

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

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SENATE
S. No. **2358**

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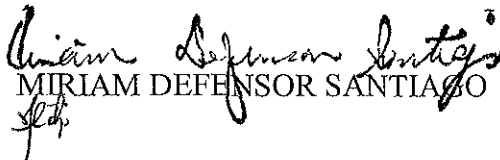
Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

The Constitution, Article 2, Section 24 states that the State recognizes the vital role of communication and information in nation-building. As we move further into the Information Age, more and more people are logging in to the information superhighway, more commonly known as the Internet. In a recent survey taken by Synovate¹ on urban areas across the Philippines,² it was shown that about 36% of Filipinos from these areas have Internet access while 41% have mobile phones with Internet access.

As Internet usage increases, the perils likewise increase. Viruses, scam sites and sites with undesirable contents proliferate on a daily basis. To protect our people, our government must do what it can to arm our Internet users with useful information to combat the dangers that are spread across the world wide web.

This bill seeks to establish an office that will spearhead the information campaign that will keep our Internet users abreast with the latest online technologies and arm them with the knowledge against the perils of the Internet.


MIRIAM DEFENSOR SANTIAGO

¹ Market research arm of Aegis Group Plc., a marketing services firm based in London

² Synovate's Nationwide Urban Media Atlas Survey 2007-2008 Wave 1

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SENATE
S. No. 2358

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Introduced by Senator Miriam Defensor Santiago

1 AN ACT
2 TO IMPROVE PUBLIC AWARENESS REGARDING SAFE USE OF THE INTERNET
3 THROUGH THE ESTABLISHMENT OF AN OFFICE OF INTERNET SAFETY AND
4 PUBLIC AWARENESS WITHIN THE NATIONAL TELECOMMUNICATIONS
5 COMMISSION

6 *Be it enacted by the Senate and the House of representatives of the Philippines in*
7 *Congress assembled:*

8 SECTION 1. *Short Title.* – This Act shall be known as the “Safeguarding Filipinos by
9 Enhancing and Reorganizing New and Efficient Technologies Act of 2008” or the “SAFER NET
10 Act.”

11 SECTION 2. *Declaration of Policy.* – The Constitution, Article 2, Section 24 states that
12 the State recognizes the vital role of communication and information in nation-building. The
13 State shall promote the safe and effective ways of using the internet as we head further into the
14 information age.

15 SECTION 3. *Definition of Terms.* – For purposes of this Act, the term:

16 (A) “Commission” means the National Telecommunications Commission;

17 (B) “Internet” means collectively the myriad of computer and telecommunications
18 facilities, including equipment and operating software, which comprise the
19 interconnected world-wide network of networks that employ the Transmission
20 Control Protocol/Internet Protocol, or any predecessor or successor protocols to such
21 protocol, to communicate information of all kinds by wire or radio;

22 (C) “Office” means the Office of Internet Safety and Public Awareness of the Federal
23 Trade Commission, established by section 3.

1 SECTION 4. *Establishment of the Office.* – The National Telecommunications
2 Commission shall establish an Office of Internet Safety and Public Awareness, which shall have
3 responsibility for programs and activities relating to increasing public awareness and providing
4 education regarding Internet safety.

5 SECTION 5. *Director.* – The Office shall be headed by a Director who shall be appointed
6 by the Commission.

7 SECTION 6. *Internet Safety.* – For purposes of this Act, the issue of Internet safety
8 includes issues regarding use of the Internet in a manner that promotes safe online activity,
9 including safe transactions involved in online commerce, and protects against threats to financial
10 information and privacy, threats from cyber-crime, and threats to juveniles, including cyber-
11 predators and material that is inappropriate for minors.

12 SECTION 7. *Duties.* –

13 (A) Activities- The Commission, acting through the Office, shall carry out a nationwide
14 program to increase public awareness and education regarding Internet safety, for families,
15 businesses, organizations, and other users, that utilizes existing resources and efforts of the
16 national and local governments, nonprofit organizations, private technology and financial
17 companies, Internet service providers, World Wide Web-based resources, and other appropriate
18 entities, that includes--

19 (1) evaluating Internet safety efforts and activities provided at various levels of
20 government and by other entities;

21 (2) improving efficiency of Internet safety efforts and activities, by eliminating
22 redundancy of efforts at various levels of government and other entities,
23 identifying, promoting, and expanding effective such efforts and activities and
24 coordinating among such efforts and activities;

25 (3) identifying, promoting, and encouraging best practices for Internet safety;

26 (4) establishing and carrying out a national outreach and education campaign
27 regarding Internet safety utilizing various media and Internet-based resources;

1 (5) serving as the primary contact in the national government, and as a national
2 clearinghouse, for information and public awareness efforts regarding Internet
3 safety;

4 (6) facilitating access to, and the exchange of, information regarding Internet
5 safety to promote up-to-date knowledge regarding current issues;

6 (7) providing expert advice and consultation to the Commission regarding Internet
7 safety issues; and

8 (8) providing assistance, including technical assistance and financial assistance
9 under subsection (B), units of local government, schools, police departments, non-
10 profit organizations, and such other entities as the Office considers appropriate to
11 promote Internet safety education and public awareness.

12 (B) Grants and Contracts-

13 (1) In carrying out this subsection, the Commission, acting through the Office,
14 may make grants, to the extent amounts are provided in advance in appropriation
15 Acts for such grants, to, and enter into cooperative agreements, contracts, and
16 interagency agreements with units of local government, schools, police
17 departments, non-profit organizations, and such other public and private agencies,
18 entities, and organizations as the Office considers appropriate.

19 (2) The Commission, acting through the Office, shall provide for evaluations of
20 projects and activities carried out with financial assistance provided under
21 paragraph (1) of this subsection and for the dissemination of information
22 developed as a result of such projects.

23 SECTION 8. *Annual Reports.* – The Commission, acting through the Office, shall submit
24 a report not later than March 31 of each year that--

25 (A) describes the activities of the Office during the preceding calendar year;

26 (B) contains any evaluations performed pursuant to Section (7)(B)(2) for any
27 projects and activities carried out during the preceding calendar with assistance
28 under Section (7)(B)(1);

1 (C) describes and analyzes the current state, as of the preparation of such report,
2 of Internet safety, existing and emerging threats to Internet safety, and costs to the
3 Philippine economy resulting from preventing, responding to, eliminating, and
4 otherwise dealing with threats to Internet safety.

5 SECTION 9. *Appropriations.* – To carry out the provisions of this Act, such amount as
6 hereby necessary is hereby authorized to be appropriated from the National Treasury.

7 SECTION 10. *Separability Clause.* – If any provision or part hereof, is held invalid or
8 unconstitutional, the remainder of the law or the provision not otherwise affected shall remain
9 valid and subsisting.

10 SECTION 11. *Repealing Clause.* – Any law, presidential decree or issuance, executive
11 order, letter of instruction, administrative order, rule or regulation contrary to or is inconsistent
12 with the provision of this Act is hereby repealed, modified, or amended accordingly.

13 SECTION 12. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its
14 publication in at least two (2) newspapers of general circulation.

15 Approved,