

SENATE
Senate Bill No. 1956

'18 AUG 29 P4:16

Introduced by **SENATOR LACSON**

RECEIVED



AN ACT AMENDING CERTAIN PROVISIONS OF REPUBLIC ACT NO. 9372, OTHERWISE KNOWN AS "AN ACT TO SECURE THE STATE AND PROTECT OUR PEOPLE FROM TERRORISM"

EXPLANATORY NOTE

Republic Act No. 9372, otherwise known as the Human Security Act of 2007 which is the primary law of the Philippines in its fight against terrorism may be said to have been prompted by the simultaneous terrorist attacks that happened in the cities of Makati, Davao and General Santos on February 14, 2005.¹ On that fateful day, three (3) blasts took the life of at least nine (9) innocent and unsuspecting people and injured at least a hundred more. The Abu Sayyaf Group claimed responsibility for such explosions and referred to them as the group's "Valentine's gift" to the government. It had since been infamously tagged as the "Valentine's Day Bombing".²

Ten years after the passage of the Human Security Act in 2007, the law has become a dead letter law as it has not been properly and efficiently implemented. In the previous year alone, at least four (4) terror attacks transpired in the country, such as the pirate attack of a Vietnamese vessel MV Giang Hai near Baguan Island in Tawi-Tawi that killed one (1) and abducted (7) seven individuals; the explosion of a grenade outside a Catholic church in Mindanao that wounded sixteen (16) persons on Christmas Eve; the explosion in a crowded market in Davao City that killed fourteen (14) people and wounded seven (7) more; and the killing of fifteen (15) Filipino soldiers by the Abu Sayyaf Group.³ Despite all these attacks, no conviction has yet been made under the existing law.

In fact, what may be called as the first application of the Human Security Act of 2007 happened only on September 7, 2015, when the Regional Trial Court (RTC) of Isabela City in Basilan proscribed the Abu Sayyaf Group as a terrorist organization.

The Global Terror Index has already ranked the Philippines as 12th most affected country in 2017. More recently, the occupation of Marawi City by the Maute Group, which revealed the many loopholes of the current anti-terrorism law, has given us more reasons to take such ranking seriously.

Thus, this bill is being proposed to correct the gaps in the existing law that prevents the law itself from being properly implemented by the law enforcers.

¹ Sponsorship speech of Sen. Manny Villar, 10/12/2005

² <http://news.bbc.co.uk/2/hi/asia-pacific/4264227.stm>

³ <https://frontera.net/news/asia/the-five-biggest-philippine-terrorist-attacks-under-duterte/>

- a. The inclusion of a new section that contains a definition of terms used in the Bill.
- b. One of the terms defined and penalized in this Bill is "Foreign Terrorists", which includes not only those persons who travel to a State other than their state of residence for the purpose of committing or organizing terrorist acts, but also those individuals residing abroad who come to the Philippines in transit to commit or participate in the perpetration of terrorist acts to target countries.
- c. Instead of using the term "Terrorism", the Bill proposes to use the term "Terrorist Acts", which are made punishable under this proposed legislation.
- d. The main innovation of this proposal pertains to the definition of "Terrorist Acts", which removes the requirement of the acts being perpetrated for the purpose of coercing the government to give in to a specific demand. This has the effect of punishing the act of committing crimes that sow widespread extraordinary fear and panic, and not the purpose behind the commission of such acts.
- e. The Bill expressly provides that the Terrorist Acts defined in the law shall not cover legitimate exercises of the freedom of expression and right to peaceably assemble, including but not limited to engaging in advocacy, protest, dissent or mass action where a person does not have the intention to use or urge the use of force or violence or cause harm to others.
- f. The addition of three (3) predicate crimes to the existing twelve (12) on the definition of terrorism, namely:
 - i. RA 9208 (Anti-Trafficking in Persons Act of 2003, as amended);
 - ii. RA 9165 (Comprehensive Dangerous Act of 2002); and
 - iii. RA 10175 (Cybercrime Prevention Act of 2012).

It also includes other analogous acts which tend to cause death or serious bodily injury, or intend to cause risk to the health, safety or security of the public, or intend to seriously interfere with, disrupt or destroy critical infrastructure, or the use of weapons of mass destruction, proscribed under any of the relevant treaties and conventions which the Philippines is a State Party.

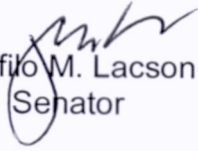
- g. In addition to penalizing the commission of terrorist acts, the proposal likewise penalizes the crime of conspiracy to commit terrorist acts, proposal to commit terrorist acts, and inciting to commit terrorist acts to which the penalty of life imprisonment without the benefit of parole is imposed.
- h. Aside from recruitment, the Bill also punishes voluntary membership in a terrorist organization.
- i. The Bill includes the accessory penalty of perpetual disqualification to hold public office and forfeiture of retirement benefits for any public officer who is found guilty of any of the terrorist acts punishable under this proposal.
- j. Concurrent jurisdiction of the Court of Appeals and the Regional Trial Court which has territorial jurisdiction over the area where the suspected persons or group of persons are located in the issuance of a Judicial Authorization for surveillance.

- k. The application for judicial authorization to conduct surveillance on any suspected person may be applied by law enforcement or military personnel duly authorized in writing by the Anti-Terrorism Commission (ATC).
- l. The Bill removed the requirement for law enforcement or military officials to notify the suspect that a surveillance is being conducted, and the judicial authorization issued authorizes the conduct of a surveillance for a period not to exceed ninety (90) days.
- m. An actual or reasonable belief of imminent terrorist attack gives the ATC the authority to file an *ex-parte* application before the CA or the RTC to instruct the Department of Information and Communications Technology (DICT) to compel the telecom and internet service providers to produce all customer information and call and text data records of any person suspected of the terrorist attacks defined in this Bill.
- n. The Bill allows for the detention of the a suspect for a period of up to thirty (30) days even without a valid warrant of arrest provided that the detention was a result of the surveillance defined in the Bill.
- o. The Bill expressly provides that access to any information gathered through surveillance shall be limited to the applicants, duly authorized personnel of the ATC, the hearing justices or judge, clerk of court, and duly authorized personnel of the hearing or issuing court.
- P. The amount of damages for false prosecution has been left to the discretion of the court but shall not be less than Fifty Thousand Pesos (Php 50,000). The Bill also expressly provides that the government shall be solidarily liable with the law enforcers, military personnel, and other persons who caused the false accusation against the claimant.
- q. The Bill transforms the current Anti-Terror Council into a Commission attached to the Office of the President for purposes of policy coordination. It shall be headed by the Executive Secretary as the chairperson, and four (4) Commissioners to be appointed by the President.
- r. In addition to the existing functions of the ATC, the Commission created under this Bill shall also have the power to:
 - i. Monitor the progress of the investigation and prosecution of all persons accused and/or detained for the Terrorist Crimes defined herein;
 - ii. Enlist the assistance of and file the appropriate action with the Anti-Money Laundering Council to freeze and forfeit the funds, bank deposits, placements, trust accounts, assets and property of whatever kind and nature belonging to persons suspected of terrorist acts; members of proscribed and outlawed terrorist organization; designated persons defined under RA 10168; individual member of such designated persons; and any person proscribed under the Money Laundering Act of 2001, and amended.
 - iii. Establish and maintain coordination with and the cooperation and assistance of other states, jurisdictions, international entities and organizations in preventing and combatting international terrorism;

- iv. Take action on relevant resolutions issued by the United Nations Security Council acting under Chapter VII of the UN Charter; and consistent with the national interest, take action on foreign requests to designate terrorist, individuals, associations, organizations or group of persons;
 - v. Take measures to prevent terrorists from acquiring weapons of mass destruction such as, but not limited to the imposition of economic and financial sanctions and import restrictions;
 - vi. Lead in the formulation and implementation of a national strategic plan to prevent and combat terrorism;
 - vii. Require other government agencies, offices and entities and officers and employees to render assistance to the Commission in the performance of the Commission's mandates;
 - viii. Require non-government organizations, private entities and private individuals to render assistance to the Commission in the performance of its mandate when public interest and safety so requires;
 - ix. Establish and provide the guidelines for the operation of Regional Anti-Terrorism Coordinating Councils;
 - x. Investigate *motu proprio* or upon complaint any report of abuse, malicious application or improper implementation by any person of the provisions of this Act; and
 - xi. Define its organizational structure and staffing pattern for approval of congress, upon the endorsement of the President. In the interim, the National Intelligence Coordinating Agency (NICA) shall serve as the Commission's Secretariat.
- s. The Bill includes a provision requiring the Department of Education (DepEd), Commission on Higher Education (CHED), and Technical Education and Skills Development Authority (TESDA) to promulgate rules and regulations to promote peace and inclusivity in schools, learning and training institutions under their respective jurisdictions. Any school, learning center and training institutions found to be promoting or encouraging acts of violence, extremism, terrorist acts or any act prohibited by this Bill shall have its license revoked and shall immediately cease operation.

While an anti-terror law in itself cannot solve the problem of terrorism, an intensified one can however give the government and the law enforcement agencies the much needed tool in dealing with the emerging threats of terrorism.

It is for this reason that the passage of this bill is earnestly sought.

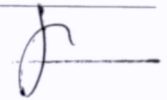

Panfilo M. Lacson
Senator

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1 **AN ACT AMENDING CERTAIN PROVISIONS OF REPUBLIC ACT NO. 9372, OTHERWISE**
2 **KNOWN AS "AN ACT TO SECURE THE STATE AND PROTECT OUR PEOPLE FROM**
3 **TERRORISM."**

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

6
7 SECTION 1. *Short Title.* - This Act shall henceforth be known as the ["Human Security Act
8 of 2007."] "**ANTI-TERRORISM ACT OF 2018.**"

9
10 SEC. 2. *Declaration of Policy.* - It is declared a policy of the State to protect life, liberty,
11 and property from acts of terrorism, to condemn terrorism as inimical and dangerous to
12 the national security of the country and to the welfare of the people, and to make terrorism
13 a crime against the Filipino people, against humanity, and against the law of nations.

14
15 In the implementation of the policy stated above, the State shall uphold the basic rights
16 and fundamental liberties of the people as enshrined in the Constitution.

17
18 [The State recognizes that the fight against terrorism requires a comprehensive approach,
19 comprising political, economic, diplomatic, military, and legal means duly taking into
20 account the root causes of terrorism without acknowledging these as justifications for
21 terrorist and/or criminal activities. Such measures shall include conflict management and
22 post-conflict peace-building, addressing the roots of conflict by building state capacity and
23 promoting equitable economic development.

24
25 Nothing in this Act shall be interpreted as a curtailment, restriction or diminution of
26 constitutionally recognized powers of the executive branch of the government. It is to be
27 understood, however that the exercise of the constitutionally recognized powers of the

1 executive department of the government shall not prejudice respect for human rights which
2 shall be absolute and protected at all times.]

3
4 **SEC. 3. DEFINITION OF TERMS. - AS USED IN THIS ACT:**

5
6 (A) "CONSPIRACY" EXISTS WHEN TWO OR MORE PERSONS COME TO AN
7 AGREEMENT CONCERNING THE COMMISSION OF THE CRIMES DEFINED
8 AND PENALIZED IN SECTIONS 4, 5, 6, 7, 8, 9, and 10 HEREOF, AND DECIDE
9 TO COMMIT THE SAME;

10
11 (B) "CRITICAL INFRASTRUCTURE" REFERS TO AN ASSET OR SYSTEM WHICH IS
12 ESSENTIAL FOR THE MAINTENANCE OF VITAL SOCIETAL FUNCTIONS. IT
13 MAY INCLUDE, BUT IS NOT LIMITED TO, COMMUNICATIONS, EMERGENCY
14 SERVICES, GAS, ENERGY, DAMS, FINANCE, FOOD, PUBLIC SERVICES,
15 INDUSTRY, HEALTH, TRANSPORT, RADIO AND TELEVISION, INFORMATION
16 TECHNOLOGY, COMMERCIAL FACILITIES, CHEMICAL AND NUCLEAR
17 SECTORS, AND WATER;

18
19 (C) "FOREIGN TERRORISTS" ARE ANY PERSONS WHO TRAVEL TO A STATE
20 OTHER THAN THEIR STATES OF RESIDENCE OR NATIONALITY FOR THE
21 PURPOSE OF PERPETRATING, PLANNING, OR PREPARING FOR, OR
22 PARTICIPATING IN, TERRORIST ACTS OR PROVIDING FOR OR RECEIVING OF
23 TERRORIST TRAINING. THESE SHALL ALSO INCLUDE INDIVIDUALS
24 RESIDING ABROAD WHO COME TO THE PHILIPPINES TO PARTICIPATE IN
25 PERPETRATING, PLANNING, OR PREPARING FOR, OR PARTICIPATING IN
26 TERRORIST ACTS OR PROVIDE SUPPORT FOR OR FACILITATE TERRORIST
27 TRAINING HERE OR ABROAD;

28
29 (D) "INCITING TO COMMIT TERRORIST ACTS" IS COMMITTED WHEN A PERSON,
30 DIRECTLY OR INDIRECTLY, PROVOKES, GOADS, INSTIGATES, OR
31 PERSUADES ANOTHER INDIVIDUAL OR ORGANIZATION TO COMMIT ANY OF
32 THE CRIMES DEFINED AND PENALIZED UNDER SECTIONS 4, 5, 6, 7, 8, 9, AND
33 10 HEREOF, WHETHER BY MEANS OF VERBAL, WRITTEN, OR VISUAL
34 COMMUNICATION;

35
36 (E) "MATERIAL SUPPORT" REFERS TO ANY PROPERTY, TANGIBLE OR
37 INTANGIBLE, OR SERVICE, INCLUDING CURRENCY OR MONETARY

1 INSTRUMENTS OR FINANCIAL SECURITIES, FINANCIAL SERVICES,
2 LODGING, TRAINING, EXPERT ADVICE OR ASSISTANCE, SAFEHOUSES,
3 FALSE DOCUMENTATION OR IDENTIFICATION, COMMUNICATIONS
4 EQUIPMENT, FACILITIES, WEAPONS, LETHAL SUBSTANCES, EXPLOSIVES,
5 PERSONNEL (1 OR MORE INDIVIDUALS WHO MAY BE OR INCLUDE
6 ONESELF), AND TRANSPORTATION, EXCEPT MEDICINE OR RELIGIOUS
7 MATERIALS;

8
9 (F) "PROPOSAL TO COMMIT TERRORIST ACTS" IS COMMITTED WHEN A
10 PERSON WHO HAS DECIDED TO COMMIT ANY OF THE CRIMES DEFINED AND
11 PENALIZED UNDER SECTIONS 4, 5, 6, 7, 8, 9, AND 10 HEREOF PROPOSES
12 ITS EXECUTION TO SOME OTHER PERSON OR PERSONS;

13
14 (G) "RECRUIT" SHALL REFER TO ANY ACT TO PROCURE, INDUCE, OR INCITE
15 OTHERS TO PARTICIPATE, COMMIT, OR SUPPORT ANY ACTS OF
16 TERRORISM, OR TERRORIST INDIVIDUALS OR ORGANIZATIONS;

17
18 (H) "SURVEILLANCE ACTIVITIES" REFER TO THE TRACKING DOWN,
19 FOLLOWING, OR INVESTIGATION OF INDIVIDUALS OR ORGANIZATIONS; OR
20 THE TAPPING, LISTENING, INTERCEPTING, AND RECORDING OF
21 MESSAGES, CONVERSATIONS, DISCUSSIONS, SPOKEN OR WRITTEN
22 WORDS, AND OTHER COMMUNICATIONS OF INDIVIDUALS ENGAGED IN
23 ACT/S OF TERRORISM AS DEFINED HEREUNDER;

24
25 (I) "TRAINING" SHALL REFER TO THE GIVING OF INSTRUCTION OR TEACHING
26 DESIGNED TO IMPART A SPECIFIC SKILL IN RELATION TO SOME TERRORIST
27 ACTS AS DEFINED HEREUNDER, AS OPPOSED TO GENERAL KNOWLEDGE;

28
29 (J) "TERRORIST INDIVIDUAL" SHALL REFER TO ANY NATURAL PERSON WHO
30 COMMITS ANY OF THE ACTS DEFINED AND PENALIZED IN SECTIONS 4, 5, 6,
31 7, 8, 9 AND 10 HEREOF, AS A PRINCIPAL, ACCOMPLICE OR ACCESSORY, OR
32 THOSE WHO ARE MEMBERS OF TERRORIST ORGANIZATIONS PROSCRIBED
33 UNDER SECTION 22 HEREOF;

34
35 (K) "TERRORIST ORGANIZATION, ASSOCIATION OR GROUP OF PERSONS"
36 SHALL REFER TO ANY ENTITY OWNED OR CONTROLLED BY ANY
37 TERRORIST OR GROUP OF TERRORISTS THAT COMMITS ANY OF THE ACTS

1 DEFINED AND PENALIZED IN SECTIONS 4, 5, 6, 7, 8, 9 AND 10 HEREOF, OR
2 THOSE PROSCRIBED UNDER SECTION 22 HEREOF;

3
4 (L) "WEAPONS OF MASS DESTRUCTION" (WMD) SHALL REFER TO CHEMICAL,
5 BIOLOGICAL, RADIOLOGICAL, OR NUCLEAR WEAPONS WHICH ARE
6 CAPABLE OF A HIGH ORDER OF DESTRUCTION OR CAUSING MASS
7 CASUALTIES. IT EXCLUDES THE MEANS OF TRANSPORTING OR
8 PROPELLING THE WEAPON WHERE SUCH MEANS IS A SEPARABLE AND
9 DIVISIBLE PART FROM THE WEAPON.

