she shall be immediately deported after
9 serving his or her sentence in the country and will be
10 permanently barred from reentering.

11 SEC. 26. *OSAEC Protection Trust Fund.* – All
12 proceeds of fines collected from the imposition of penalties
13 for violations of this Act shall form part of an OSAEC
14 Protection Trust Fund which shall be allocated for
15 programs on OSAEC and services provided to child victims
16 and administered by DSWD. This fund may also constitute
17 part of the budget of the NCC-OSAEC. In addition to the
18 penalty imposed for violations of this Act, the court shall
19 order the confiscation and forfeiture in favor of the
20 government of all the proceeds, tools and instruments used

1 in the commission of the crime, unless they are the
2 property of a third person not liable for the unlawful
3 act: *Provided, however,* That all awards for damages shall
4 be taken from the personal and separate properties of the
5 offender: *Provided, further,* That if such properties are
6 insufficient, the deficiency shall be taken from the
7 confiscated and forfeited proceeds, tools and instruments.

8 ARTICLE V

9 DUTIES AND OBLIGATIONS OF THE PUBLIC SECTOR

10 SEC. 27. *National Coordination Center against*

11 *OSAEC.* – There shall be a national coordination center
12 against OSAEC (NCC-OSAEC) lodged under the Inter-
13 Agency Council Against Trafficking (IACAT) formed under
14 Republic Act No. 9208 as amended. The IACAT shall
15 retain its composition and functions as provided under
16 Republic Act No. 9208 with the additional mandate of
17 addressing cases falling under this Act, and the addition of
18 the Secretary of the Department of Education and the
19 Secretary of the DICT as members of the IACAT. The
20 NCC-OSAEC, under the direction of the IACAT, shall

1 develop and implement the necessary programs that will
2 prevent commission of OSAEC, as well as protect, heal and
3 reintegrate the child into the mainstream of society. Such
4 programs shall include, but not be limited to, the following:

5 (a) Provision of mandatory services including
6 emergency shelter or appropriate housing including foster
7 care or kinship care arrangements, counseling, free legal
8 services, medical or psychological services, as well as
9 support services including community-based rehabilitation,
10 livelihood and skills training, educational assistance to the
11 child, sustained supervision and follow-through
12 mechanisms that will track the progress of recovery,
13 rehabilitation, and reintegration of the child;

14 (b) Sponsorship of a national research program on
15 OSAEC and the establishment of a data collection system
16 for monitoring and evaluation purposes;

17 (c) Development and implementation of a sustained,
18 gender-responsive and effective communication, education
19 and information campaigns at the national, local and
20 community levels using all forms of media, aimed at

1 promoting a working understanding of the law and
2 situating it in the larger context of women and children's
3 rights;

4 (d) Development of a monitoring and data collection
5 system or database, for purposes of ensuring efficient
6 collection and storage of data on all OSAEC cases,
7 including:

8 (1) the number of cases being investigated, submitted
9 for prosecution, dropped, filed and/or are pending before
10 the courts, as well as the number of convictions and
11 acquittals;

12 (2) the profile/information on each case;

13 (3) the number of victims of OSAEC referred to the
14 agency by countries/area and by area of origin; and

15 (4) disaggregated data on OSAEC victims and the
16 accused/defendants as to gender, age and nationality.

17 (e) Establishment of a point-of-contact and
18 coordination system with international organizations for
19 the receipt of cyber-tipline reports on CSAEM;

1 (f) Promotion of information, awareness and
2 education campaigns regarding safe and responsible use of
3 the internet in relation to OSAEC to educate the public,
4 including children.

5 SEC. 28. *Secretariat.* – The NCC-OSAEC shall have
6 its own Secretariat and shall be headed by an executive
7 director, who shall be appointed by the IACAT. The
8 executive director must have adequate knowledge on,
9 training and experience in the phenomenon of and issues
10 involved in OSAEC and in the field of law, law
11 enforcement, ICT, social work, and child protection. The
12 executive director shall be under the supervision of the
13 IACAT and shall perform the following functions:

- 14 (a) Act as administrative officer of its secretariat;
- 15 (b) Advise and assist the IACAT Chairs in
16 formulating and implementing the objectives, policies,
17 plans and programs of the NCC-OSAEC, including those
18 involving mobilization of government offices as well as
19 other relevant government offices, task forces, and
20 mechanisms;

