

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



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SENATE
S.B. No. 950

RECEIVED BY: 

Introduced by Senator **SONNY ANGARA**

AN ACT
AUTHORIZING WIRE TAPPING IN CASES INVOLVING VIOLATIONS OF REPUBLIC ACT
NO. 9165, OTHERWISE KNOWN AS THE "COMPREHENSIVE DANGEROUS DRUGS ACT
OF 2002", AMENDING FOR THE PURPOSE SECTION 3 OF REPUBLIC ACT NO. 4200,
ENTITLED "AN ACT TO PROHIBIT AND PENALIZE WIRE TAPPING AND OTHER
RELATED VIOLATIONS OF THE PRIVACY OF COMMUNICATION, AND FOR OTHER
PURPOSES"

EXPLANATORY NOTE

The crisis on illegal drugs continues to plague the country and its development by persistently perverting the youth and other individuals through abuse and addiction to these substances that destroy not only their health, but also their aspirations for the future. According to the Dangerous Drugs Board (DDB), there are approximately 1.7 million illegal drug users in the country as of 2012 that causes 1,700 deaths annually due to their drug abuse.

Throughout the Philippines, close to 8,700 barangays are affected by the problem on illegal drugs based from the Philippine Drug Enforcement Agency (PDEA). Worse, the United Nations (UN) 2015 World Drug Report has observed a new trend of African-produced methamphetamine being smuggled into the Philippines through its airports for subsequent distribution in Southeast Asia, which in effect makes the country as a transshipment site for illegal drugs in the ASEAN region.

It is apparent that the problem on illicit drugs has amplified as it now causes the rapid decay of our country and its reputation globally. This proposed measure aims to authorize wiretapping in cases involving violations of Republic Act No. 9165, otherwise known as the Comprehensive Dangerous Drugs Act of 2002 to effectively crackdown on drug traffickers and dealers.

Considering the assistance of this proposed legislation would provide to law enforcement authorities in promptly apprehending and solving cases of drug dealing and/or trafficking individuals and groups, an immediate passage of this measure is earnestly sought.


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

SECTION 1. Section 3 of Republic Act No. 4200, entitled "An Act to Prohibit and Penalize Wire Tapping and Other Related Violations of the Privacy of Communication, and for Other Purposes", is hereby amended to read as follows:

"SEC. 3. Nothing contained in this Act, however, shall render it unlawful or punishable for any peace officer AND LAW ENFORCER, who is authorized by a written order of the Court, to execute any of the acts declared to be unlawful in the two preceding sections in cases involving the crimes of treason, espionage, provoking war and disloyalty in case of war, piracy, mutiny in the high seas, rebellion, conspiracy and proposal to commit rebellion, inciting to rebellion, sedition, conspiracy to commit sedition, inciting to sedition, kidnapping as defined by the Revised Penal Code, VIOLATIONS OF REPUBLIC ACT No. 9165, OTHERWISE KNOWN AS THE COMPREHENSIVE DANGEROUS DRUGS ACT OF 2002, and violations of Commonwealth Act No. 616, punishing espionage and other offenses against national security: Provided, That such written order shall only be issued or granted upon written application and the examination under oath or affirmation of the applicant and the witnesses he may produce and a showing: (1) that there are reasonable grounds to believe that any of the crimes enumerated hereinabove has been committed or is being committed or is about to be committed: Provided, however, That in cases involving the offenses of rebellion. Conspiracy and proposal to commit rebellion, inciting to rebellion. sedition, conspiracy to commit sedition, and inciting to sedition, such authority shall be granted only upon prior proof that a rebellion or acts of sedition, as the case may be, have actually been or are being committed; (2) that there are reasonable grounds to believe that evidence will be obtained essential to the

conviction of any person for, or to the solution of, or to the prevention of, any of such crimes; and (3) that there are no other means readily available for obtaining such evidence.

"x x x

"The court referred to in this section shall be understood to mean the [Court of First Instance] REGIONAL TRIAL COURT within whose territorial jurisdiction the acts for which authority is applied for are to be executed."

SEC. 2. If any provision or part hereof is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

SEC. 3. Section 3 of Republic Act No. 4200 and all other laws, presidential decrees or issuances, executive orders, letters of instruction, administrative orders, rules and regulations contrary to or inconsistent with the provisions of this Act are hereby repealed, modified or amended accordingly.

SEC. 4. This Act shall take effect fifteen (15) days after its complete publication in at least two (2) newspapers of general circulation.

Approved,