

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



23 MAY 29 A11 :44

SENATE
S. No. 2256

RECEIVED BY: _____

Introduced by Senator MARK A. VILLAR

**AN ACT
PROVIDING AN AMBER ALERT SYSTEM TO PREVENT KIDNAPPING OF
CHILDREN**

EXPLANATORY NOTE

An Amber alert system provides the public with immediate and up-to-date information regarding a missing or kidnapped child via widespread media broadcast on television, radio and wireless devices. This system was developed in order to involve the community members to search for the kidnapped child and suspect.

In the Philippines, kidnapping a minor is punishable by reclusion perpetua to death which is the highest penalty imposed of a crime. While there are existing laws on child security, a mechanism providing rapid response in kidnapping cases can help prevent such heinous act from happening.

This bill will provide a mechanism called the Amber Alert System that will quickly disseminate information in case of kidnapping or disappearances of a child who is at risk of death or serious injury. This bill will encourage public's participation in tracing the whereabouts of missing children and in identifying the perpetrators.

For this purpose, early passage of this bill is earnestly sought.

MARK A. VILLAR

23 MAY 29 A11 :45

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Introduced by Senator MARK A. VILLAR

**AN ACT
PROVIDING AN AMBER ALERT SYSTEM TO PREVENT KIDNAPPING OF
CHILDREN**

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

1 Section 1. *Short Title.* – This Act shall be known as the “*The Philippine Amber*
2 *Alert Act.*”

3 Sec 2. *Declaration of Policy.* – It is provided in the Constitution that the State
4 shall defend the right of children to special protection from all forms of neglect,
5 abuse, cruelty, exploitation and other conditions prejudicial to their development. In
6 the same vein, the United Nations General Assembly resolution on Declaration of the
7 Rights of the Child provides that the child shall in all circumstances be among the
8 first to receive protection and relief. The State, therefore, shall protect children from
9 kidnapping by providing a rapid response mechanism.

10 Sec. 3. *Definition of Terms.* – For purposes of this Act, the following terms
11 shall be defined as follows:

12 a. *Abducted and Missing child Broadcast Emergency Response (AMBER Alert*
13 *System* is a system that alerts the public regarding a missing or kidnapped
14 child;

15 b. *Child* refers to any individual below 18 years of age;

1 c. *Reporting agency* any law enforcement agency, broadcasting agency,
2 social platform, or other entity designated by the Department of the
3 Interior and Local Government (DILG) to receive reports of missing or
4 abducted children;

5 d. *Alert Coordinator* the person designated by the DILG to facilitate Amber
6 Alert activations and coordinate with participating law enforcement
7 agencies and broadcasters.

8 *Sec. 4. The Philippine Amber Alert System.* – The Philippine Alert System shall
9 be established and maintained by the DILG in cooperation and maintained by the
10 DILG in cooperation with other relevant government agencies, broadcast media
11 entities, and social media platforms. The Amber Alert system shall be designed to
12 quickly disseminate information about the kidnapping or disappearance of a child
13 who is at risk of death or serious injury.

14 The Amber Alert System shall be activated by the alert coordinator based on
15 specific criteria established under this Act. An Amber Alert may only be activated
16 after the following conditions have been met:

- 17 a. The abduction or kidnapping has been confirmed and the victim is a child;
18 b. The victim is at risk of serious bodily injury or death;
19 c. There is sufficient information available to disseminate to the public that
20 could assist in the recovery of the missing or abducted child;
21 d. The alert coordinator determines that activation of the Amber Alert is
22 necessary.

23 *Sec. 5. Criteria for Issuing an Amber Alert.* – The criteria for issuing an Amber
24 Alert shall be established by the DILG in consultation with relevant government
25 agencies, broadcasters, social media platforms, and child protection advocates. The
26 criteria shall include, but shall not be limited to the following:

- 27 a. The child is under 18 years of age;
28 b. There is reasonable belief that the child has been kidnapped and is in
29 danger of serious harm or death;
30 c. There is sufficient descriptive information of the child or abductor to assist
31 in the recovery of the child.

1 *Sec. 6. Implementation and Participation.* – Participating law enforcement
2 agencies, broadcasters, social media platforms, and other entities designated by the
3 DILG shall cooperate with the Alert Coordinator and other relevant authorities in the
4 rapid dissemination of Amber Alerts to the public. Broadcasters and social media
5 platforms shall, upon activation of an Amber Alert, immediately disseminate relevant
6 information to assist in the recovery of the missing or kidnapped child.

7 *Art. 7. Penalties.* – Any person who knowingly and falsely activates an Amber
8 Alert or who provides false information regarding the abduction or disappearance of
9 a child shall be penalized with imprisonment of not less than two years and not more
10 than six years and a fine of not less than five hundred thousand pesos (Php
11 500,000) and not more than one million pesos (Php1,000,000).

12 *Art. 8. Appropriations.* – The necessary amount to fund the implementation
13 and maintenance of the Philippine Amber Alert System shall be included in the
14 General Appropriations Act of the year following the passage of this Act.

15 *Sec. 9. Separability Clause.* – If any portion or provision of this Act is declared
16 unconstitutional or invalid, the portions or provisions which are not affected shall
17 continue to be in full force and effect.

18 *Sec. 10. Repealing Clause.* – All laws, presidential decrees, letters of
19 instructions, executive orders, rules and regulations insofar as they are inconsistent
20 with this Act, are hereby repealed or amended as the case may be.

21 *Sec. 11. Effectivity.* – This Act shall take effect after fifteen (15) days
22 following the completion of its publication either in the Official Gazette or in a
23 newspaper of general circulation in the Philippines.

Approved,