10
11 SEC. [3] 4. TERRORIST ACTS. – THE FOLLOWING PERSONS SHALL BE GUILTY
12 OF COMMITTING A TERRORIST ACT AND SHALL SUFFER THE PENALTY OF LIFE
13 IMPRISONMENT WITHOUT THE BENEFIT OF PAROLE:

14 A. Any person who commits an act punishable under any of the following, provisions of
15 the Revised Penal Code, **REGARDLESS OF ITS STAGE OF EXECUTION, WITH THE**
16 **INTENT TO SOW WIDESPREAD EXTRAORDINARY FEAR AND PANIC:**

- 17
18 a. Article 122 (Piracy in General and Mutiny in the High Seas or in the Philippine
19 Waters);
- 20 b. Article 134 (Rebellion or Insurrection);
- 21 c. Article 134-a (Coup d' Etat), including acts committed by private persons;
- 22 d. Article 248 (Murder);
- 23 e. Article 267 (Kidnapping and Serious Illegal Detention);
- 24 f. Article 324 (Crimes Involving Destruction); or under
- 25
- 26 1. Presidential Decree No. 1613 (The Law on Arson);
- 27 2. Republic Act No. 6969 (Toxic Substances and Hazardous and Nuclear
28 Waste Control Act of 1990);
- 29 3. Republic Act No. 5207, (Atomic Energy Regulatory and Liability Act of 1968);
- 30 4. Republic Act No. 6235 (Anti-Hijacking Law);
- 31 5. Presidential Decree No. 532 (Anti-Piracy and Anti-Highway Robbery Law of
32 1974);
- 33 6. Presidential Decree No. 1866, as amended (Decree Codifying the Laws on
34 Illegal and Unlawful Possession, Manufacture, Dealing in, Acquisition or
35 Disposition of Firearms, Ammunitions or Explosives)
- 36 7. **REPUBLIC ACT NO. 9208 (ANTI-TRAFFICKING IN PERSONS ACT OF**
37 **2003),**

- 1 8. REPUBLIC ACT NO. 10175 (CYBERCRIME PREVENTION ACT OF 2012),
2 OR
3 9. SECTION 26 OF REPUBLIC ACT NO. 9165 (COMPREHENSIVE
4 DANGEROUS DRUGS ACT OF 2002), OR
5 10. ANY OTHER ACT PROSCRIBED UNDER ANY OF THE RELEVANT
6 TREATIES AND CONVENTIONS TO WHICH THE PHILIPPINES IS A
7 STATE PARTY.

8
9 [thereby sowing and creating a condition of widespread and extraordinary fear and panic
10 among the populace, in order to coerce the government to give in to an unlawful demand
11 shall be guilty of the crime of terrorism and shall suffer the penalty of forty (40) years of
12 imprisonment, without the benefit of parole as provided for under Act No. 4103, otherwise
13 known as the Indeterminate Sentence Law, as amended.]

14
15 **B. ANY PERSON WHO SHALL PERFORM ANY OTHER ACT INTENDED TO UNDULY**
16 **INTIMIDATE THE PUBLIC OR DESTROY OR UNDERMINE THE FUNDAMENTAL**
17 **POLITICAL, CONSTITUTIONAL, ECONOMIC OR SOCIAL STRUCTURES OF THE**
18 **COUNTRY, BY CAUSING DEATH OR SERIOUS BODILY INJURY TO ANY PERSON,**
19 **OR CAUSING SERIOUS RISK TO THE HEALTH, SAFETY OR SECURITY OF THE**
20 **PUBLIC, OR CAUSING THE DISRUPTION OR DESTRUCTION OF CRITICAL**
21 **INFRASTRUCTURE,**

22
23 **PROVIDED, THAT, TERRORIST ACTS AS DEFINED UNDER THIS SECTION SHALL**
24 **NOT COVER LEGITIMATE EXERCISES OF THE FREEDOM OF EXPRESSION AND**
25 **TO PEACEABLY ASSEMBLE, INCLUDING BUT NOT LIMITED TO ENGAGING IN**
26 **ADVOCACY, PROTEST, DISSENT OR MASS ACTION WHERE A PERSON DOES NOT**
27 **HAVE THE INTENTION TO USE OR URGE THE USE OF FORCE OR VIOLENCE OR**
28 **CAUSE HARM TO OTHERS.**

29
30 SEC. [4] 5. *Conspiracy to Commit Terrorism.* - Persons who conspire to commit the
31 **TERRORIST ACTS** shall suffer the penalty of [forty (40) years of imprisonment.] **LIFE**
32 **IMPRISONMENT WITHOUT THE BENEFIT OF PAROLE.**

33
34 There is conspiracy when two or more persons come to an agreement concerning the
35 commission of [the crime of terrorism] **TERRORIST ACTS** as defined in Section [3] 4
36 hereof and decide to commit the same.

1 SEC. 6. *PROPOSAL TO COMMIT TERRORIST ACTS.* - ANY PERSON WHO
2 PROPOSES TO COMMIT TERRORIST ACTS AS DEFINED IN SECTION 4 HEREOF
3 SHALL SUFFER THE PENALTY OF LIFE IMPRISONMENT WITHOUT THE BENEFIT
4 OF PAROLE.

5
6 SEC. 7. *INCITING TO COMMIT TERRORIST ACTS.* - ANY PERSON WHO INCITES
7 ANOTHER BY ANY MEANS, DIRECTLY OR INDIRECTLY TO COMMIT TERRORIST
8 ACTS, AS DEFINED IN SECTION 4 HEREOF, THEREBY CAUSING CLEAR AND
9 PRESENT DANGER THAT ONE OR MORE SUCH ACTS MAY BE COMMITTED,
10 SHALL SUFFER THE PENALTY OF LIFE IMPRISONMENT WITHOUT THE BENEFIT
11 OF PAROLE.

12
13 SEC. 8. *RECRUITMENT TO AND MEMBERSHIP IN A TERRORIST ORGANIZATION.*
14 - ANY PERSON WHO SHALL RECRUIT ANOTHER TO JOIN ANY ORGANIZATION,
15 ASSOCIATION OR GROUP OF PERSONS WHICH IS PROSCRIBED UNDER SECTION
16 22 OF THIS ACT, OR ORGANIZED FOR THE PURPOSE OF ENGAGING IN
17 TERRORIST ACTS, SHALL SUFFER THE PENALTY OF LIFE IMPRISONMENT
18 WITHOUT THE BENEFIT OF PAROLE.

19
20 ANY PERSON WHO SHALL VOLUNTARILY AND KNOWINGLY JOIN ANY
21 ORGANIZATION, ASSOCIATION OR GROUP OF PERSONS KNOWING THAT SUCH
22 ORGANIZATION, ASSOCIATION OR GROUP OF PERSONS IS PROSCRIBED UNDER
23 SECTION 23 OF THIS ACT, OR ORGANIZED FOR THE PURPOSE OF ENGAGING IN
24 TERRORIST ACTS, SHALL SUFFER THE PENALTY OF LIFE IMPRISONMENT
25 WITHOUT THE BENEFIT OF PAROLE.

26
27 SEC. 9. *FOREIGN TERRORIST.* - THE FOLLOWING ACTS ARE UNLAWFUL AND
28 SHALL BE PUNISHED WITH THE PENALTY OF LIFE IMPRISONMENT WITHOUT THE
29 BENEFIT OF PAROLE:

30
31 (A) FOR ANY PERSON TO TRAVEL OR ATTEMPT TO TRAVEL TO A STATE OTHER
32 THAN HIS/HER STATE OF RESIDENCE OR NATIONALITY, FOR THE PURPOSE
33 OF PERPETRATING, PLANNING, OR PREPARING FOR, OR PARTICIPATING IN
34 TERRORIST ACTS, OR PROVIDING OR RECEIVING TERRORIST TRAINING; OR
35

36 (B) FOR ANY PERSON TO ORGANIZE OR FACILITATE THE TRAVEL OF
37 INDIVIDUALS WHO TRAVEL TO A STATE OTHER THAN THEIR STATES OF

1 RESIDENCE OR NATIONALITY FOR THE PURPOSE OF PERPETRATING,
2 PLANNING, OR PREPARING FOR, OR PARTICIPATING IN TERRORIST ACTS OR
3 PROVIDING OR RECEIVING TERRORIST TRAINING, INCLUDING ACTS OF
4 RECRUITMENT WHICH MAY BE COMMITTED THROUGH ANY OF THE
5 FOLLOWING MEANS:
6

- 7 i. RECRUITING ANOTHER PERSON TO SERVE IN ANY CAPACITY IN OR
8 WITH AN ARMED FORCE IN A FOREIGN STATE, WHETHER THE
9 ARMED FORCE FORMS PART OF THE ARMED FORCES OF THE
10 GOVERNMENT OF THAT FOREIGN STATE OR OTHERWISE;
11
- 12 ii. PUBLISHING AN ADVERTISEMENT OR PROPAGANDA, REGARDLESS
13 OF WHETHER THE ADVERTISEMENT OR PROPAGANDA IS FOR THE
14 PURPOSE OF RECRUITING PERSONS TO SERVE IN ANY CAPACITY
15 IN OR WITH SUCH AN ARMED FORCE;
16
- 17 iii. PUBLISHING AN ADVERTISEMENT OR PROPAGANDA CONTAINING
18 ANY INFORMATION RELATING TO THE PLACE AT WHICH, OR THE
19 MANNER IN WHICH, PERSONS MAY MAKE APPLICATIONS TO SERVE,
20 OR OBTAIN INFORMATION RELATING TO SERVICE, IN ANY
21 CAPACITY IN OR WITH SUCH ARMED FORCE OR RELATING TO THE
22 MANNER IN WHICH PERSONS MAY TRAVEL TO A FOREIGN STATE
23 FOR THE PURPOSE OF SERVING IN ANY CAPACITY IN OR WITH SUCH
24 ARMED FORCE; OR
25
- 26 iv. DOES ANY OTHER ACT WITH THE INTENTION OF FACILITATING OR
27 PROMOTING THE RECRUITMENT OF PERSONS TO SERVE IN ANY
28 CAPACITY IN OR WITH SUCH AN ARMED FORCES.
29

30 (C) FOR ANY PERSON RESIDING ABROAD WHO COMES TO THE PHILIPPINES TO
31 PARTICIPATE IN PERPETRATING, PLANNING, OR PREPARING FOR, OR
32 PARTICIPATING IN TERRORIST ACTS OR PROVIDE SUPPORT FOR OR
33 FACILITATE TERRORIST TRAINING HERE OR ABROAD.
34

35 SEC. 10. PROVIDING MATERIAL SUPPORT TO TERRORISTS. - ANY PERSON WHO
36 KNOWINGLY PROVIDES MATERIAL SUPPORT TO ANY ORGANIZATION,
37 ASSOCIATION OR GROUP OF PERSONS COMMITTING, INCITING TO OR

1 PLANNING TO COMMIT ANY OF THE ACTS PUNISHABLE UNDER SECTION 4
2 HEREOF, OR WHO SHOULD HAVE KNOWN THAT SUCH ORGANIZATION,
3 ASSOCIATION, OR GROUP OF PERSONS IS COMMITTING OR PLANNING TO
4 COMMIT SUCH ACTS, SHALL BE LIABLE AS PRINCIPAL TO ANY AND ALL
5 TERRORIST ACTIVITIES COMMITTED BY SAID INDIVIDUALS OR ORGANIZATIONS,
6 IN ADDITION TO OTHER CRIMINAL LIABILITIES HE OR THEY MAY HAVE
7 INCURRED IN RELATION THERETO.

8
9 SEC. [5] 11. *Accomplice.* - Any person who, not being a principal under Article 17 of the
10 Revised Penal Code or a conspirator as defined in Section [4] 3(A) AND SECTION 5
11 hereof, cooperates in the execution of [either] ANY OF the crimeS DEFINED AND
12 PENALIZED UNDER SECTIONS 4, 5, 6, 7, 8, 9 AND 10, by previous or simultaneous
13 acts SHALL BE LIABLE AS AN ACCOMPLICE AND shall suffer the penalty of
14 IMPRISONMENT from seventeen (17) years, four months one day to twenty (20) years
15 imprisonment.

16
17 SEC. [6] 12. *Accessory.* - Any person who, having knowledge of the commission of ANY
18 OF the crimeS DEFINED AND PENALIZED UNDER SECTIONS 4, 5, 6, 7, 8, 9, AND 10
19 HEREOF, and without having participated therein, either as principal or accomplice under
20 Articles 17 and 18 of the Revised Penal Code, takes part subsequent to its commission in
21 any of the following manner: (a) by profiting himself or assisting the offender to profit by
22 the effects of the crime; (b) by concealing or destroying the body of the crime, or the
23 effects, or instruments thereof, in order to prevent its discovery; OR (c) by harboring,
24 concealing, or assisting in the escape of the principal or conspirator of the crime, SHALL
25 BE LIABLE AS AN ACCESSORY AND shall suffer the penalty of IMPRISONMENT
26 FROM ten (10) years and one day to twelve (12) years [of imprisonment].

27
28 [Notwithstanding the above paragraph, the penalties prescribed for accessories shall not
29 be imposed upon those who are such with respect to their spouses, ascendants,
30 descendants, legitimate, natural, and adopted brothers and sisters, or relatives by affinity
31 within the same degrees, with the single exception of accessories falling within the
32 provisions of subparagraph (a).]

