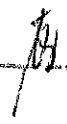


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SENATE

RECEIVED BY: 

COMMITTEE REPORT NO. 50

Submitted jointly by the Committees on Justice and Human Rights and Constitutional Amendments, Revision of Codes and Laws on MAY - 7 2008

Re: Senate Bill No. 1836

Recommending its approval without amendment

Sponsors: Senators Escudero, Gordon and Defensor Santiago

MR. PRESIDENT:

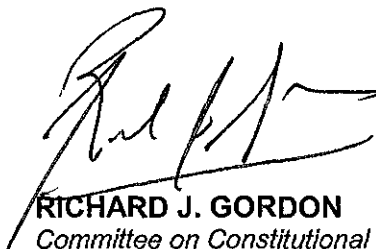
The Committees on Justice and Human Rights and Constitutional Amendments, Revision of Codes and Laws to which was referred Senate Bill No. 1836, introduced by Senator Defensor Santiago, entitled:

**“AN ACT
ADDRESSING THE SYSTEM OF PROSTITUTION, IMPOSING PENALTIES ON ITS PERPETRATORS, PROVIDING PROTECTIVE MEASURES AND SUPPORT SERVICES FOR ITS VICTIMS, AMENDING FOR THE PURPOSE ARTICLE 202 AND 341 OF THE PENAL CODE”**


have considered the same and have the honor to report them back to the Senate with the recommendation that it be approved without amendment.

Respectfully Submitted:

Chairmen:


RICHARD J. GORDON

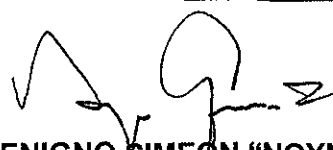
Committee on Constitutional Amendments,
Revision of Codes and Laws


FRANCIS “CHIZ” G. ESCUDERO

Committee on Justice and Human Rights

Vice-Chairman


W/ interpellation as possible amendments.



BENIGNO SIMEON "NOYNOY" AQUINO III
 Committee on Justice and Human Rights


Members:

Discussing with interpellations and amendments.



JUAN PONCE ENRILE
 Committee on Justice and Human Rights
 Committee on Constitutional Amendments,
 Revision of Codes and Laws

Ph. S. Cayetano



COMPANERA PIA S. CAYETANO
 Member, Committee on Justice and Human Rights
 Member, Committee on Constitutional Amendments, Revision of Codes and Laws

[Signature]

ALAN PETER "COMPAÑERO" S. CAYETANO
 Committee on Justice and Human Rights

[Signature]

RAMON BONG REVILLA, JR.
 Committee on Justice and Human Rights
W/ interpellations + may amend

[Signature]

GREGORIO B. HONASAN II
 Committee on Justice and Human Rights

[Signature]

M. A. MADRIGAL
 Committee on Justice and Human Rights
 Committee on Constitutional Amendments,
 Revision of Codes and Laws

[Signature]

RODOLFO G. BIAZON
 Committee on Justice and Human Rights
 Committee on Constitutional Amendments,
 Revision of Codes and Laws

[Signature]

LOREN B. LEGARDA
 Committee on Constitutional Amendments,
 Revision of Codes and Laws

[Signature]

JOKER P. ARROYO
W/ interpellations to the chairman's expertise of the subject
 Committee on Constitutional Amendments,
 Revision of Codes and Laws

[Signature]

EDGARDO J. ANGARA
Ex. / for with amendments
 Committee on Constitutional Amendments,
 Revision of Codes and Laws

[Signature]

MAR ROXAS
 Committee on Constitutional Amendments,
 Revision of Codes and Laws

[Signature]

MIRIAM DEFENSOR SANTIAGO
 Committee on Constitutional Amendments,
 Revision of Codes and Laws

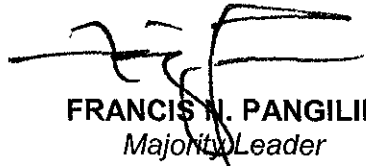
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JUAN MIGUEL F. ZUBIRI
 Committee on Constitutional Amendments, Revision of Codes and Laws

Ex-Officio Members

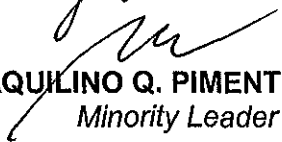


JINGGOY EJERCITO ESTRADA
President Pro-Tempore



FRANCIS N. PANGILINAN
Majority Leader

May amend.



AQUILINO Q. PIMENTEL JR.
Minority Leader

Hon. MANNY VILLAR
Senate President
Senate of the Philippines
Pasay City

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

The Constitution, Article II, provides:

Section 10. The State shall promote social justice in all phases of national development.

Section 11. The State values the dignity of every human person and guarantees full respect for human rights.

