

Vexation.⁵ This surge in cybercrimes is closely tied to the increased reliance on the internet for various commercial activities.⁶

Government agencies were likewise targeted. Among the government agencies subjected to cybersecurity breaches were the House of Representatives, Philippine Health Insurance Corp. (PhilHealth), Department of Science and Technology (DOST), Philippine Statistics Authority (PSA) and the Philippine National Police (PNP).⁷ The Senate similarly recorded several attempts to hack its website.⁸

Thus, the proposed measure seeks to strengthen our cybercrime law by broadening the coverage of computer data-related offenses and the inclusion of other perpetrators involved in the commission of cybercrimes.

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


JOEL VILLANUEVA


⁵ Ibid.

⁶ PNP. Available at: <https://pnp.gov.ph/pnp-probes-16297-cybercrime-cases-in-2023-397-arrested-4092-rescued/>. Accessed on February 21, 2024.

⁷ PNA. *House To Look For Funding To Boost DICT's Fight vs. Cyber Threats*. Available at <https://www.pna.gov.ph/articles/1211865>. Accessed on October 21, 2023.

⁸ PNA. *Government Agencies Need Rigorous Risk Assessments To Thwart cyberattacks*. Available at <https://www.pna.gov.ph/articles/1212006>. Accessed on October 25, 2023.

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

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SENATE

S.B. No. 2570

Introduced by SENATOR JOEL VILLANUEVA

AN ACT
STRENGTHENING CYBERCRIME PREVENTION MEASURES,
AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 10175,
OTHERWISE KNOWN AS THE "CYBERCRIME PREVENTION ACT OF
2012"

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

1 **Section 1.** Section 3 of Republic Act No. 10175 is hereby amended to read as
2 follows:

3
4 SEC. 3. *Definition of Terms.* – For purposes of this Act, the following
5 terms are hereby defined as follows:

6
7 a) x x x;

8
9 x x x;

10
11 (n) *Service provider* refers to:

12
13 (1) x x x; **[and]**

14 (2) x x x[-]; **AND**

15 **(3) ANY ENTITY CONTRACTED BY ANOTHER ENTITY,**
16 **WHETHER DOMESTIC OR FOREIGN, TO PROCESS ANY**
17 **DATA OR INFORMATION OF ANY PERSON WHEREVER**
18 **LOCATED, INCLUDING ENTITY PROVIDING BUSINESS**
19 **PROCESS OUTSOURCING AND SIMILAR SERVICES.**

20
21 x x x

22
23 (o) *Subscriber's information* refers to any information contained in
24 the form of computer data or any other form that is held **OR ACCESSED**

1 by a service provider, relating to subscribers, **WHETHER LOCATED IN**
2 **THE PHILIPPINES OR NOT**, of its services other than traffic or content
3 data and by which identity can be established:
4

5 X X X
6

7 **(Q) IDENTIFYING INFORMATION REFERS TO ANY NAME OR**
8 **NUMBER THAT MAY BE USED ALONE OR IN CONJUNCTION WITH**
9 **ANY OTHER INFORMATION TO IDENTIFY ANY SPECIFIC**
10 **INDIVIDUAL, INCLUDING ANY OF THE FOLLOWING:**

11
12 **(1) NAME, DATE OF BIRTH, DRIVER'S LICENSE**
13 **NUMBER, PASSPORT NUMBER, TAX IDENTIFICATION**
14 **NUMBER OR OTHER GOVERNMENT-ISSUED**
15 **IDENTIFICATION NUMBER;**

16 **(2) UNIQUE BIOMETRIC DATA, SUCH AS FINGERPRINT**
17 **OR OTHER UNIQUE PHYSICAL REPRESENTATION;**

18 **(3) UNIQUE ELECTRONIC IDENTIFICATION NUMBER,**
19 **ADDRESS, OR ROUTING CODE; AND**

20 **(4) TELECOMMUNICATION IDENTIFYING**
21 **INFORMATION OR ACCESS DEVICE.**
22

23 **Section 2.** Section 4 of Republic Act No. 10175 is hereby amended to
24 read as follows:
25

26 **SEC. 4. Cybercrime Offenses.** – The following acts constitute the
27 offense of cybercrime punishable under this Act;
28