33
34 SEC. 13. PERPETUAL DISQUALIFICATION FROM PUBLIC OFFICE. ANY PERSON
35 FOUND GUILTY OF ANY OF THE CRIMES DEFINED AND PENALIZED UNDER
36 SECTIONS 4, 5, 6, 7, 8, 9, AND 10 HEREOF SHALL BE PERPETUALLY
37 DISQUALIFIED FROM RUNNING FOR ANY ELECTIVE OFFICE OR HOLDING ANY

1 PUBLIC OFFICE. FURTHERMORE, IF SAID PERSON IS A PUBLIC OFFICER OR
2 MEMBER OF THE CIVIL SERVICE, HE/SHE SHALL BE METED THE PENALTY OF
3 DISMISSAL FROM SERVICE, WITH THE ACCESSORY PENALTIES OF
4 CANCELLATION OF CIVIL SERVICE ELIGIBILITY, AND FORFEITURE OF
5 RETIREMENT BENEFITS.
6

7 SEC. [7] 14. *Surveillance of Suspects and Interception and Recording of*
8 *Communications.* - The provisions of Republic Act No. 4200 (Anti-Wire Tapping Law) to
9 the contrary notwithstanding, [a police or] law enforcement [official and the members of
10 his team] **OR MILITARY PERSONNEL** may, upon a written order of the Court of Appeals
11 **OR REGIONAL TRIAL COURT, WHICH HAS TERRITORIAL JURISDICTION OVER**
12 **THE AREA WHERE THE SUSPECTED PERSONS OR GROUP OF PERSONS ARE**
13 **LOCATED OR OPERATING**, listen to, intercept and record, with the use of any mode,
14 form, kind or type of electronic or other surveillance equipment or intercepting and tracking
15 devices, or with the use of any other suitable ways and means for that purpose, any
16 communication, message, conversation, discussion, or spoken or written words **(A)**
17 between members of a judicially declared and outlawed terrorist organization, **AS**
18 **PROVIDED IN SECTION 23 OF THIS ACT; (B) BETWEEN MEMBERS OF A**
19 **DESIGNATED PERSON AS DEFINED IN SECTION 3(E) OF REPUBLIC ACT NO.**
20 **10168, OTHERWISE KNOWN AS THE "TERRORISM FINANCING PREVENTION AND**
21 **SUPPRESSION ACT OF 2012"; OR (C) [association, or group of persons or of] any**
22 person charged with or suspected of **ANY OF** the crimeS [of terrorism or conspiracy to
23 commit terrorism] **DEFINED AND PENALIZED UNDER SECTIONS 4, 5, 6, 7, 8, 9, AND**
24 **10 HEREOF: [¶] Provided, That, surveillance, interception and recording of**
25 communications between lawyers and clients, doctors and patients, journalists and their
26 sources and confidential business correspondence shall not be authorized.
27

28 **IN CASE OF AN ACTUAL OR REASONABLE BELIEF OF IMMINENT TERRORIST**
29 **ATTACK, THE ANTI-TERRORISM COMMISSION ESTABLISHED HEREBY MAY FILE**
30 **AN EX-PARTE APPLICATION WITH THE COURT OF APPEALS OR REGIONAL TRIAL**
31 **COURT, WHICH HAS TERRITORIAL JURISDICTION OVER THE AREA WHERE THE**
32 **SUSPECTED PERSONS OR GROUP OF PERSONS ARE LOCATED OR OPERATING,**
33 **FOR A DIRECTIVE TO INSTRUCT THE DEPARTMENT OF INFORMATION AND**
34 **COMMUNICATIONS TECHNOLOGY TO COMPEL TELECOM AND INTERNET**
35 **SERVICE PROVIDERS TO PRODUCE ALL CUSTOMER INFORMATION AND**
36 **IDENTIFICATION RECORDS AS WELL AS CALL AND TEXT DATA RECORDS AND**
37 **OTHER CELLULAR OR INTERNET METADATA OF ANY PERSON SUSPECTED OF**

1 **ANY OF THE CRIMES DEFINED AND PENALIZED IN SECTIONS 4, 5, 6, 7, 8, 9, AND**
2 **10 HEREOF.**

3
4 SEC. [8] 15. *Formal Application for Judicial Authorization.* - The written order [of the
5 authorizing division of the Court of Appeals] to **LOCATE**, track down, tap, listen to,
6 intercept, and record communications, messages, conversations, discussions, or spoken
7 or written words of any person **OR GROUP OF PERSONS** suspected of **ANY OF** the
8 **crimeS DEFINED AND PENALIZED** [of terrorism or the crime of conspiracy to commit
9 terrorism] **UNDER SECTIONS 4, 5, 6, 7, 8, 9, AND 10 HEREOF** shall only be granted by
10 the authorizing division of the Court of Appeals **OR THE REGIONAL TRIAL COURT,**
11 **WHICH HAS TERRITORIAL JURISDICTION OVER THE AREA WHERE THE**
12 **SUSPECTED PERSONS OR GROUP OF PERSONS ARE LOCATED OR OPERATING,**
13 upon an ex parte written application of a [police or of a] law enforcement [official] **AGENT**
14 **OR DEPUTIZED LAW ENFORCEMENT AGENCY, OR MILITARY PERSONNEL,** who
15 has been duly authorized in writing by the Anti-Terrorism [Council] **COMMISSION** created
16 in Section [53] **40** of this Act [to file such ex parte application], and upon examination
17 under oath or affirmation of the applicant and the witnesses **ESTABLISH** [he may produce
18 to establish]: (a) that there is probable cause to believe based on personal knowledge of
19 facts or circumstances that the [said] **crimeS DEFINED AND PENALIZED** [of terrorism or
20 conspiracy to commit terrorism] **UNDER SECTIONS 4, 5, 6, 7, 8, 9, AND 10 HEREOF** has
21 been committed, or is being committed, or is about to be committed; (b) that there is
22 probable cause to believe based on personal knowledge of facts or circumstances that
23 evidence, which is essential to the conviction of any charged or suspected person for, or
24 to the solution or prevention of, any such crimes, will be obtained; and, (c) that there is no
25 other effective means readily available for acquiring such evidence.

26
27 SEC. [9] 16. *Classification and Contents of the Order of the Court.* - The written order
28 granted by the authorizing division of the Court of Appeals **OR THE REGIONAL TRIAL**
29 **COURT, WHICH HAS TERRITORIAL JURISDICTION OVER THE AREA WHERE THE**
30 **SUSPECTED PERSONS OR GROUP OF PERSONS ARE LOCATED OR OPERATING,**
31 as well as [its order, if any, to extend or renew the same, the original application of the
32 applicant, including his application to extend or renew, if any, and the written authorizations
33 of the Anti-Terrorism Council] **THE APPLICATION FOR SUCH ORDER,** shall be deemed
34 and are hereby declared as classified information. **BEING CLASSIFIED INFORMATION,**
35 **ACCESS TO THE SAID DOCUMENTS AND ANY INFORMATION CONTAINED IN SAID**
36 **DOCUMENTS SHALL BE LIMITED TO THE APPLICANTS, DULY AUTHORIZED**
37 **PERSONNEL OF THE ANTI-TERRORISM COMMISSION, THE HEARING JUSTICES**

1 **OR JUDGE, THE CLERK OF COURT AND DULY AUTHORIZED PERSONNEL OF THE**
2 **HEARING OR ISSUING COURT.** [: Provided, That the person being surveilled or whose
3 communications, letters, papers, messages, conversations, discussions, spoken or written
4 words and effects have been monitored, listened to, bugged or recorded by law
5 enforcement authorities has the right to be informed of the acts done by the law
6 enforcement authorities in the premises or to challenge, if he or she intends to do so, the
7 legality of the interference before the Court of Appeals which issued the written order.]
8 The written order of the authorizing division of the Court of Appeals **OR THE REGIONAL**
9 **TRIAL COURT, WHICH HAS TERRITORIAL JURISDICTION OVER THE AREA WHERE**
10 **THE SUSPECTED PERSONS OR GROUP OF PERSONS ARE LOCATED OR**
11 **OPERATING,** shall specify the following: (a) the identity, such as name and address, if
12 known, of the [charged or suspected] person OR PERSONS whose communications,
13 messages, conversations, discussions, or spoken or written words are to be tracked down,
14 tapped, listened to, intercepted, and recorded and, in the case of radio, electronic, or
15 telephonic (whether wireless or otherwise) communications, messages, conversations,
16 discussions, or spoken or written words, the electronic transmission systems or the
17 telephone numbers to be tracked down, tapped, listened to, intercepted, and recorded and
18 their locations or if the person OR PERSONS suspected of **ANY OF** the crimeS DEFINED
19 AND PENALIZED [of terrorism or conspiracy to commit terrorism] **UNDER SECTIONS 4,**
20 **5, 6, 7, 8, 9, AND 10 HEREOF** [is] **ARE** not fully known, such person OR PERSONS shall
21 be subject to continuous surveillance provided there is a reasonable ground to do so; (b)
22 the identity [(name, address, and the police or law enforcement organization)] of the
23 [police or of the] law enforcement [official] **AGENT OR MILITARY PERSONNEL,** including
24 the individual identity [(names, addresses, and the police or law enforcement
25 organization)] of the members of his team, judicially authorized to [track down, tap, listen
26 to, intercept, and record the communications, messages, conversations, discussions, or
27 spoken or written words] **UNDERTAKE SURVEILLANCE ACTIVITIES;** (c) the offense or
28 offenses committed, or being committed, or sought to be prevented; and, (d) the length of
29 time within which the authorization shall be used or carried out.

30
31 SEC. [10] **17. Effective Period of Judicial Authorization.** - Any authorization granted by the
32 [authorizing division of the Court of Appeals] **COURTS,** pursuant to Section [9(d)] **15** of
33 this Act, shall only be effective for the length of time specified in the written order of the
34 authorizing division of the Court of Appeals **OR REGIONAL TRIAL COURT, WHICH HAS**
35 **TERRITORIAL JURISDICTION OVER THE AREA WHERE THE SUSPECTED**
36 **PERSONS OR GROUP OF PERSONS ARE LOCATED OR OPERATING,** which shall
37 not exceed a period of [thirty (30)] **NINETY (90)** days from the date of receipt of the written

1 order [of the authorizing division of the Court of Appeals] by the applicant [police or] law
2 enforcement [official] **OR MILITARY PERSONNEL**.

3
4 The authorizing division of the Court of Appeals **OR THE REGIONAL TRIAL COURT,**
5 **WHICH HAS TERRITORIAL JURISDICTION OVER THE AREA WHERE THE**
6 **SUSPECTED PERSONS OR GROUP OF PERSONS ARE LOCATED OR OPERATING**
7 may extend or renew the said authorization [for] TO a [nother] non-extendible period,
8 which shall not exceed thirty (30) days from the expiration of the original period: Provided,
9 That the [authorizing division of the Court of Appeals] **ISSUING COURT** is satisfied that
10 such extension or renewal is in the public interest: and *Provided, further,* That the ex parte
11 application for extension or renewal, which must be filed by the original applicant, has
12 been duly authorized in writing by the Anti-Terrorism [Council] **COMMISSION**.

13
14 In case of death of the original applicant or in case he is physically disabled to file the
15 application for extension or renewal, the one next in rank to the original applicant among
16 the members of the team named in the original written order [of the authorizing division of
17 the Court of Appeals] shall file the application for extension or renewal: Provided, That, [,
18 without prejudice to the liability of the police or law enforcement personnel under Section
19 20 hereof,] the applicant [police or] law enforcement **OR MILITARY** official shall have thirty
20 (30) days after the termination of the period granted by the Court of Appeals **OR**
21 **REGIONAL TRIAL COURT, WHICH HAS TERRITORIAL JURISDICTION OVER THE**
22 **AREA WHERE THE SUSPECTED PERSONS OR GROUP OF PERSONS ARE**
23 **LOCATED OR OPERATING** as provided in the preceding paragraphs within which to file
24 the appropriate case before the Public Prosecutor's Office for any violation of this Act.

25
26 If no case is filed [within the thirty (30)-day period] **AFTER THE LAPSE OF THE**
27 **JUDICIAL AUTHORIZATION**, the applicant [police or] law enforcement **OR MILITARY**
28 official shall immediately notify the person subject of the surveillance, interception and
29 recording of the termination of the said surveillance, interception and recording. The
30 penalty of **IMPRISONMENT FROM** ten (10) years and one day to twelve (12) years [of
31 imprisonment] shall be imposed upon the applicant [police or] law enforcement **OR**
32 **MILITARY** official who fails to notify the person subject of the surveillance, monitoring,
33 interception and recording as specified above.

34
35 **SEC. [11] 18. Custody of Intercepted and Recorded Communications.** - All tapes, discs,
36 and recordings [made pursuant to the authorization of the authorizing division of the]
37 **OBTAINED UNDER THE JUDICIAL AUTHORIZATION GRANTED BY THE** Court of

1 Appeals **OR THE REGIONAL TRIAL COURT, WHICH HAS TERRITORIAL**
2 **JURISDICTION OVER THE AREA WHERE THE SUSPECTED PERSONS OR GROUP**
3 **OF PERSONS ARE LOCATED OR OPERATING** [, including all excerpts and summaries
4 thereof as well as all written notes or memoranda made in connection therewith,] shall,
5 within [forty-eight (48) hours] **TEN (10) DAYS** after the expiration of the period fixed in the
6 written order [of the authorizing division of the Court of Appeals or within forty-eight (48)
7 hours after the expiration of any] **OR THE** extension or renewal granted [by the authorizing
8 division of the Court of Appeals] **THEREAFTER**, be deposited with the [authorizing
9 Division of the Court of Appeals] **ISSUING COURT** in a sealed envelope or sealed
10 package, as the case may be, and shall be accompanied by a joint affidavit of the applicant
11 [police or] law enforcement **OR MILITARY** official and the members of his team. **THE**
12 **JOINT AFFIDAVIT SHALL PROVIDE THE CHAIN OF CUSTODY OR THE LIST OF**
13 **PERSONS WHICH EXERCISED POSSESSION OR CUSTODY OVER THE TAPES,**
14 **DISCS AND RECORDINGS.**

15
16 It shall be unlawful for any person, [police officer] **LAW ENFORCEMENT OR MILITARY**
17 **OFFICIAL** or any custodian of the tapes, discs and recording, and their excerpts and
18 summaries, written notes or memoranda to copy in whatever form, to remove, delete,
19 expunge, incinerate, shred or destroy in any manner the items enumerated above in whole
20 or in part under any pretext whatsoever.

21
22 Any person who removes, deletes, expunges, incinerates, shreds or destroys the items
23 enumerated above shall suffer [a] **THE** penalty of **IMPRISONMENT RANGING FROM** [not
24 less than] six years and one day to twelve (12) years [of imprisonment].

25
26 **SEC. [12] 19. Contents of Joint Affidavit.** - The joint affidavit of the [police or of the] law
27 enforcement [official and the individual members of his team] **OR MILITARY**
28 **PERSONNEL** shall state: (a) the number of tapes, discs, and recordings that have been
29 made, [as well as the number of excerpts and summaries thereof and the number of
30 written notes and memoranda, if any, made in connection therewith;] **AND** (b) the dates
31 and times covered by each of such tapes, discs, and recordings [; (c) the number of tapes,
32 discs, and recordings, as well as the number of excerpts and summaries thereof and the
33 number of written notes and memoranda made in connection therewith that have been
34 included in the deposit; and (d) the date of the original written authorization granted by the
35 Anti-Terrorism Council to the applicant to file the ex parte application to conduct the
36 tracking down, tapping, intercepting, and recording, as well as the date of any extension
37 or renewal of the original written authority granted by the authorizing division of the Court

1 of Appeals] **AND (C) THE CHAIN OF CUSTODY OR THE LIST OF PERSONS WHICH**
2 **EXERCISED POSSESSION OR CUSTODY OVER THE TAPES, DISCS AND**
3 **RECORDINGS.**

4
5 The joint affidavit shall also certify under oath that no duplicates or copies of the whole or
6 any part of any of such tapes, discs, and recordings, and that no duplicates or copies of
7 the whole or any part of any of such excerpts, summaries, written notes, and memoranda,
8 have been made, or, if made, that all such duplicates and copies are included in the sealed
9 envelope or sealed package, as the case may be, deposited with the authorizing division
10 of the Court of Appeals **OR REGIONAL TRIAL COURT, WHICH HAS TERRITORIAL**
11 **JURISDICTION OVER THE AREA WHERE THE SUSPECTED PERSONS OR GROUP**
12 **OF PERSONS ARE LOCATED OR OPERATING.**

13
14 It shall be unlawful for any person, [police or] law enforcement **OR MILITARY** official to
15 omit or exclude from the joint affidavit any item or portion thereof mentioned in this Section.
16

17 Any person, [police or] law enforcement **OR MILITARY** officer who violates any of the acts
18 prescribed in the preceding paragraph shall suffer the penalty of **IMPRISONMENT**
19 **RANGING FROM** [not less than] ten (10) years and one day to twelve (12) years [of
20 imprisonment].
21

22 SEC. [13] **20. Disposition of Deposited Material.** - The sealed envelope or sealed package
23 and the contents thereof, **REFERRED TO IN SECTION 18 OF THIS ACT,** [which are
24 deposited with the authorizing division of the Court of Appeals,] shall be deemed and are
25 hereby declared classified information. [, and t] The sealed envelope or sealed package
26 shall not be opened, [and its contents (including the tapes, discs, and recordings and all
27 the excerpts and summaries thereof and the notes and memoranda made in connection
28 therewith) shall not be] [divulged] **DISCLOSED,** or used as evidence unless authorized by
29 **A** written order of the authorizing division of the Court of Appeals **OR REGIONAL TRIAL**
30 **COURT, WHICH HAS TERRITORIAL JURISDICTION OVER THE AREA WHERE THE**
31 **SUSPECTED PERSONS OR GROUP OF PERSONS ARE LOCATED OR OPERATING,**
32 which written order shall be granted only upon a written application of the Department of
33 Justice [filed before the authorizing division of the Court of Appeals and only upon a
34 showing that the Department of Justice has been] duly authorized in writing by the Anti-
35 Terrorism [Council] **COMMISSION** to file the application with proper written notice **TO** the
36 person whose conversation, communication, message discussion or spoken or written
37 words have been the subject of surveillance, monitoring, recording and interception to

1 open, reveal, divulge, and use the contents of the sealed envelope or sealed package as
2 evidence.