1 (c) Oversee all operational activities;

2 (d) Provide assistance to law enforcement agencies in
3 the investigation and prosecution of OSAEC cases;

4 (e) Ensure the security of the database of OSAEC
5 cases;

6 (f) Ensure an effective and efficient performance of
7 functions and prompt implementation of objectives,
8 policies, plans and programs;

9 (g) Propose effective allocations of resources for
10 implementing objectives, policies, plans and programs;

11 (h) Submit periodic reports to the IACAT members on
12 the progress of objectives, policies, plans and programs;
13 and

14 (i) Perform other duties as the IACAT Chairs may
15 assign.

16 SEC. 29. *Local Governments.* – Local governments
17 shall pass an ordinance to localize efforts against OSAEC,
18 take account local culture and norms, institutionalize
19 community-based initiatives that address OSAEC at the
20 barangay level, establish OSAEC prevention programs

1 that aim to educate families against OSAEC, and provide a
2 holistic local program for rehabilitation and reintegration
3 under the local social welfare and development office,
4 including support and protection for victims and survivors.

5 SEC. 30. *Blacklisting of Alien OSAEC Offenders.* – In
6 coordination with the Department of Foreign Affairs
7 (DFA), the Bureau of Immigration (BI) and the DOJ shall
8 ensure that all convicted offenders of OSAEC or similar or
9 equivalent crimes in other jurisdictions, or those aliens
10 reported to or being monitored by Philippine law
11 enforcement authorities for conducting OSAEC activities
12 shall not be allowed entry in the Philippines. In addition to
13 its data system collection and database functions under
14 Section 28, the NCC-OSAEC shall create and maintain an
15 updated registry of blacklisted aliens based on the
16 information from DFA, BI and the DOJ.

17 SEC. 31. *Age Verification Protocols.* – All online
18 providers of adult content shall be required to adopt an
19 anonymous age verification process before granting access
20 to adult content. Not later than one (1) year after the

1 passage of this Act, the NTC shall complete a policy study
2 into age-verification controls and protocols by internet
3 intermediaries that may be put in place in order to restrict
4 the access of children to materials within the purview of
5 Section 3(c)(iv) of Presidential Decree No. 1986, with the
6 end in view of promulgating rules and regulations to this
7 effect. Said rules and regulations governing the adoption of
8 an anonymous age verification process shall be
9 promulgated not later than eighteen (18) months after the
10 passage of this Act. Nothing in this provision shall be
11 construed as an exemption to the provisions of Republic
12 Act No. 10173 or the “Data Privacy Act of 2012”.

13 ARTICLE VI

14 FINAL PROVISIONS

15 SEC. 32. *Creation of the OSAEC Offenders Registry.* –
16 An OSAEC offenders registry (“The Registry”) for both
17 Filipino nationals and foreigners shall be created
18 containing the following information of adult individuals
19 convicted of OSAEC and other sexual offenses against
20 children:

- 1 (a) name;
- 2 (b) address;
- 3 (c) employment;
- 4 (d) fingerprints;
- 5 (e) complete criminal history;
- 6 (f) recent photograph; and
- 7 (g) other relevant information necessary for the
- 8 proper registration of child sexual offenders.

9 The OSAEC offenders registry shall be lodged in the
10 NCC-OSAEC and shall be regularly updated and shared
11 with relevant national government authorities, and shall
12 also be linked to international law enforcement agencies.
13 In accordance with the provisions of the Data Privacy Act,
14 the NCC-OSAEC may release relevant information that is
15 necessary to protect the public from imminent danger
16 concerning a specific person required to register under this
17 section: *Provided*, That juvenile offenders shall not be
18 recorded in the registry.

1 SEC. 33. *Extra-territorial Jurisdiction.* – The
2 Philippines shall exercise jurisdiction over any act defined
3 and penalized under this Act, even if committed outside
4 the Philippines and whether or not such act or acts
5 constitute an offense at the place of commission, if the
6 offense, being a continuing offense:

7 (a) was commenced in the Philippines; or

8 (b) was committed in another country, and the
9 suspect or accused:

10 (1) Is a Filipino citizen;

11 (2) Is a permanent resident of the Philippines;

12 (3) Has committed the act against a citizen of the
13 Philippines.