29 **(a) Offenses against the confidentiality, integrity, and availability of**
30 **computer data and systems:**
31

32 X X X
33

34 **(3) Data Interference.** – The intentional or reckless
35 alteration, **INPUTTING**, damaging, deletion or deterioration of computer
36 data, electronic document, or electronic data message, without right,
37 including the introduction or transmission of viruses, **REGARDLESS OF**
38 **WHO CONTROLS OR OWNS THE COMPUTER DATA.**
39

40 X X X
41

42 **(b) Computer-related Offenses:**
43

44 X X X
45

46 **(2) Computer-related Fraud.** – The unauthorized input,
47 alteration, or deletion of computer data or program or interference in the
48 functioning of a computer system, causing **ANY FORM OF** damage
49 thereby, **WHETHER DIRECT, INDIRECT, LEGAL OR CONTRACTUAL,**

1 with fraudulent intent: *Provided*, That if no damage has been caused, the
2 penalty imposable shall be one (1) degree lower.
3

4 **Section 3.** Section 5 of Republic Act No. 10175 is hereby amended to
5 read as follows:
6

7 SEC.5. *Other Offenses.* The following acts shall also constitute an
8 offense:
9

10 (a) Aiding or Abetting in the Commission of Cybercrime. – Any person
11 who willfully abets or aids in the commission of, **OR INFLUENCES OR**
12 **DECEIVES ANOTHER TO COMMIT** any of the offenses enumerated in
13 this Act shall be held liable.
14

15 (b) x x x.
16

17 **(C) FAILURE TO SURRENDER COMPUTER DATA OR**
18 **COMPUTER SYSTEM. – ANY PERSON WHO KNOWINGLY AND**
19 **UNLAWFULLY POSSESSES OR FAILS TO SURRENDER ANY**
20 **COMPUTER SYSTEM THAT CONTAINS COMPUTER DATA THAT**
21 **ARE CONSIDERED PERSONAL INFORMATION, SENSITIVE**
22 **PERSONAL INFORMATION OR PRIVILEGED INFORMATION UNDER**
23 **REPUBLIC ACT NO. 10173, OR THE “DATA PRIVACY ACT OF 2012,”**
24 **SHALL BE HELD LIABLE.**
25

26 **(D) SOLICITATION TO COMMIT CYBERCRIME. – ANY PERSON WHO**
27 **WILLFULLY PROPOSES, SOLICITS, OR INDUCES ANOTHER**
28 **PERSON TO COMMIT ANY OF THE OFFENSES UNDER THIS ACT,**
29 **SHALL BE HELD LIABLE.**
30

31 **Section 4.** Section 6 of Republic Act No. 10175 is hereby amended to read
32 as follows:
33

34 SEC. 6. All crimes defined and penalized by the Revised Penal
35 Code, as amended, and special laws, if committed by, through and with
36 the use of information and communication technologies shall be covered
37 by the relevant provisions of this Act: *Provided*, That the penalty to be
38 imposed shall be one (1) degree higher than that provided for by the
39 Revised Penal Code, as amended, and special laws, as the case may
40 be. **THE PROSECUTION OF THE OFFENSES UNDER THIS ACT MAY**
41 **BE INITIATED BY ANY OFFENDED PARTY WHICH MAY INCLUDE AN**
42 **AFFECTED SERVICE PROVIDER.**
43

44 **Section 5. Implementing Rules and Regulations.** – The Department of
45 Information and Communications Technology (DICT), Department of Justice (DOJ)
46 Cybercrime Office, Philippine National Police (PNP) Anti-Cybercrime Group, and the
47 National Bureau of Investigation (NBI) Cybercrime Division shall formulate the rules
48 and regulations necessary for its effective implementation within ninety (90) days from
49 approval of this Act.
50

1 **Section 6. Separability Clause.** – If any provision of this Act is declared
2 unconstitutional or invalid, the other provisions not otherwise affected shall remain in
3 full force and effect.

4
5 **Section 7. Repealing Clause.** – All laws, decrees, executive orders, rules and
6 regulations, and other issuances or parts thereof which are inconsistent with this Act
7 are hereby repealed, amended, or modified accordingly.

8
9 **Section 8. Effectivity.** – This Act shall take effect fifteen (15) days after its
10 publication in at least two (2) newspapers of general circulation.

Approved,