3
4 [Any person, law enforcement official or judicial authority who violates his duty to notify in
5 writing the persons subject of the surveillance as defined above shall suffer the penalty of
6 six years and one day to eight years of imprisonment.]

7
8 The written application, with notice to the party concerned, [to open the deposited sealed
9 envelope or] **FOR THE OPENING, REPLAYING, DISCLOSING, OR USING AS**
10 **EVIDENCE OF THE** sealed package **OR THE CONTENTS THEREOF**, shall clearly state
11 the purpose or reason [:(a) for opening the sealed envelope or sealed package; (b) for
12 revealing or disclosing its classified contents; (c) for replaying, divulging, and or reading
13 any of the listened to, intercepted, and recorded communications, messages,
14 conversations, discussions, or spoken or written words (including any of the excerpts and
15 summaries thereof and any of the notes or memoranda made in connection therewith);
16 and, (d) for using any of said listened to, intercepted, and recorded communications,
17 messages, conversations, discussions, or spoken or written words (including any of the
18 excerpts and summaries thereof and any of the notes or memoranda made in connection
19 therewith) as evidence.] **FOR ITS OPENING, REPLAYING, DISCLOSING, OR ITS**
20 **BEING USED AS EVIDENCE.**

21
22 [Any person, law enforcement official or judicial authority who violates his duty to notify as
23 defined above shall suffer the penalty of six years and one day to eight years of
24 imprisonment.] **VIOLATION OF THIS AND THE PRECEDING PARAGRAPH SHALL BE**
25 **PENALIZED BY IMPRISONMENT RANGING FROM EIGHT YEARS AND ONE DAY TO**
26 **TEN (10) YEARS.**

27
28 [SEC. 14. *Application to Open Deposited Sealed Envelope or Sealed Package.* - The
29 written application with notice to the party concerned to open the deposited sealed
30 envelope or sealed package shall clearly state the purpose or reason: (a) for opening the
31 sealed envelope or sealed package; (b) for revealing or disclosing its classified contents;
32 (c) for replaying, divulging, and or reading any of the listened to, intercepted, and recorded
33 communications, messages, conversations, discussions, or spoken or written words
34 (including any of the excerpts and summaries thereof and any of the notes or memoranda
35 made in connection therewith); [and, (d) for using any of said listened to, intercepted, and
36 recorded communications, messages, conversations, discussions, or spoken or written

1 words (including any of the excerpts and summaries thereof and any of the notes or
2 memoranda made in connection therewith) as evidence.

3
4 Any person, law enforcement official or judicial authority who violates his duty to notify as
5 defined above shall suffer the penalty of six years and one day to eight years of
6 imprisonment.]

7
8 SEC. [15] 21. *Evidentiary Value of Deposited Materials.* - Any listened to, intercepted, and
9 recorded communications, messages, conversations, discussions, or spoken or written
10 words, or any part or parts thereof, or any information or fact contained therein, including
11 their existence, content, substance, purport, effect, or meaning, which have been secured
12 in violation of the pertinent provisions of this Act, shall absolutely not be admissible and
13 usable as evidence against anybody in any judicial, quasi-judicial, legislative, or
14 administrative investigation, inquiry, proceeding, or hearing.

15
16 SEC. [16] 22. *Penalty for Unauthorized or Malicious Interceptions and/or Recordings.* -
17 Any [police or] law enforcement OR MILITARY personnel who [, not being authorized to
18 do so by the authorizing division of the Court of Appeals, tracks down, taps, listens to,
19 intercepts, and records in whatever manner or form any communication, message,
20 conversation, discussion, or spoken or written word of a person charged with or suspected
21 of the crime of terrorism or the crime of conspiracy to commit terrorism] **CONDUCTS**
22 **SURVEILLANCE ACTIVITIES WITHOUT A VALID JUDICIAL AUTHORIZATION** shall
23 be guilty of an offense and shall suffer the penalty of **IMPRISONMENT RANGING FROM**
24 ten (10) years and one day to twelve (12) years [of imprisonment].

25
26 [In addition to the liability attaching to the offender for the commission of any other offense,
27 the penalty of ten (10) years and one day to twelve (12) years of imprisonment and the
28 accessory penalty of perpetual absolute disqualification from public office shall be imposed
29 upon any police or law enforcement personnel who maliciously obtained an authority from
30 the Court of Appeals to track down, tap, listen to, intercept, and record in whatever manner
31 or form any communication, message, conversation, discussion, or spoken or written
32 words of a person charged with or suspected of the crime of terrorism or conspiracy to
33 commit terrorism: Provided, That notwithstanding Section 13 of this Act, the party
34 aggrieved by such authorization shall be allowed access to the sealed envelope or sealed
35 package and the contents thereof as evidence for the prosecution of any police or law
36 enforcement personnel who maliciously procured said authorization.]

1 SEC. [17] **23. Proscription of Terrorist Organizations, Association, or Group of Persons.** -
2 Any **PERSON OR GROUP OF PERSONS**, organization, OR association, [or group of
3 persons organized for the purpose of engaging in terrorism, or] which [, although not
4 organized for that purpose, actually uses the acts to terrorize mentioned in this Act or to
5 sow and create a condition of widespread and extraordinary fear and panic among the
6 populace in order to coerce the government to give in to an unlawful demand] **COMMITTS**
7 **ANY OF THE ACTS DEFINED AND PENALIZED UNDER SECTIONS 4, 5, 6, 7, 8, 9,**
8 **AND 10 HEREOF, OR EXISTS FOR THE PURPOSE OF ENGAGING IN TERRORIST**
9 **ACTS** shall, upon application of the Department of Justice before a competent Regional
10 Trial Court, with due notice and opportunity to be heard given to the **PERSON OR GROUP**
11 **OF PERSONS**, organization [,] OR association, [or group of persons concerned], be
12 declared as a terrorist and outlawed organization[,] OR association, [or group of persons]
13 by the said Regional Trial Court.

14
15 **THE EX PARTE APPLICATION SHALL BE FILED WITH AN URGENT PRAYER FOR**
16 **THE ISSUANCE OF A PRELIMINARY ASSET PRESERVATION ORDER AND/OR A**
17 **PRELIMINARY ORDER OF PROSCRIPTION. NO APPLICATION FOR PROSCRIPTION**
18 **SHALL BE FILED WITHOUT THE AUTHORITY OF THE ANTI-TERRORISM**
19 **COMMISSION UPON THE RECOMMENDATION OF THE NATIONAL INTELLIGENCE**
20 **COORDINATING AGENCY (NICA).**

21
22 **SEC. 24. PRELIMINARY ORDER OF PROSCRIPTION/ASSET PRESERVATION**
23 **ORDER.** - WHERE THE REGIONAL TRIAL COURT JUDGE HAS DETERMINED THAT
24 PROBABLE CAUSE EXISTS ON THE BASIS OF THE VERIFIED EX PARTE
25 APPLICATION WHICH IS SUFFICIENT IN FORM AND SUBSTANCE, HE/SHE SHALL,
26 WITHIN TWENTY-FOUR (24) HOURS FROM THE FILING OF THE APPLICATION,
27 ISSUE A PRELIMINARY ORDER OF PROSCRIPTION DECLARING THAT THE
28 RESPONDENT IS A TERRORIST AND AN OUTLAWED ORGANIZATION OR
29 ASSOCIATION WITHIN THE MEANING OF SECTION 23 OF THIS ACT AND THE
30 PRELIMINARY ASSET PRESERVATION ORDER PRAYED FOR IN THE EX PARTE
31 APPLICATION.

32
33 **THE PRELIMINARY ASSET PRESERVATION ORDER SHALL, EFFECTIVE**
34 **IMMEDIATELY, FORBID THE TRANSACTION, WITHDRAWAL, DEPOSIT,**
35 **TRANSFER, REMOVAL, CONVERSION, CONCEALMENT OR OTHER DISPOSITION**
36 **OF ANY PROPERTY OR FUNDS OWNED OR CONTROLLED BY THE PROSCRIBED**
37 **TERRORIST PERSON OR GROUP OF PERSONS, ORGANIZATION OR**

1 ASSOCIATION. SUCH ORDER SHALL BE EFFECTIVE FOR A PERIOD OF SIX (6)
2 MONTHS FROM THE RESPECTIVE DATES OF SERVICE OF SUCH ORDER TO THE
3 RESPONDENT OR ANY PERSON ACTING IN HIS OR ITS BEHALF, AND UPON EACH
4 INSTITUTION OR GOVERNMENT AGENCY IN POSSESSION OF THE SUBJECT
5 PROPERTY OR FUNDS.
6

7 THE COURT WILL SCHEDULE A SUMMARY HEARING AT A DATE AND TIME
8 WITHIN THE SIX-MONTH PERIOD, WHEN THE RESPONDENT MAY, FOR GOOD
9 CAUSE, SHOW WHY THE ORDER OF PROSCRIPTION SHOULD BE SET ASIDE, AND
10 THE ASSET PRESERVATION ORDER LIFTED. THE COURT SHALL DETERMINE
11 WITHIN THE SAME PERIOD WHETHER THE QUESTIONED ORDERS SHOULD BE
12 MADE PERMANENT, SET ASIDE, MODIFIED OR BE LIFTED AS THE CASE MAY BE.
13

14 *SEC. 25. REQUEST TO PROSCRIBE FROM FOREIGN JURISDICTIONS AND SUPRA-*
15 *NATIONAL JURISDICTIONS. - CONSISTENT WITH THE NATIONAL INTEREST, ALL*
16 *REQUESTS FOR PROSCRIPTION MADE BY ANOTHER JURISDICTION OR SUPRA-*
17 *NATIONAL JURISDICTION SHALL BE REFERRED BY THE DEPARTMENT OF*
18 *FOREIGN AFFAIRS TO THE ANTI-TERRORISM COMMISSION TO DETERMINE, WITH*
19 *THE ASSISTANCE OF THE NATIONAL INTELLIGENCE COORDINATING AGENCY,*
20 *IF PROSCRIPTION UNDER SECTION 22 OF THIS ACT IS WARRANTED. IF THE*
21 *REQUEST FOR PROSCRIPTION IS GRANTED, THE COMMISSION SHALL*
22 *CORRESPONDINGLY COMMENCE PROSCRIPTION PROCEEDINGS THROUGH THE*
23 *DEPARTMENT OF JUSTICE.*
24

25 SEC. [18] 26. [*Period of*] *Detention Without Judicial Warrant of Arrest.* – The provisions of
26 Article 125 of the Revised Penal Code to the contrary notwithstanding, any [police or] law
27 enforcement personnel **OR DEPUTIZED LAW ENFORCEMENT AGENCY OR MILITARY**
28 **PERSONNEL**, who, having been duly authorized in writing by the Anti-Terrorism [Council]
29 **COMMISSION** has taken custody of a person [charged with or suspected of the crime of
30 terrorism or the crime of conspiracy to commit terrorism shall,] **PROSCRIBED IN**
31 **ACCORDANCE WITH SECTION 23 HEREOF SHALL**, without incurring any criminal
32 liability for delay in the delivery of detained persons to the proper judicial authorities, deliver
33 said charged or suspected person to the proper judicial authority within a period of [three]
34 **THIRTY (30)** days counted from the moment the said charged or suspected person has
35 been apprehended or arrested, detained, and taken into custody by the [said police, or]
36 law enforcement OR **MILITARY** personnel: Provided, That the arrest of those suspected

1 of the crime of terrorism or conspiracy to commit terrorism must result from the surveillance
2 under Section [7] **16** [and examination of bank deposits under Section 27] of this Act.
3

4 [The police or law enforcement personnel concerned shall, before detaining the person
5 suspected of the crime of terrorism, present him or her before any judge at the latter's
6 residence or office nearest the place where the arrest took place at any time of the day or
7 night. It shall be the duty of the judge, among other things, to ascertain the identity of the
8 police or law enforcement personnel and the person or persons they have arrested and
9 presented before him or her, to inquire of them the reasons why they have arrested the
10 person and determine by questioning and personal observation whether or not the suspect
11 has been subjected to any physical, moral or psychological torture by whom and why. The
12 judge shall then submit a written report of what he/she had observed when the subject
13 was brought before him to the proper court that has jurisdiction over the case of the person
14 thus arrested. The judge shall forthwith submit his/her report within three calendar days
15 from the time the suspect was brought to his/her residence or office.]
16

17 Immediately after taking custody of a person charged with or suspected of the crime of
18 terrorism [or conspiracy to commit terrorism,] **AND PROSCRIBED UNDER SECTION 23**
19 **HEREOF**, the [police or] law enforcement **OR MILITARY** personnel shall notify in writing
20 the judge of the court nearest the place of apprehension or arrest **OF THE FOLLOWING**
21 **FACTS:** [Provided, That where the arrest is made during Saturdays, Sundays, holidays or
22 after office hours, the written notice shall be served at the residence of the judge nearest
23 the place where the accused was arrested.] **(A) THE TIME, DATE, AND MANNER OF**
24 **ARREST; (B) THE LOCATION OR LOCATIONS OF THE DETAINED SUSPECT AND**
25 **(C) THE PHYSICAL AND MENTAL CONDITION OF THE DETAINED SUSPECT.**
26

27 **THE HEAD OF THE DETAINING FACILITY SHALL ENSURE THAT THE DETAINED**
28 **SUSPECT IS INFORMED OF HIS/HER RIGHTS AS A DETAINEE AND SHALL ENSURE**
29 **ACCESS TO THE DETAINEE BY AGENCIES AND ENTITIES AUTHORIZED BY LAW**
30 **TO EXERCISE VISITORIAL POWERS OVER DETENTION FACILITIES.**
31

32 The penalty of **IMPRISONMENT RANGING FROM** ten (10) years and one day to twelve
33 (12) years [of imprisonment] shall be imposed upon the police or law enforcement **OR**
34 **MILITARY** personnel who fails to notify the judge as provided in the preceding paragraph.
35

36 SEC. [19] **27. Period of Detention in the Event of an Actual or Imminent Terrorist Attack.** -
37 In the event of an actual or **REASONABLE BELIEF OF AN** imminent terrorist attack,

1 **CERTIFIED TO BY THE ANTI-TERRORISM COMMISSION,** [suspects may not be
2 detained for more than three days without the written approval of a municipal, city,
3 provincial or regional official of a Human Rights Commission or judge of the municipal,
4 regional trial court, the Sandiganbayan or a justice of the Court of Appeals nearest the
5 place of the arrest. If the arrest is made during Saturdays, Sundays, holidays or after office
6 hours, the arresting police or law enforcement personnel shall bring the person thus
7 arrested to the residence of any of the officials mentioned above that is nearest the place
8 where the accused was arrested. The approval in writing of any of the said officials shall
9 be secured by the police or law enforcement personnel concerned within five days after
10 the date of the detention of the persons concerned: *Provided, however,* That within three
11 days after the detention the suspects, whose connection with the terror attack or threat is
12 not established, shall be released immediately.] **A LAW ENFORCEMENT OR MILITARY**
13 **PERSONNEL WHO HAS DETAINED A PERSON CHARGED with THE VIOLATION OF**
14 **ANY OF THE ACTS DEFINED AND PENALIZED UNDER SECTIONS 4, 5, 6, 7, 8, 9,**
15 **AND 10 HEREOF, SHALL** without incurring any criminal liability for delay in the delivery
16 of detained persons to the proper judicial authorities, deliver said charged or suspected
17 person to the proper judicial authority within a period of **THIRTY (30)** days counted from
18 the moment the said charged or suspected person has been apprehended or arrested:
19 **PROVIDED, THAT THE THIRTY (30) DAYS DETENTION PERIOD PROVIDED FOR IN**
20 **SECTION 26 OF THIS ACT MAY BE EXTENDED IF THE COURT IS SATISFIED THAT**
21 **THE SUSPECT'S CONNECTION WITH THE IMMINENT TERROR ATTACK OR**
22 **THREAT IS CLEARLY ESTABLISHED.**

23
24 **[SEC. 20. *Penalty for Failure to Deliver Suspect to the Proper Judicial Authority***
25 ***within Three Days.*** - The penalty of ten (10) years and one day to twelve (12) years of
26 imprisonment shall be imposed upon any police or law enforcement personnel who has
27 apprehended or arrested, detained and taken custody of a person charged with or
28 suspected of the crime of terrorism or conspiracy to commit terrorism and fails to deliver
29 such charged or suspected person to the proper judicial authority within the period of three
30 days.]