14 No prosecution may be commenced against a person
15 under this section if a foreign government, in accordance
16 with jurisdiction recognized by the Philippines, has
17 prosecuted or is prosecuting such person for the conduct
18 constituting such offense, except upon the approval of the
19 Secretary of Justice.

1 SEC. 34. *Extradition and Mutual Legal Assistance.* –

2 The DOJ shall be the central authority for all requests for
3 extradition and mutual legal assistance in all legal
4 matters: *Provided*, That the government may surrender or
5 extradite person or persons accused or convicted of child
6 sexual abuse or exploitation in the Philippines pursuant to
7 the extradition law and applicable extradition treaty. For
8 this purpose, the DOJ shall make and receive requests for
9 mutual legal assistance in criminal matters from a foreign
10 State relative to the investigation or prosecution of, and/or
11 related criminal proceedings to, any form of child sexual
12 abuse or exploitation and execute or arrange for the
13 execution of such request for assistance. In case there is an
14 existing treaty on mutual legal assistance between the
15 Philippines and the requesting foreign State, the
16 provisions of that treaty shall apply.

17 SEC. 35. There is hereby created a Congressional
18 Oversight Committee composed of five (5) members from
19 the Senate of the Philippines and five (5) members from
20 the House of Representatives. The members of the Senate

1 shall be composed of the Senate Chairperson of the
2 Committee on Women, Children, Family Relations and
3 Gender Equality, and the remaining four (4) members
4 shall be appointed by the Senate President. The members
5 of the House of Representatives shall be composed of the
6 chairpersons of the Committees on Welfare of Children,
7 Revision of Laws, and Information and Communications
8 Technology, and the remaining two (2) members shall be
9 appointed by the Speaker of the House of Representatives.

10 The committee shall monitor and ensure the effective
11 implementation of this Act, recommend the necessary
12 remedial legislation or administrative measures and
13 perform such other duties and functions as may be
14 necessary to attain the objectives of this Act.

15 SEC. 38. *Implementing Rules and Regulations.* – The
16 members of the IACAT shall constitute itself as the IRR
17 Committee with the DSWD and the DOJ as the lead
18 agencies, and with the inclusion of the Department of
19 Education, DICT, DILG, Department of Tourism, National
20 Privacy Commission, NTC and the AMLC, and two (2) non-

1 government organizations on children's rights, to
2 promulgate rules and regulations of the effective
3 implementation of this Act. The IRR Committee shall
4 promulgate the rules and regulations within six (6) months
5 from the effectivity of this Act. Such rules and regulations
6 shall take effect upon their publication in two (2) national
7 newspapers of general circulation.

8 SEC. 37. *Appropriations.* – The amount of One
9 hundred million pesos (P100,000,000.00) is hereby
10 authorized to be appropriated in the General
11 Appropriations Act of the year following its enactment into
12 law for the initial organizations and operations of the
13 NCC-OSAEC. There is likewise established an Endowment
14 Fund which shall be self-sustaining and shall consist of
15 contributions, donations, grants, or loans from domestic
16 and foreign sources.

17 SEC. 38. *Separability Clause.* – If any provision of this
18 Act is declared invalid or unconstitutional, the remaining
19 provisions not affected thereby shall continue in full force
20 and effect.

1 SEC. 39. *Amending and Repealing Clause.* – All laws,
2 decrees, or rules inconsistent with the provisions of this
3 Acts are hereby repealed or modified accordingly. Section
4 4(c)1 of Republic Act No. 10175 is hereby repealed. All
5 cases involving violations of Republic Act No. 9775 that
6 have an online component shall be prosecuted under this
7 Act and shall be referred to the NCC-OSAEC. All cases
8 involving violations of Republic Act No. 9775 with no
9 online component shall be referred to the Inter-Agency
10 Council against Child Pornography (IACACP). The IACAT
11 may likewise refer to the NCC-OSAEC pending
12 investigations of violations of Republic Act No. 9208 as
13 amended, where OSAEC is involved.

14 SEC. 40. *Effectivity Clause.* – This Act shall take
15 effect upon completion of its publication in at least two (2)
16 national newspapers of general circulation.

Approved,