31
32 **SEC. [21] 28. *Rights of a Person under Custodial Detention.*** - The moment a person
33 charged with or suspected of the crime of terrorism or the crime of conspiracy to commit
34 terrorism is apprehended or arrested and detained, he shall forthwith be informed, by the
35 arresting police or law enforcement officers or by the police or law enforcement officers to
36 whose custody the person concerned is brought, of his or her right: (a) to be informed of
37 the nature and cause of his arrest, to remain silent and to have competent and

1 independent counsel preferably of his choice. If the person cannot afford the services of
2 counsel of his or her choice, the [police or] law enforcement **OR MILITARY PERSONNEL**
3 concerned shall immediately contact the free legal assistance unit of the Integrated Bar of
4 the Philippines (IBP) or the Public Attorney's Office (PAO). It shall be the duty of the free
5 legal assistance unit of the IBP or the PAO thus contacted to immediately visit the
6 person(s) detained and provide him or her with legal assistance. These rights cannot be
7 waived except in writing and in the presence of the counsel of choice; (b) informed of the
8 cause or causes of his detention in the presence of his legal counsel; (c) allowed to
9 communicate freely with his legal counsel and to confer with them at any time without
10 restriction; (d) allowed to communicate freely and privately without restrictions with the
11 members of his family or with his nearest relatives and to be visited by them; and, (e)
12 allowed freely to avail of the service of a physician or physicians of choice.

13
14 SEC. [22] **29. Penalty for Violation of the Rights of a Detainee.** – [Any police or law
15 enforcement personnel, or any personnel of the police or other law enforcement custodial
16 unit that violates any of the aforesaid rights of a person charged with or suspected of the
17 crime of terrorism or the crime of conspiracy to commit terrorism shall be guilty of an
18 offense and shall suffer the penalty of ten (10) years and one day to twelve (12) years of
19 imprisonment.] **THE PENALTY OF IMPRISONMENT RANGING FROM TEN (10) YEARS**
20 **AND ONE DAY TO TWELVE (12) YEARS SHALL BE IMPOSED UPON ANY LAW**
21 **ENFORCEMENT OR MILITARY PERSONNEL WHO HAS VIOLATED THE RIGHTS OF**
22 **PERSONS UNDER THEIR CUSTODY, AS STATED IN SECTIONS 26, SECTION 27,**
23 **AND SECTION 28 OF THIS ACT.**

24
25 Unless the [police or] law enforcement OR MILITARY personnel who violated the rights of
26 a detainee or detainees as stated above is duly identified, the same penalty shall be
27 imposed on the [police officer or hear or] leader of the law enforcement OR MILITARY unit
28 having custody of the detainee at the time the violation was done.

29
30 [SEC. 23. *Requirement for an Official Custodial Logbook and its Contents.* - The police or
31 other law enforcement custodial unit in whose care and control the person charged with
32 or suspected of the crime of terrorism or the crime of conspiracy to commit terrorism has
33 been placed under custodial arrest and detention shall keep a securely and orderly
34 maintained official logbook, which is hereby declared as a public document and opened to
35 and made available for .the inspection and scrutiny of the lawyer or lawyers of the person
36 under custody or any member of his or her family or relative by consanguinity or affinity
37 within the fourth civil degree or his or her physician at any time of the day or night without

1 any form of restriction. The logbook shall contain a clear and concise record of: (a) the
2 name, description, and address of the detained person; (b) the date and exact time of his
3 initial admission for custodial arrest and detention; (c) the name and address of the
4 physician or physicians who examined him physically and medically; (d) the state of his
5 health and physical condition at the time of his initial admission for custodial detention; (e)
6 the date and time of each removal of the detained person from his cell for interrogation or
7 for any purpose; (f) the date and time of his return to his cell; (g) the name and address of
8 the physician or physicians who physically and medically examined him after each
9 interrogation; (h) a summary of the physical and medical findings on the detained person
10 after each of such interrogation; (i) the names and addresses of his family members and
11 nearest relatives, if any and if available; (j) the names and addresses of persons, who visit
12 the detained person; (k) the date and time of each of such visits; (l) the date and time of
13 each request of the detained person to communicate and confer with his legal counsel or
14 counsels; (m) the date and time of each visit, and date and time of each departure of his
15 legal counsel or counsels; and, (n) all other important events bearing on and all relevant
16 details regarding the treatment of the detained person while under custodial arrest and
17 detention.

18
19 The said police or law enforcement custodial unit shall upon demand of the
20 aforementioned lawyer or lawyers or members of the family or relatives within the fourth
21 civil degree of consanguinity or affinity of the person under custody or his or her physician
22 issue a certified true copy of the entries of the logbook relative to the concerned detained
23 person without delay or restriction or requiring any fees whatsoever including documentary
24 stamp tax, notarial fees, and the like. This certified true copy may be attested by the person
25 who has custody of the logbook or who allowed the party concerned to scrutinize it at the
26 time the demand for the certified true copy is made.

27
28 The police or other law enforcement custodial unit who fails to comply with the preceding
29 paragraph to keep an official logbook shall suffer the penalty of ten (10) years and one
30 day to twelve (12) years of imprisonment.]

31
32 SEC. [24] 30. *No Torture or Coercion in Investigation and Interrogation.* – [No threat,
33 intimidation, or coercion, and no act which will inflict any form of physical pain or torment,
34 or mental, moral, or psychological pressure, on the detained person, which shall vitiate his
35 freewill, shall be employed in his investigation and interrogation for the crime of terrorism
36 or the crime of conspiracy to commit terrorism; otherwise, the] **THE USE OF TORTURE**
37 **AND OTHER CRUEL, INHUMAN AND DEGRADING TREATMENT OR PUNISHMENT,**

1 AS DEFINED IN SECTIONS 4 AND 5 OF REPUBLIC ACT NO. 9745 OR THE "ANTI-
2 TORTURE ACT OF 2009," AT ANY TIME DURING THE INVESTIGATION OR
3 INTERROGATION OF A DETAINED SUSPECTED TERRORIST IS ABSOLUTELY
4 PROHIBITED. ANY evidence obtained from said detained person resulting from such
5 [threat, intimidation, or coercion, or from such inflicted physical pain or torment, or mental,
6 moral, or psychological pressure,] TREATMENT shall be, in its entirety, absolutely not
7 admissible and usable as evidence in any judicial, quasi-judicial, legislative, or
8 administrative investigation, inquiry, proceeding, or hearing.
9

10 [SEC. 25. *Penalty for Threat, Intimidation, Coercion, or Torture in the Investigation and*
11 *Interrogation of a Detained Person.* - Any person or persons who use threat, intimidation,
12 or coercion, or who inflict physical pain or torment, or mental, moral, or psychological
13 pressure, which shall vitiate the free-will of a charged or suspected person under
14 investigation and interrogation for the crime of terrorism or the crime of conspiracy to
15 commit terrorism shall be guilty of an offense and shall suffer the penalty of twelve (12)
16 years and one day to twenty (20) years of imprisonment.
17

18 When death or serious permanent disability of said detained person occurs as a
19 consequence of the use of such threat, intimidation, or coercion, or as a consequence of
20 the infliction on him of such physical pain or torment, or as a consequence of the infliction
21 on him of such mental, moral, or psychological pressure, the penalty shall be twelve (12)
22 years and one day to twenty (20) years of imprisonment.]
23

24 SEC. [26] 31. *Restriction on THE RIGHT TO Travel.* – [In cases where evidence of guilt is
25 not strong, and the person charged with the crime of terrorism or conspiracy to commit
26 terrorism is entitled to bail and is granted the same, the court, upon application by the
27 prosecutor, shall limit the right of travel of the accused to within the municipality or city
28 where he resides or where the case is pending, in the interest of national security and
29 public safety, consistent with Article III, Section 6 of the Constitution. Travel outside of said
30 municipality or city, without the authorization of the court, shall be deemed a violation of
31 the terms and conditions of his bail, which shall then be forfeited as provided under the
32 Rules of Court.
33

34 He/she may also be placed under house arrest by order of the court at his or her usual
35 place of residence.
36

1 While under house arrest, he or she may not use telephones, cellphones, e-mails,
2 computers, the internet or other means of communications with people outside the
3 residence until otherwise ordered by the court.
4

5 The restrictions abovementioned shall be terminated upon the acquittal of the accused or
6 of the dismissal of the case filed against him or earlier upon the discretion of the court on
7 motion of the prosecutor or of the accused.]
8

9 **UPON FILING OF THE INFORMATION REGARDING THE COMMISSION OF ANY**
10 **ACTS DEFINED AND PENALIZED UNDER SECTIONS 4, 5, 6, 7, 8, 9, AND 10 HEREOF,**
11 **THE COURT SHALL IMMEDIATELY ISSUE A HOLD DEPARTURE ORDER AGAINST**
12 **ANY PERSON CHARGED. IF THE EVIDENCE OF GUILT IS STRONG, THE COURT**
13 **SHALL ORDER THE DEPARTMENT OF FOREIGN AFFAIRS TO CANCEL THE**
14 **PASSPORT OF THE ACCUSED.**
15

16 **SEC. 32. CONDITIONS ON TRAVEL WHILE ON BAIL. - IN CASES WHERE EVIDENCE**
17 **OF GUILT IS NOT STRONG, THE COURT MAY ALLOW THE TRAVEL OF THE**
18 **ACCUSED WITHIN THE MUNICIPALITY OR CITY WHERE THE CASE IS PENDING.**
19 **THE COURT SHALL IMMEDIATELY FURNISH THE DEPARTMENT OF JUSTICE AND**
20 **THE BUREAU OF IMMIGRATION WITH THE COPY OF SAID ORDER. TRAVEL**
21 **OUTSIDE OF SAID MUNICIPALITY OR CITY, WITHOUT THE AUTHORIZATION OF**
22 **THE COURT, SHALL BE DEEMED A VIOLATION OF THE TERMS AND CONDITIONS**
23 **OF HIS BAIL AND SHALL RESULT IN THE FORFEITURE OF HIS/HER BAIL AND**
24 **HIS/HER IMMEDIATE ARREST AND DETENTION.**
25

26 [*SEC. 27. Judicial Authorization Required to Examine Bank Deposits, Accounts, and*
27 *Records. - The provisions of Republic Act No. 1405 as amended, to the contrary*
28 *notwithstanding, the justices of the Court of Appeals designated as a special court to*
29 *handle anti-terrorism cases after satisfying themselves of the existence of probable cause*
30 *in a hearing called for that purpose that: (1) a person charged with or suspected of the*
31 *crime of terrorism or, conspiracy to commit terrorism, (2) of a judicially declared and*
32 *outlawed terrorist organization, association, or group of persons; and (3) of a member of*
33 *such judicially declared and outlawed organization, association, or group of persons, may*
34 *authorize in writing any police or law enforcement officer and the members of his/her team*
35 *duly authorized in writing by the anti-terrorism council to: (a) examine, or cause the*
36 *examination of, the deposits, placements, trust accounts, assets and records in a bank or*
37 *financial institution; and (b) gather or cause the gathering of any relevant information about*

1 such deposits, placements, trust accounts, assets, and records from a bank or financial
2 institution. The bank or financial institution concerned, shall not refuse to allow such
3 examination or to provide the desired information, when so, ordered by and served with
4 the written order of the Court of Appeals.]

5
6 [SEC. 28. *Application to Examine Bank Deposits, Accounts, and Records.* - The written
7 order of the Court of Appeals authorizing the examination of bank deposits, placements,
8 trust accounts, assets, and records: (1) of a person charged with or suspected of the crime
9 of terrorism or conspiracy to commit terrorism; (2) of any judicially declared and outlawed
10 terrorist organization, association, or group of persons, or (3) of any member of such
11 organization, association, or group of persons in a bank or financial institution, and the
12 gathering of any relevant information about the same from said bank or financial institution,
13 shall only be granted by the authorizing division of the Court of Appeals upon an ex parte
14 application to that effect of a police or of a law enforcement official who has been duly
15 authorized in writing to file such ex parte application by the Anti-Terrorism Council created
16 in Section 53 of this Act to file such ex parte application, and upon examination under oath
17 or affirmation of the applicant and, the witnesses he may produce to establish the facts
18 that will justify the need and urgency of examining and freezing the bank deposits,
19 placements, trust accounts, assets, and records: (1) of the person charged with or
20 suspected of the crime of terrorism or conspiracy to commit terrorism; (2) of a judicially
21 declared and outlawed terrorist organization, association or group of persons; or (3) of any
22 member of such organization, association, or group of persons.]

23
24 [SEC. 29. *Classification and Contents of the Court Order Authorizing the Examination of*
25 *Bank Deposits, Accounts, and Records.* - The written order granted by the authorizing
26 division of the Court of Appeals as well as its order, if any, to extend or renew the same,
27 the original ex parte application of the applicant, including his ex parte application to extend
28 or renew, if any, and the written authorizations of the Anti-Terrorism Council, shall be
29 deemed and are hereby declared as classified information: Provided, That the person
30 whose bank deposits, placements, trust accounts, assets, and records have been
31 examined, frozen, sequestered and seized by law enforcement authorities has the right to
32 be informed of the acts done by the law enforcement authorities in the premises or to
33 challenge, if he or she intends to do so, the legality of the interference. The written order
34 of the authorizing division of the Court of Appeals designated to handle cases involving
35 terrorism shall specify: (a) the identify of the said: (1) person charged with or suspected of
36 the crime of terrorism or conspiracy to commit terrorism; (2) judicially declared and
37 outlawed terrorist organization, association, or group of persons; and (3) member of such

1 judicially declared and outlawed organization, association, or group of persons, as the
2 case may be. whose deposits, placements, trust accounts, assets, and records are to be
3 examined or the information to be gathered; (b) the identity of the bank or financial
4 Institution where such deposits, placements, trust accounts, assets, and records are held
5 and maintained; (c) the identity of the persons who will conduct the said examination and
6 the gathering of the desired information; and, (d) the length of time the authorization shall
7 be carried out.]

8
9 [SEC. 30. *Effective Period of Court Authorization to Examine and Obtain Information on*
10 *Bank Deposits, Accounts, and Records.* - The authorization issued or granted by the
11 authorizing division of the Court of Appeals to examine or cause the examination of and
12 to freeze bank deposits, placements, trust accounts, assets, and records, or to gather
13 information about the same, shall be effective for the length of time specified in the written
14 order of the authorizing division of the Court of Appeals, which shall not exceed a period
15 of thirty (30) days from the date of receipt of the written order of the authorizing division of
16 the Court of Appeals by the applicant police or law enforcement official.

17
18 The authorizing division of the Court of Appeals may extend or renew the said
19 authorization for another period, which shall not exceed thirty (30) days renewable to
20 another thirty (30) days from the expiration of the original period: Provided, That the
21 authorizing division of the Court of Appeals is satisfied that such extension or renewal is
22 in the public interest: and, Provided, further, That the application for extension or renewal,
23 which must be filed by the original applicant, has been duly authorized in writing by the
24 Anti-Terrorism Council.

25
26 In case of death of the original applicant or in case he is physically disabled to file the
27 application for extension or renewal, the one next in rank to the original applicant among
28 the members of the team named in the original written order of the authorizing division of
29 the Court of Appeals shall file the application for extension or renewal: Provided, That,
30 without prejudice to the liability of the police or law enforcement personnel under Section
31 19 hereof, the applicant police or law enforcement official shall have thirty (30) days after
32 the termination of the period granted by the Court of Appeals as provided in the preceding
33 paragraphs within which to file the appropriate case before the Public Prosecutor's Office
34 for any violation of this Act.

35
36 If no case is filed within the thirty (30)-day period, the applicant police or law enforcement
37 official shall immediately notify in writing the person subject of the bank examination and

1 freezing of bank deposits, placements, trust accounts, assets and records. The penalty of
2 ten (10) years and one day to twelve (12) years of imprisonment shall be imposed upon
3 the applicant police or law enforcement official who fails to notify in writing the person
4 subject of the bank examination and freezing of bank deposits, placements, trust accounts,
5 assets and records.
6

7 Any person, law enforcement official or judicial authority who violates his duty to notify in
8 writing as defined above shall suffer the penalty of six years and one day to eight years of
9 imprisonment.]
10

11 [SEC. 31. *Custody of Bank Data and Information Obtained after Examination of Deposits,*
12 *Placements, Trust Accounts, Assets and Records.* - All information, data, excerpts,
13 summaries, notes, memoranda, working sheets, reports, and other documents obtained
14 from the examination of the bank deposits, placements, trust accounts, assets and records
15 of: (1) a person charged with or suspected of the crime of terrorism or the crime of
16 conspiracy to commit terrorism; (2) a judicially declared and outlawed terrorist
17 organization, association, or group of persons; or (3) a member of any such organization,
18 association, or group of persons shall, within forty-eight (48) hours after the expiration of
19 the period fixed in the written order of the authorizing division of the Court of Appeals or
20 within forty-eight (48) hours after the expiration of the extension or renewal granted by the
21 authorizing division of the Court of Appeals, be deposited with the authorizing division of
22 the Court of Appeals in a sealed envelope or sealed package, as the case may be, and
23 shall be accompanied by a joint affidavit of the applicant police or law enforcement official
24 and the persons who actually conducted the examination of said bank deposits,
25 placements, trust accounts, assets and records.]
26

27 [SEC. 32. *Contents of Joint Affidavit.* - The joint affidavit shall state: (a) the identifying
28 marks, numbers, or symbols of the deposits, placements, trust accounts, assets, and
29 records examined; (b) the identity and address of the bank or financial institution where
30 such deposits, placements, trust accounts, assets, and records are held and maintained;
31 (c) the number of bank deposits, placements, trust accounts, assets, and records
32 discovered, examined, and frozen; (d) the outstanding balances of each of such deposits,
33 placements, trust accounts, assets; (e) all information, data, excerpts, summaries, notes,
34 memoranda, working sheets, reports, documents, records examined and placed in the
35 sealed envelope or sealed package deposited with the authorizing division of the Court of
36 Appeals; (f) the date of the original written authorization granted by the Anti-Terrorism
37 Council to the applicant to file the ex parte Application to conduct the examination of the

1 said bank deposits, placements, trust accounts, assets and records, as well as the date of
2 any extension or renewal of the original written authorization granted by the authorizing
3 division of the Court of Appeals; and (g) that the items Enumerated were all that were
4 found in the bank or financial institution examined at the time of the completion of the
5 examination.

6
7 The joint affidavit shall also certify under oath that no duplicates or copies of the
8 information, data, excerpts, summaries, notes, memoranda, working sheets, reports, and
9 documents acquired from the examination of the bank deposits, placements, trust
10 accounts, assets and records have been made, or, if made, that all such duplicates and
11 copies are placed in the sealed envelope or sealed package deposited with the authorizing
12 division of the Court of Appeals.

13
14 It shall be unlawful for any person, police officer or custodian of the bank data and
15 information obtained after examination of deposits, placements, trust accounts, assets and
16 records to copy, to remove, delete, expunge, incinerate, shred or destroy in any manner
17 the items enumerated above in whole or in part under any pretext whatsoever.

18
19 Any person who copies, removes, deletes, expunges, incinerates, shreds or destroys the
20 items enumerated above shall suffer a penalty of not less than six years and one day to
21 twelve (12) years of imprisonment.]

22
23 [SEC. 33. *Disposition of Bank Materials.* - The sealed envelope or sealed package and
24 the contents thereof, which are deposited with the authorizing division of the Court of
25 Appeals, shall be deemed and are hereby declared classified information and the sealed
26 envelope or sealed package shall not be opened and its contents shall not be divulged,
27 revealed, read, or used as evidence unless authorized in a written order of the authorizing
28 division of the Court of Appeals, which written order shall be granted only upon a written
29 application of the Department of Justice filed before the authorizing division of the Court
30 of Appeals and only upon a showing that the Department of Justice has been duly
31 authorized in writing by the Anti-Terrorism Council to file the application, with notice in
32 writing to the party concerned not later than three days before the scheduled opening, to
33 open, reveal, divulge, and use the contents of the sealed envelope or sealed package as
34 evidence.

1 Any person, law enforcement official or judicial authority who violates his duty to notify in
2 writing as defined above shall suffer the penalty of six years and one day to eight years of
3 imprisonment.]

4
5 [SEC. 34. *Application to Open Deposited Bank Materials.* - The written application, with
6 notice in writing to the party concerned not later than three days of the scheduled opening,
7 to open the sealed envelope or sealed package shall clearly state the purpose and reason:
8 (a) for opening the sealed envelope or sealed package; (b) for revealing and disclosing its
9 classified contents; and, (c) for using the classified information, data, excerpts, summaries,
10 notes, memoranda, working sheets, reports, and documents as evidence.]

11
12 [SEC. 35. *Evidentiary Value of Deposited Bank Materials.* - Any information, data,
13 excerpts, summaries, notes, memoranda, work sheets, reports, or documents acquired
14 from the examination of the bank deposits, placements, trust accounts, assets and records
15 of: (1) a person charged or suspected of the crime of terrorism or the crime of conspiracy
16 to commit terrorism; (2) a judicially declared and outlawed terrorist organization,
17 association, or group of persons; or (3) a member of such organization, association, or
18 group of persons, which have been secured in violation of the provisions of this Act, shall
19 absolutely not be admissible and usable as evidence against anybody in any judicial,
20 quasi-judicial, legislative, or administrative investigation, inquiry, proceeding, or hearing.]

21
22 **SEC. 33. BANK INQUIRY AND EXAMINATION. – UPON ORDER OF THE COURT**
23 **DECLARING AN ORGANIZATION, ASSOCIATION, GROUP OF PERSONS, OR**
24 **INDIVIDUAL AS TERRORISTS OR AN OUTLAWED ORGANIZATION OR**
25 **ASSOCIATION IN ACCORDANCE WITH SECTION 23 HEREOF, OR IF A VALID**
26 **JUDICIAL AUTHORIZATION IS AVAILABLE AGAINST SUCH ORGANIZATION,**
27 **ASSOCIATION, GROUP OF PERSONS, OR INDIVIDUAL OR GROUP OF PERSONS,**
28 **LAW ENFORCEMENT OFFICERS OR MILITARY PERSONNEL MAY CONDUCT AN**
29 **INQUIRY AND EXAMINATION INTO THE BANK ACCOUNTS AND INVESTMENTS OF**
30 **SUCH ORGANIZATION, ASSOCIATION, GROUP OF PERSONS, OR INDIVIDUAL.**
31 **SUCH INQUIRY AND EXAMINATION SHALL BE IN ACCORDANCE WITH REPUBLIC**
32 **ACT NO. 9160, OTHERWISE KNOWN AS THE “ANTI-MONEY LAUNDERING ACT OF**
33 **2001, AS AMENDED” IN RELATION TO REPUBLIC ACT 10168, OTHERWISE KNOWN**
34 **AS “TERRORISM FINANCING PREVENTION AND SUPPRESSION ACT OF 2012”.**

35
36 [SEC. 36. *Penalty for Unauthorized or Malicious Examination of a Bank or a Financial*
37 *Institution.* -] Any person, [police or] law enforcement OR MILITARY personnel who

1 examines the deposits, placements, trust accounts, assets, or records in a bank or
2 financial institution [of: (1) a person charged with or suspected of the crime of terrorism or
3 the crime of conspiracy to commit terrorism; (2) a judicially declared and outlawed terrorist
4 organization, association, or group of persons; or (3) a member of such organization,
5 association, or group of persons, without being authorized to do so by the Court of
6 Appeals.] **IN CONTRAVENTION [TO] OF THE PREVIOUS PARAGRAPH** [shall be guilty
7 of an offense and] shall suffer the penalty of **IMPRISONMENT RANGING FROM** ten (10)
8 years and one day to twelve (12) years [of imprisonment].
9

10 [In addition to the liability attaching to the offender for the commission of any other offense,
11 the penalty of ten (10) years and one day to twelve (12) years of imprisonment shall be
12 imposed upon any police or law enforcement personnel, who maliciously obtained an
13 authority from the Court of Appeals to examine the deposits, placements, trust accounts,
14 assets, or records in a bank or financial institution of: (1) a person charged with or
15 suspected of the crime of terrorism or conspiracy to commit terrorism; (2) a judicially
16 declared and outlawed terrorist organization, association, or group of persons; or (3) a
17 member of such organization, association, or group of persons: Provided, That
18 notwithstanding Section 33 of this Act, the party aggrieved by such authorization shall
19 upon motion duly filed be allowed access to the sealed envelope or sealed package and
20 the contents thereof as evidence for the prosecution of any police or law enforcement
21 personnel who maliciously procured said authorization.]
22

23 SEC. [37] **34. Penalty of Bank Officials and Employees Defying a Court Authorization.** -
24 An employee, official, or a member of the board of directors of a bank or financial
25 institution, who refuses to allow the examination of the deposits, placements, trust
26 accounts, assets, and records [of: (1) a person charged with or suspected of the crime of
27 terrorism or the crime of conspiracy to commit terrorism; (2) a judicially declared and
28 outlawed organization, association, or group of persons; or (3) a member of such judicially
29 declared and outlawed organization, association, or group of persons in said bank or
30 financial institution, when duly served with the written order of the authorizing division of
31 the Court of Appeals, shall be guilty of an offense and] **OF ORGANIZATION,**
32 **ASSOCIATION, GROUP OF PERSONS, OR INDIVIDUALS, IN ACCORDANCE WITH**
33 **SECTION 33 HEREOF,** shall suffer the penalty **IMPRISONMENT RANGING FROM** [of]
34 ten (10) years and one day to twelve (12) years of imprisonment.
35

36 [SEC. 38. *Penalty for False or Untruthful Statement or Misrepresentation of Material Fact*
37 *in Joint Affidavits.* - Any false or untruthful statement or misrepresentation of material fact

1 in the joint affidavits required respectively in Section 12 and Section 32 of this Act shall
2 constitute a criminal offense and the affiants shall suffer individually the penalty of ten (10)
3 years and one day to twelve (12) years of imprisonment.]

4
5 [SEC. 39. *Seizure and Sequestration.* - The deposits and their outstanding balances,
6 placements, trust accounts, assets, and records in any bank or financial institution,
7 moneys, businesses, transportation and communication equipment, supplies and other
8 implements, and property of whatever kind and nature belonging: (1) to any person
9 suspected of or charged before a competent Regional Trial Court for the crime of terrorism
10 or the crime of conspiracy to commit terrorism; (2) to a judicially declared and outlawed
11 organization, association, or group of persons; or (3) to a member of such organization,
12 association, or group of persons shall be seized, sequestered, and frozen in order to
13 prevent their use, transfer, or conveyance for purposes that are inimical to the safety and
14 security of the people or injurious to the interest of the State.

15
16 The accused or a person suspected of may withdraw such sums as may be reasonably
17 needed by the monthly needs of his family including the services of his or her counsel and
18 his or her family's medical needs upon approval of the court. He or she may also use any
19 of his property that is under seizure or sequestration or frozen because of his/her
20 indictment as a terrorist upon permission of the court for any legitimate reason.

21
22 Any person who unjustifiably refuses to follow the order of the proper division of the Court
23 of Appeals to allow the person accused of the crime of terrorism or of the crime of
24 conspiracy to commit terrorism to withdraw such sums from sequestered or frozen
25 deposits, placements, trust accounts, assets and records as may be necessary for the
26 regular sustenance of his/her family or to use any of his/her property that has been seized,
27 sequestered or frozen for legitimate purposes while his/her case is pending shall suffer
28 the penalty of ten (10) years and one day to twelve (12) years of imprisonment.]

29
30 [SEC. 40. *Nature of Seized, Sequestered and Frozen Bank Deposits, Placements, Trust*
31 *Accounts, Assets and Records.* - The seized, sequestered and frozen bank deposits,
32 placements, trust accounts, assets and records belonging to a person suspected of or
33 charged with the crime of terrorism or conspiracy to commit terrorism shall be deemed as
34 property held in trust by the bank or financial institution for such person and the
35 government during the pendency of the investigation of the person suspected of or during
36 the pendency of the trial of the person charged with any of the said crimes, as the case

1 may be and their use or disposition while the case is pending shall be subject to the
2 approval of the court before which the case or cases are pending.】

3
4 **[SEC. 41. *Disposition of the Seized, Sequestered and Frozen Bank Deposits, Placements,***
5 ***Trust Accounts, Assets and Record.*** - If the person suspected of or charged with the crime
6 of terrorism or conspiracy to commit terrorism is found, after his investigation, to be
7 innocent by the investigating body, or is acquitted, after his arraignment or his case is
8 dismissed before his arraignment by a competent court, the seizure, sequestration and
9 freezing of his bank deposits, placements, trust accounts, assets and records shall
10 forthwith be deemed lifted by the investigating body or by the competent court, as the case
11 may be, and his bank deposits, placements, trust accounts, assets and records shall be
12 deemed released from such seizure, sequestration and freezing, and shall be restored to
13 him without any delay by the bank or financial institution concerned without any further
14 action on his part. The filing of any appeal on motion for reconsideration shall not state the
15 release of said funds from seizure, sequestration and freezing.

16
17 If the person charged with the crime of terrorism or conspiracy to commit terrorism is
18 convicted by a final judgment of a competent trial court, his seized, sequestered and frozen
19 bank deposits, placements, trust accounts, assets and records shall be automatically
20 forfeited in favor of the government.

21
22 Upon his or her acquittal or the dismissal of the charges against him or her, the amount of
23 Five hundred thousand pesos (P500.000.00) a day for the period in which his properties,
24 assets or funds were seized shall be paid to him on the concept of liquidated damages.
25 The amount shall be taken from the appropriations of the police or law enforcement agency
26 that caused the filing of the enumerated charges against him/her.】

27
28 **[SEC. 42. *Penalty for Unjustified Refusal to Restore or Delay in Restoring Seized,***
29 ***Sequestered and Frozen Bank Deposits, Placements, Trust Accounts, Assets and***
30 ***Records.*** - Any person who unjustifiably refuses to restore or delays the restoration of
31 seized, sequestered and frozen bank deposits, placements, trust accounts, assets and
32 records of a person suspected of or charged with the crime of terrorism or conspiracy to
33 commit terrorism after such suspected person has been found innocent by the
34 investigating body or after the case against such charged person has been dismissed or
35 after he is acquitted by a competent court shall suffer the penalty of ten (10) years and
36 one day to twelve (12) years of imprisonment.】

1 [SEC. 43. *Penalty for the Loss, Misuse, Diversion or Dissipation of Seized, Sequestered*
2 *and Frozen Bank Deposits, Placements, Trust Accounts, Assets and Records.* - Any
3 person who is responsible for the loss, misuse, diversion, or dissipation of the whole or
4 any part of the seized, sequestered and frozen bank deposits, placements, trust accounts,
5 assets and records of a person suspected of or charged with the crime of terrorism or
6 conspiracy to commit terrorism shall suffer the penalty of ten (10) years and one day to
7 twelve (12) years of imprisonment.]

8
9 [SEC. 44. *Infidelity in the Custody of Detained Persons.* - Any public officer who has direct
10 custody of a detained person or under the provisions of this Act and who by his deliberate
11 act, misconduct, or inexcusable negligence causes or allows the escape of such detained
12 person shall be guilty of an offense and shall suffer the penalty of: (a) twelve (12) years
13 and one day to twenty (20) years of imprisonment, if the detained person has already been
14 convicted and sentenced in a final judgment of a competent court; and (b) six years and
15 one day to twelve (12) years of imprisonment, if the detained person has not been
16 convicted and sentenced in a final judgment of a competent court.]

17
18 SEC. [45] 34. *Immunity and Protection of Government Witnesses.* - The provisions of
19 Republic Act No. 6981 (Witness Protection, Security and Benefits Act) to the contrary
20 notwithstanding, the immunity of government witnesses testifying under this Act shall be
21 governed by Sections 17 and 18 of Rule 119 of the Rules of Court: Provided, however,
22 That said witnesses shall be entitled to benefits granted to witnesses under said Republic
23 Act No.6981.

24
25 SEC. [46] 36. *Penalty for Unauthorized Revelation of Classified Materials.* - The penalty
26 of [ten (10) years and one day to twelve (12) years of imprisonment] **IMPRISONMENT**
27 **RANGING FROM SIX (6) MONTHS AND ONE (1) DAY TO SIX (6) YEARS** shall be
28 imposed upon any person, [police or] law enforcement agent **OR DEPUTIZED LAW**
29 **ENFORCEMENT AGENCY, OR MILITARY PERSONNEL**, judicial officer or civil servant
30 who, not being authorized by the Court of Appeals **OR REGIONAL TRIAL COURT,**
31 **WHICH HAS TERRITORIAL JURISDICTION OVER THE AREA WHERE THE**
32 **SUSPECTED PERSONS OR GROUP OF PERSONS ARE LOCATED OR OPERATING**
33 to do so, reveals in any manner or form any classified information under this Act. **THE**
34 **PENALTY IMPOSED HEREIN IS WITHOUT PREJUDICE AND IN ADDITION TO ANY**
35 **CORRESPONDING ADMINISTRATIVE LIABILITY THE OFFENDER MAY HAVE**
36 **INCURRED FOR SUCH ACTS.**

1 SEC. [47] 37. *Penalty for Furnishing False Evidence, Forged Document, or Spurious*
2 *Evidence.* - The penalty of **IMPRISONMENT RANGING FROM** twelve (12) years and one
3 day to twenty (20) years [of imprisonment] shall be imposed upon any person who
4 knowingly furnishes false testimony, forged document or spurious evidence in any
5 investigation or hearing under this Act.

6
7 SEC. [48] 38. *Continuous Trial.* - In cases [of terrorism or conspiracy to commit terrorism]
8 **INVOLVING CRIMES DEFINED AND PENALIZED UNDER SECTIONS 4, 5, 6, 7, 8, 9,**
9 **AND 10 HEREOF,** the judge CONCERNED shall set the continuous trial on a daily basis
10 from Monday to Friday or other short-term trial calendar [so as] to ensure **COMPLIANCE**
11 **WITH THE ACCUSED'S RIGHT TO** speedy trial.

12
13 [SEC. 49. *Prosecution Under This Act Shall be a Bar to Another Prosecution under the*
14 *Revised Penal Code or any Special Penal Laws.* - When a person has been prosecuted
15 under a provision of this Act, upon a valid complaint or information or other formal charge
16 sufficient in form and substance to sustain a conviction and after the accused had pleaded
17 to the charge, the acquittal of the accused or the dismissal of the case shall be a bar to
18 another prosecution for any offense or felony which is necessarily included in the offense
19 charged under this Act.]

20
21 SEC. [50] 39. *Damages for FALSE PROSECUTION* – [Upon acquittal, a] Any person who
22 [is] **HAS BEEN CHARGED WITH AND LATER ON ACQUITTED OF** [accused of
23 terrorism] **ANY OF THE OFFENSES DEFINED AND PENALIZED UNDER SECTIONS 4,**
24 **5, 6, 7, 8, 9, AND 10 HEREOF BASED ON FALSE ACCUSATION, FRAUD, MALICE,**
25 **OR GROSS INEXCUSABLE NEGLIGENCE** shall [be entitled to the payment of damages
26 in the amount of Five hundred thousand pesos (P500,000.00) for every day that he or she
27 has been detained or deprived of liberty or arrested without a warrant as a result of such
28 an accusation. The amount of damages shall be automatically charged against the
29 appropriations of the police agency or the Anti-Terrorism Council that brought or
30 sanctioned the filing of the charges against the accused. It shall also be released within
31 fifteen (15) days from the date of the acquittal of the accused.] **HAVE THE RIGHT TO**
32 **COMPENSATION FOR DAMAGES SUFFERED, IN THE AMOUNT TO BE**
33 **DETERMINED BY COURT, BUT IN NO CASE SHALL IT BE LESS THAN FIFTY**
34 **THOUSAND (50,000) PESOS. THE GOVERNMENT OF THE REPUBLIC OF THE**
35 **PHILIPPINES SHALL BE SOLIDARILY LIABLE WITH THE LAW ENFORCERS,**
36 **MILITARY PERSONNEL AND OTHER PERSONS WHO CAUSED THE FALSE**
37 **ACCUSATION AGAINST THE CLAIMANT. [The] SUCH** award of damages [mentioned

1 above] shall be without prejudice to the right of the acquitted accused to file criminal or
2 administrative charges against those responsible for charging him with the case of
3 terrorism.

4
5 [Any officer, employee, personnel, or person who delays the release or refuses to release
6 the amounts awarded to the individual acquitted of the crime of terrorism as directed in the
7 paragraph immediately preceding shall suffer the penalty of six months of imprisonment.
8

9 If the deductions are less than the amounts due to the detained persons, the amount
10 needed to complete the compensation shall be taken from the current appropriations for
11 intelligence, emergency, social or other funds of the Office of the President.

12 In the event that the amount cannot be covered by the current budget of the police or law
13 enforcement agency concerned, the amount shall be automatically included in the
14 appropriations of the said agency for the coming year.]
15

16 [SEC. 51. *Duty to Record and Report the Name and Address of the Informant.* - The police
17 or law enforcement officers to whom the name or a suspect in the crime of terrorism was
18 first revealed shall record the real name and the specific address of the informant.

19 The police or law enforcement officials concerned shall report the informant's name and
20 address to their superior officer who shall transmit the information to the Congressional
21 Oversight Committee or to the proper court within five days after the suspect was placed
22 under arrest or his properties were sequestered, seized or frozen.
23

24 The name and address of the informant shall be considered confidential and shall not be
25 unnecessarily revealed until after the proceedings against the suspect shall have been
26 terminated.]
27

28 [SEC. 52. *Applicability of the Revised Penal Code.* - The provisions of Book I of the
29 Revised Penal Code shall be applicable to this Act.]
30

31 SEC. [53] 40. *Anti-Terrorism [Council] COMMISSION.* – An Anti-Terrorism [Council]
32 COMMISSION, hereinafter referred to, for brevity, as the ["COUNCIL"] "COMMISSION,"
33 is hereby created. **IT SHALL BE AN INDEPENDENT AND AUTONOMOUS BODY**
34 **HAVING THE SAME STATUS AS THAT OF A NATIONAL GOVERNMENT AGENCY**
35 **AND ATTACHED TO THE OFFICE OF THE PRESIDENT FOR POLICY**
36 **COORDINATION.**
37

1 THE COMMISSION SHALL IMPLEMENT THIS ACT AND ASSUME THE
2 RESPONSIBILITY FOR THE PROPER AND EFFECTIVE IMPLEMENTATION OF THE
3 ANTI-TERRORISM POLICY OF THE COUNTRY. IT SHALL COORDINATE AND
4 CONVERGE THE EFFORTS OF THE VARIOUS AGENCIES IN THE
5 IMPLEMENTATION OF THIS ACT AND KEEP RECORDS OF ALL ITS PROCEEDINGS
6 AND DECISIONS. ALL OF ITS RECORDS SHALL BE SUBJECT TO SUCH SECURITY
7 CLASSIFICATIONS AS IT MAY, IN ITS JUDGMENT AND DISCRETION, DECIDE TO
8 ADOPT TO SAFEGUARD THE SAFETY OF THE PEOPLE, THE SECURITY OF THE
9 REPUBLIC, AND THE WELFARE OF THE NATION.

10
11 **WITHIN NINETY DAYS FROM THE EFFECTIVITY OF THIS ACT, THE PRESENT ANTI-**
12 **TERRORISM COUNCIL SHALL BE CONVERTED TO A COMMISSION.**

13
14 [The members of the Council are: (1) the Executive Secretary, who shall be its
15 Chairperson; (2) the Secretary of Justice, who shall be its Vice Chairperson; and (3) the
16 Secretary of Foreign Affairs; (4) the Secretary of National Defense; (5) the Secretary of
17 the Interior and Local Government; (6) the Secretary of Finance; and (7) the National
18 Security Advisor, as its other members.

19
20 The Council shall implement this Act and assume the responsibility for the proper and
21 effective implementation of the anti-terrorism policy of the country. The Council shall keep
22 records of its proceedings and decisions. All records of the Council shall be subject to such
23 security classifications as the Council may, in its judgment and discretion, decide to adopt
24 to safeguard the safety of the people, the security of the Republic, and the welfare of the
25 nation.]

26
27 **SEC. 41. ANTI-TERRORISM COMMISSION COMPOSITION, QUALIFICATIONS,**
28 **TENURE AND COMPENSATION OF COMMISSIONERS. – THE COMMISSION SHALL**
29 **BE COMPOSED OF THE EXECUTIVE SECRETARY AS THE CHAIRPERSON AND**
30 **FOUR COMMISSIONERS TO BE APPOINTED BY THE PRESIDENT.**

31
32 The **NATIONAL INTELLIGENCE COORDINATING AGENCY**, National Bureau of
33 Investigation, the Bureau of Immigration, the Office of Civil Defense, the Intelligence
34 Service of the Armed Forces of the Philippines, the Anti-Money Laundering Council, the
35 Philippine Center on Transnational Crime, and the Philippine National Police intelligence
36 and investigative elements shall serve as support agencies for the [Council]
37 **COMMISSION.**

1
2 [The Council shall formulate and adopt comprehensive, adequate, efficient, and effective
3 anti-terrorism plans, programs, and counter-measures to suppress and eradicate terrorism
4 in the country and to protect the people from acts of terrorism. Nothing herein shall be
5 interpreted to empower the Anti-Terrorism Council to exercise any judicial or quasi-judicial
6 power or authority.]

7
8 THE EXECUTIVE SECRETARY SHALL BE THE CHAIRPERSON OF THE
9 COMMISSION.

10
11 THE FOUR (4) COMMISSIONERS TO BE APPOINTED BY THE PRESIDENT MUST BE
12 FILIPINO CITIZENS, RESIDENTS OF THE PHILIPPINES, AT LEAST THIRTY FIVE (35)
13 YEARS OF AGE AT THE TIME OF HIS/HER APPOINTMENT, WITH AT LEAST TEN
14 (10) YEARS OF SUBSTANTIVE EXPERIENCE IN NATIONAL SECURITY, ANTI-
15 TERRORISM AND DEFENSE STUDIES, POLICY FORMULATION, ADMINISTRATION
16 OR OPERATIONS, AND OF PROVEN PROBITY, HONESTY AND INTEGRITY:
17 PROVIDED, THAT, AT LEAST ONE (1) OF THE COMMISSIONERS SHALL BE A
18 FEMALE AND AT LEAST ONE (1) OF THE COMMISSIONERS SHALL BE A MEMBER
19 OF THE BAR: PROVIDED, FURTHER, THAT TO ENSURE A MULTI-PERSPECTIVE
20 APPROACH IN THE PERFORMANCE OF THE COMMISSION'S FUNCTIONS, IN NO
21 CASE SHALL THERE BE APPOINTED ANY TWO COMMISSIONERS WHO RESIGNED
22 OR RETIRED FROM THE SAME AGENCY OR ARMED SERVICE SUCH AS THE AFP
23 OR THE PNP: PROVIDED, FINALLY, THAT IN NO CASE SHALL ANY OF THE
24 COMMISSIONERS APPOINT REPRESENTATIVES TO ACT ON THEIR BEHALF.

25
26 THE COMMISSIONERS SHALL HOLD OFFICE FOR A PERIOD OF SEVEN (7) YEARS,
27 AND SHALL BE ELIGIBLE FOR REAPPOINTMENT: PROVIDED, THAT, NO PERSON
28 SHALL SERVE FOR MORE THAN TWO (2) CONSECUTIVE TERMS AS
29 COMMISSIONER: PROVIDED, FURTHER, THAT IN CASE OF A VACANCY, THE NEW
30 APPOINTEE MUST FULLY MEET THE QUALIFICATIONS OF A COMMISSIONER AND
31 SHALL HOLD OFFICE ONLY FOR THE UNEXPIRED PORTION OF THE TERM OF HIS
32 OR HER PREDECESSOR: PROVIDED, FINALLY, THAT IN NO CASE SHALL A
33 COMMISSIONER BE DESIGNATED IN A TEMPORARY OR ACTING CAPACITY.

34
35 THE COMMISSIONERS SHALL HAVE THE RANK AND PRIVILEGES OF A
36 DEPARTMENT UNDERSECRETARY. THEY SHALL BE ENTITLED TO THE

1 CORRESPONDING COMPENSATION AND OTHER EMOLUMENTS AS WELL AS TO
2 THE SAME DISQUALIFICATIONS ATTACHED TO THE OFFICE.

3
4 **SEC. 42. REGIONAL ANTI-TERRORISM COORDINATING COUNCILS. – THE**
5 **COMMISSION SHALL, IN COORDINATION WITH THE NATIONAL INTELLIGENCE**
6 **COORDINATING AGENCY, ESTABLISH REGIONAL ANTI-TERRORISM**
7 **COORDINATING COUNCILS TO ASSIST THE ANTI-TERRORISM COMMISSION IN**
8 **THE IMPLEMENTATION OF THIS ACT. THE COMMISSION SHALL, IN THE INTEREST**
9 **OF EFFICIENCY, EFFECTIVENESS AND UNITY OF COMMAND, MAXIMIZE EXISTING**
10 **REGIONAL MECHANISMS OF THE NATIONAL INTELLIGENCE COORDINATING**
11 **AGENCY (NICA).**

12
13 **SEC. [54] 43. *Functions of the [Council] COMMISSION.*** - In pursuit of its mandate in the
14 previous Section, the [Council] **COMMISSION** shall have the following functions with due
15 regard for the rights of the people as mandated by the Constitution and pertinent laws:

- 16
17 1. Formulate and adopt plans, programs and counter-measures against terrorists and
18 acts of terrorism in the country;
- 19
20 2. Coordinate all national efforts to suppress and eradicate acts of terrorism in the country
21 and mobilize the entire nation against terrorism prescribed in this Act;
- 22
23 3. Direct the speedy investigation and prosecution of all persons accused or detained for
24 the crime of terrorism or conspiracy to commit terrorism and other offenses punishable
25 under this Act, and monitor the progress of their cases;
- 26
27 **4. MONITOR THE PROGRESS OF THE INVESTIGATION AND PROSECUTION OF**
28 **ALL PERSONS ACCUSED AND/OR DETAINED FOR THE CRIMES DEFINED AND**
29 **PENALIZED UNDER SECTIONS 4, 5, 6, 7, 8, AND 9 HEREOF;**
30
- 31
32 5. Establish and maintain comprehensive data-base information system on terrorism,
33 terrorist activities, and counter-terrorism operations;
- 34
35 **6. ENLIST THE ASSISTANCE OF AND FILE THE APPROPRIATE ACTION WITH THE**
36 **ANTI-MONEY LAUNDERING COUNCIL TO FREEZE AND FORFEIT THE FUNDS,**
37 **BANK DEPOSITS, PLACEMENTS, TRUST ACCOUNTS, ASSETS AND PROPERTY**
38 **OF WHATEVER KIND AND NATURE BELONGING (I) TO A PERSON SUSPECTED**
39 **OF OR CHARGED WITH ANY CRIME DEFINED AND PENALIZED UNDER**
SECTIONS 4, 5, 6, 7, 8, AND 9 OF THIS ACT, (II) BETWEEN MEMBERS OF A

1 JUDICIALLY DECLARED AND OUTLAWED TERRORIST ORGANIZATION,
2 ASSOCIATION AS PROVIDED IN SECTION 23 OF THIS ACT; (III) TO
3 DESIGNATED PERSONS DEFINED UNDER SECTION 3(E) OF REPUBLIC ACT
4 NO. 10168, OTHERWISE KNOWN AS THE "TERRORISM FINANCING
5 PREVENTION AND SUPPRESSION ACT OF 2012"; (IV) TO AN INDIVIDUAL
6 MEMBER OF SUCH DESIGNATED PERSONS, OR (V) ANY PERSON
7 PROSCRIBED UNDER SECTION 17, 17-A AND 17-B, PURSUANT TO REPUBLIC
8 ACT NO. 9160, OTHERWISE KNOWN AS THE ANTI-MONEY LAUNDERING ACT
9 OF 2001, AS AMENDED;

- 10
- 11 7. Grant monetary rewards and other incentives to informers who give vital information
12 leading to the apprehension, arrest, detention, prosecution, and conviction of person
13 or persons who are liable for the [crime of terrorism or conspiracy to commit terrorism]
14 **CRIMES DEFINED AND PENALIZED UNDER SECTIONS 4, 5, 6, 7, 8, AND 9**
15 **HEREOF; PROVIDED, THAT, NO MONETARY REWARD SHALL BE GRANTED TO**
16 **INFORMERS UNLESS THE ACCUSED'S DEMURRER TO EVIDENCE HAS BEEN**
17 **DENIED OR THE PROSECUTION HAS RESTED ITS CASE WITHOUT SUCH**
18 **DEMURRER HAVING BEEN FILED;**
- 19
- 20 8. Establish and maintain coordination with and the cooperation and assistance of other
21 **STATES, JURISDICTIONS, INTERNATIONAL ENTITIES AND ORGANIZATIONS**
22 **IN PREVENTING AND COMBATTING** international terrorism; and
- 23
- 24 9. **TAKE ACTION ON RELEVANT RESOLUTIONS ISSUED BY THE UNITED**
25 **NATIONS SECURITY COUNCIL ACTING UNDER CHAPTER VII OF THE UN**
26 **CHARTER; AND CONSISTENT WITH THE NATIONAL INTEREST, TAKE ACTION**
27 **ON FOREIGN REQUESTS TO DESIGNATE TERRORIST, INDIVIDUALS,**
28 **ASSOCIATIONS, ORGANIZATIONS OR GROUP OF PERSONS;**
- 29
- 30 10. **TAKE MEASURES TO PREVENT TERRORISTS FROM ACQUIRING WEAPONS OF**
31 **MASS DESTRUCTION SUCH AS, BUT NOT LIMITED TO THE IMPOSITION OF**
32 **ECONOMIC AND FINANCIAL SANCTIONS AND IMPORT RESTRICTIONS;**
- 33
- 34 11. **LEAD IN THE FORMULATION AND IMPLEMENTATION OF A NATIONAL**
35 **STRATEGIC PLAN TO PREVENT AND COMBAT TERRORISM;**
- 36

1 12. Request the Supreme Court to designate specific divisions of the Court of Appeals OR
2 Regional Trial Courts [in Manila, Cebu City and Cagayan de Oro City, as the case may
3 be,] to handle all cases involving the crimeS [of terrorism or conspiracy to commit
4 terrorism] **DEFINED AND PENALIZED UNDER SECTIONS 4, 5, 6, 7, 8, 9, AND 10**
5 **HEREOF**, and all matters incident to said crimes. [The Secretary of Justice shall assign
6 a team of prosecutors from: (a) Luzon to handle terrorism cases filed in the Regional
7 Trial Court in Manila; (b) from the Visayas to handle cases filed in Cebu City; and (c)
8 from Mindanao to handle cases filed in Cagayan de Oro City.]

9
10 **13. REQUIRE OTHER GOVERNMENT AGENCIES, OFFICES AND ENTITIES AND**
11 **OFFICERS AND EMPLOYEES TO RENDER ASSISTANCE TO THE COMMISSION**
12 **IN THE PERFORMANCE OF THE COMMISSION'S MANDATES;**

13
14 **14. REQUIRE NON-GOVERNMENT ORGANIZATIONS, PRIVATE ENTITIES AND**
15 **PRIVATE INDIVIDUALS TO RENDER ASSISTANCE TO THE COMMISSION IN THE**
16 **PERFORMANCE OF ITS MANDATE WHEN PUBLIC INTEREST AND SAFETY SO**
17 **REQUIRES;**

18
19 **15. ESTABLISH AND PROVIDE THE GUIDELINES FOR THE OPERATION OF**
20 **REGIONAL ANTI-TERRORISM COORDINATING COUNCILS;**

21
22 **16. INVESTIGATE MOTU PROPRIO OR UPON COMPLAINT ANY REPORT OF**
23 **ABUSE, MALICIOUS APPLICATION OR IMPROPER IMPLEMENTATION BY ANY**
24 **PERSON OF THE PROVISIONS OF THIS ACT; AND**

25
26 **17. DEFINE ITS ORGANIZATIONAL STRUCTURE AND STAFFING PATTERN FOR**
27 **APPROVAL OF CONGRESS, UPON THE ENDORSEMENT OF THE PRESIDENT.**
28 **IN THE INTERIM, THE NATIONAL INTELLIGENCE COORDINATING AGENCY**
29 **(NICA) SHALL SERVE AS THE COMMISSION'S SECRETARIAT.**

30
31 SEC. [55] **44. *Role of the Commission on Human Rights.*** - The Commission on Human
32 Rights shall give the highest priority to the investigation and prosecution of violations of
33 civil and political rights of persons in relation to the implementation of this Act; and for this
34 purpose, the Commission shall have the concurrent jurisdiction to prosecute public
35 officials, law enforcers, and other persons who may have violated the civil and political
36 rights of persons suspected of, or detained for the crime of terrorism or conspiracy to
37 commit terrorism.

1 [SEC. 56. *Creation of a Grievance Committee.* - There is hereby created a Grievance
2 Committee composed of the Ombudsman, as chair, and the Solicitor General, and an
3 undersecretary from the Department of Justice (DOJ), as members, to receive and
4 evaluate complaints against the actuations of the police and law enforcement officials in
5 the implementation of this Act. The Committee shall hold office in Manila. The Committee
6 shall have three subcommittees that will be respectively headed by the Deputy
7 Ombudsmen in Luzon, the Visayas and Mindanao. The subcommittees shall respectively
8 hold office at the Offices of Deputy Ombudsman. Three Assistant Solicitors General
9 designated by the Solicitor General, and the regional prosecutors of the DOJ assigned to
10 the regions where the Deputy Ombudsmen hold office shall be members thereof. The
11 three subcommittees shall assist the Grievance Committee in receiving, investigating and
12 evaluating complaints against the police and other law enforcement officers in the
13 implementation of this Act. If the evidence warrants it, they may file the appropriate cases
14 against the erring police and law enforcement officers. Unless seasonably disowned or
15 denounced by the complainants, decisions or judgments in the said cases shall preclude
16 the filing of other cases based on the same cause or causes of action as those that were
17 filed with the Grievance Committee or its branches.]
18

19 SEC. [57] 45. *Ban on Extraordinary Rendition.* - No person suspected or convicted of [the
20 crime of terrorism] **ANY OF THE CRIMES DEFINED AND PENALIZED UNDER**
21 **SECTIONS 4, 5, 6, 7, 8, 9, AND 10 HEREOF** shall be subjected to extraordinary rendition
22 to any country unless his or her testimony is needed for terrorist related police
23 investigations or judicial trials in the said country and unless his or her human rights,
24 including the right against torture, and right to counsel, are officially assured by the
25 requesting country and transmitted accordingly and approved by the Department of
26 Justice.
27

28 SEC. [58] 46. *Extra-Territorial Application of this Act.* - Subject to the provision of an
29 existing treaty of which the Philippines is a signatory and to any contrary provision of any
30 law of preferential application, the provisions of this Act shall apply: (1) to individual
31 persons who commit any of the crimes defined and punished in this Act within the
32 terrestrial domain, interior waters, maritime zone, and airspace of the Philippines; (2) to
33 individual persons who, although physically outside the territorial limits of the Philippines,
34 commit, conspire or plot to commit any of the crimes defined and punished in this Act
35 inside the territorial limits of the Philippines; (3) to individual persons who, although
36 physically outside the territorial limits of the Philippines, commit any of the said crimes on
37 board Philippine ship or Philippine airship; (4) to individual persons who commit any of

1 said crimes within any embassy, consulate, or diplomatic premises belonging to or
2 occupied by the Philippine government in an official capacity; (5) to individual persons
3 who, although physically outside the territorial limits of the Philippines, commit said crimes
4 against Philippine citizens or persons of Philippines descent, where their citizenship or
5 ethnicity was a factor in the commission of the crime; and (6) to individual persons who,
6 although physically outside the territorial limits of the Philippines, commit said crimes
7 directly against the Philippine government.
8

9 SEC. [59] 47. *Joint Oversight Committee*. – [There is hereby created a Joint Oversight
10 Committee to oversee the implementation of this Act. The Oversight Committee shall be
11 composed of five members each from the Senate and the House in addition to the Chairs
12 of the Committees of Public Order of both Houses who shall also Chair the Oversight
13 Committee in the order specified herein. The membership of the Committee for every
14 House shall at least have two opposition or minority members. The Joint Oversight
15 Committee shall have its own independent counsel. The Chair of the Committee shall
16 rotate every six months with the Senate chairing it for the first six months and the House
17 for the next six months. In every case, the ranking opposition or minority member of the
18 Committee shall be the Vice Chair. Upon the expiration of one year after this Act is
19 approved by the President, the Committee shall review the Act particularly the provision
20 that authorize the surveillance of suspects of or persons charged with the crime of
21 terrorism. To that end, the Committee shall summon the police and law enforcement
22 officers and the members of the Anti-Terrorism Council and require them to answer
23 questions from the members of Congress and to submit a written report of the acts they
24 have done in the implementation of the law including the manner in which the persons
25 suspected of or charged with the crime of terrorism have been dealt with in their custody
26 and from the date when the movements of the latter were subjected to surveillance and
27 his or her correspondences, messages, conversations and the like were listened to or
28 subjected to monitoring, recording and tapping. Without prejudice to its submitting other
29 reports, the Committee shall render a semiannual report to both Houses of Congress. The
30 report may include where necessary a recommendation to reassess the effects of
31 globalization on terrorist activities on the people, provide a sunset clause to or amend any
32 portion of the Act or to repeal the Act in its entirety. The courts dealing with anti-terrorism
33 cases shall submit to Congress and the President a report every six months of the status
34 of anti-terrorism cases that have been filed with them starting from the date this Act is
35 implemented.]
36

1 UPON THE EFFECTIVITY OF THIS ACT, A JOINT CONGRESIONAL OVERSIGHT
2 COMMITTEE IS HEREBY CONSTITUTED. THE COMMITTEE SHALL BE COMPOSED
3 OF TWELVE (12) MEMBERS WITH THE CHAIRMEN OF THE COMMITTEE ON PUBLIC
4 ORDER OF THE SENATE AND THE HOUSE OF REPRESENTATIVES AS MEMBERS
5 AND FIVE (5) ADDITIONAL MEMBERS FROM EACH HOUSE TO BE DESIGNATED
6 BY THE SENATE PRESIDENT AND THE SPEAKER OF THE HOUSE OF
7 REPRESENTATIVES, RESPECTIVELY. THE MINORITY SHALL BE ENTITLED TO A
8 PRO-RATA REPRESENTATION BUT SHALL HAVE AT LEAST TWO (2)
9 REPRESENTATIVES IN THE COMMITTEE.

10
11 IN THE EXERCISE OF ITS OVERSIGHT FUNCTIONS, THE JOINT CONGRESSIONAL
12 OVERSIGHT COMMITTEE SHALL HAVE THE AUTHORITY TO SUMMON LAW
13 ENFORCEMENT OFFICERS OR MILITARY OFFICERS AND THE MEMBERS OF THE
14 ANTI-TERRORISM COMMISSION TO APPEAR BEFORE IT, AND REQUIRE THEM TO
15 ANSWER QUESTIONS AND SUBMIT [OF AN ANNUAL] WRITTEN REPORTS OF THE
16 ACTS THEY HAVE DONE IN THE IMPLEMENTATION OF THE LAW AND [INCLUDING
17 THE MANNER OF IN WHICH THE PERSONS SUSPECTED OF OR CHARGED WITH
18 THE CRIME OF TERRORISM HAVE BEEN DEALT WITH IN THEIR CUSTODY AND
19 FROM THE DATE WHEN THE MOVEMENTS OF THE LATTER WERE SUBJECTED
20 TO SURVEILLANCE. THE COMMITTEE SHALL ALSO] RENDER AN ANNUAL
21 REPORT TO BOTH HOUSES OF CONGRESS AS TO THE STATUS OF ANTI-
22 TERRORISM CASES AND THE IMPLEMENTATION OF THIS ACT.

23
24 SEC. 48. PROMOTING PEACE AND INCLUSIVITY IN SCHOOLS, LEARNING
25 CENTERS AND TRAINING INSTITUTIONS. – THE DEPARTMENT OF EDUCATION
26 (DEPED), COMMISSION ON HIGHER EDUCATION (CHED), AND TECHNICAL
27 EDUCATION AND SKILLS DEVELOPMENT AUTHORITY (TESDA) SHALL
28 PROMULGATE RULES AND REGULATIONS TO PROMOTE PEACE AND
29 INCLUSIVITY IN SCHOOLS, LEARNING AND TRAINING INSTITUTIONS UNDER
30 THEIR RESPECTIVE JURISDICTIONS.

31
32 SCHOOLS, LEARNING CENTERS AND TRAINING INSTITUTIONS FOUND BY THE
33 APPROPRIATE ADMINISTRATIVE OR LICENSING AGENCY TO BE PROMOTING OR
34 ENCOURAGING ACTS OF VIOLENCE, EXTREMISM, TERRORIST ACTS OR ANY
35 ACT PROHIBITED UNDER THIS LAW BASED ON SUBSTANTIVE EVIDENCE SHALL
36 HAVE ITS LICENSE REVOKED AND SHALL IMMEDIATELY CEASE OPERATIONS.
37 THIS IS WITHOUT PREJUDICE TO OTHER CRIMINAL, CIVIL AND ADMINISTRATIVE

1 ACTIONS THAT MAY BE FILED AGAINST THE OFFICIALS AND PERSONNEL OF
2 THE SCHOOL, LEARNING CENTER OR TRAINING INSTITUTION AND OTHER
3 INDIVIDUALS ASSOCIATED WITH THE SCHOOLS, LEARNING CENTER OR
4 TRAINING INSTITUTION.
5

6 **SEC. 49. PROTECTION OF MOST VULNERABLE GROUPS.** - THERE SHALL BE DUE
7 REGARD FOR THE WELFARE OF ANY SUSPECTS WHO ARE ELDERLY,
8 PREGNANT, WOMEN AND CHILDREN WHILE THEY ARE UNDER INVESTIGATION,
9 INTERROGATION OR DETENTION.
10

11 **SEC. [52] 50. Applicability of the Revised Penal Code.** - The provisions of Book I of the
12 Revised Penal Code shall be applicable to this Act.
13

14 **SEC. 51. APPROPRIATIONS.** - THE AMOUNT OF FIVE HUNDRED MILLION PESOS
15 (PHP 500,000,000.00) IS HEREBY APPROPRIATED TO THE COMMISSION AS AN
16 INITIAL FUND, FOR THE EFFECTIVE AND IMMEDIATE IMPLEMENTATION OF THIS
17 ACT AND FROM WHICH ANY LIABILITY INCURRED MAY BE CHARGED.
18 THEREAFTER, SUCH SUMS AS MAY BE NECESSARY FOR THE CONTINUED
19 IMPLEMENTATION OF THIS ACT SHALL BE INCLUDED IN THE ANNUAL GENERAL
20 APPROPRIATIONS ACT.
21

22 **SEC. 52. IMPLEMENTING RULES AND REGULATIONS.** - THE COMMISSION AND
23 DOJ, WITH THE ACTIVE PARTICIPATION OF POLICE AND MILITARY
24 INSTITUTIONS, SHALL PROMULGATE THE RULES AND REGULATIONS FOR THE
25 EFFECTIVE IMPLEMENTATION OF THIS ACT WITHIN NINETY (90) DAYS AFTER ITS
26 EFFECTIVITY. THEY SHALL ALSO ENSURE THE FULL DISSEMINATION OF SUCH
27 RULES AND REGULATIONS TO BOTH HOUSES OF CONGRESS, AND ALL
28 OFFICERS AND MEMBERS OF VARIOUS LAW ENFORCEMENT AGENCIES.
29

30 **SEC. [60] 53. Separability Clause.** - If for any reason any part or provision of this Act is
31 declared unconstitutional or invalid, the other parts or provisions hereof which are not
32 affected thereby shall remain and continue to be in full force and effect.
33

34 **SEC. [61] 54. Repealing Clause.** - All laws, decrees, executive orders, rules or regulations
35 or parts thereof, inconsistent with the provisions of this Act are hereby repealed, amended,
36 or modified accordingly.
37

1 SEC. [62] 55. [*Special*] *Effectivity Clause*. – [After the bill shall have been signed into law
2 by the President, the Act shall be published in three newspapers of national circulation;
3 three newspapers of local circulation, one each in Ilocos Norte, Baguio City and
4 Pampanga; three newspapers of local circulation, one each in Cebu, Iloilo and Tacloban;
5 and three newspapers of local circulation, one each in Cagayan de Oro, Davao and
6 General Santos city.

7
8 The title of the Act and its provisions defining the acts of terrorism that are punished shall
9 be aired everyday at primetime for seven days, morning, noon and night over three
10 national television and radio networks; three radio and television networks, one each in
11 Cebu, Tacloban and Iloilo; and in five radio and television networks, one each in Lanao
12 del Sur, Cagayan de Oro, Davao City, Cotabato City and Zamboanga City. The publication
13 in the newspapers of local circulation and the announcements over local radio and
14 television networks shall be done in the dominant language of the community. After the
15 publication required above shall have been done, the Act shall take effect two months after
16 the elections are held in May 2007. Thereafter, the provisions of this Act shall be
17 automatically suspended one month before and two months as after the holding of any
18 election.] **THIS ACT SHALL TAKE EFFECT FIFTEEN (15) DAYS AFTER ITS
19 COMPLETE PUBLICATION IN THE OFFICIAL GAZETTE OR IN AT LEAST TWO (2)
20 NEWSPAPERS OF GENERAL CIRCULATION.**

21
22 **Approved,**
23
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25
26