Section 13. The State recognizes the vital role of the youth in nation-building and shall promote and protect their physical, moral, spiritual, intellectual, and social well-being. It shall inculcate in the youth patriotism and nationalism, and encourage their involvement in public and civic affairs.

Section 14. The State recognizes the role of women in nation-building, and shall ensure the fundamental equality before the law of women and men.

Additionally, the Constitution, Article XIII, provides:

Section 14. The State shall protect working women by providing safe and healthful working conditions, taking into account their maternal functions, and such facilities and opportunities that will enhance their welfare and enable them to realize their full potential in the service of the nation.

This law seeks to shift accountability about prostitution from the prostituted person to the exploiters—traffickers, pimps, brothel owners, organized crime members, and corrupt officials. All the components of the demand need to be penalized – the men who purchase sex acts, the exploiters. We could greatly reduce the number of victims, if the demand for them was penalized. If there were no men seeking to buy sex acts, no women and children would be bought and sold. If there were no brothels waiting for victims, no victims would be recruited.*


MIRIAM DEFENSOR SANTIAGO


* This bill was originally filed during the Thirteenth Congress, First Regular Session.

Introduced by Senator Miriam Defensor Santiago

1 AN ACT
2 ADDRESSING THE SYSTEM OF PROSTITUTION, IMPOSING PENALTIES ON ITS
3 PERPETRATORS, PROVIDING PROTECTIVE MEASURES AND SUPPORT SERVICES
4 FOR ITS VICTIMS, AMENDING FOR THE PURPOSE ARTICLES 202 AND 341 OF THE
5 PENAL CODE

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

8 SECTION 1. *Short Title.* – This Act shall be known as “The Anti-Prostitution Act of
9 2007.”

10 SECTION 2. *Declaration of Policies.* – The State:

- 11 (A) Declares its commitment to end the continuing sexual exploitation of women, men,
12 and children and all forms of gender-based violence;
- 13 (B) Recognizes prostitution as a human rights violation that calls for coordinated and
14 sustained response from all agencies of government;
- 15 (C) Recognizes that women and children are systematically victimized by and in the
16 system of prostitution and must, therefore, be given protection and support by the
17 State, instead of being treated as criminals; and
- 18 (D) Recognizes that eliminating prostitution is essential for women and children to
19 genuinely and meaningfully participate in nation-building.

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

- 21 (A) “Prostitution” means any act, transaction, scheme or deign involving the use of a
22 person, whether woman, man or child, for sexual the gratification, exploitation or
23 pleasure of another in exchange for cash, profit or other consideration, or any act that

1 promotes or facilitates the accomplishment of the said act, transaction, scheme or
2 design, as specifically defined in Section 4 of this Act.

3 (B) "Person exploited in prostitution" means a women, man or child used or employed for
4 another person's sexual gratification, pleasure or exploitation and for the monetary
5 gain or profit or others, as defined in Section 4 of this Act.

6 (C) "Child" means any person below eighteen (18) years of age or one who is over
7 eighteen (18) but is unable to fully take care of or protect himself/herself from abuse,
8 neglect, cruelty, exploitation or discrimination because of a physical or mental
9 disability or condition.

10 (D) "Sexual exploitation" means the participation or engagement of a person for any
11 sexual act in exchange for cash, profit or other consideration as a result of being
12 subjected to a threat, deception, coercion abduction, force, abuse of authority, debt
13 bondage, fraud or through abuse of his/her vulnerability.

14 (E) "Sexual Act" means sexual intercourse, including genital-to-genital, oral-to-genital,
15 anal-to-genital, or oral-to-anal intercourse or contact, bestiality, masturbation, sadistic
16 or masochistic abuse, exhibition of the genitals or public area of any person, and
17 other acts presumed to obtain sexual gratification for the buyer whether the same is
18 made between persons of the same or opposite sex.

19 (F) "*Establishment*" means any business, enterprise or establishment, including, but not
20 limited to, sauna, bath, massage parlor, discotheque, bar, restaurant, resort, lodging
21 house, motel, hotel, thereafter, ship, vessel, cab or taxi, or any other vehicle, or any
22 dwelling house, structure or building serving as a cover or venue for prostitution, or
23 nay group association or organization that engages in prostitution activities as defined
24 in Section 4 of this Act.

25 SECTION 4. *Punishable Acts.* – Prostitution is a crime committed by:

26 (A) Any person who gives or delivers money or any other consideration in exchange for
27 the actual performance or mere demonstration of a sexual act as defined in Section 3(E) of this

1 Act by a person exploited in prostitution, regardless of whether the person giving or delivering
2 money or any other consideration is the recipient of such a sexual act;

3 (B) Any person who is the recipient of a sexual act as defined in Section 3(C) of this Act,
4 whether such a recipient has given or delivered money or any other consideration for the
5 procurement of a person exploited in prostitution, provided, however, that for purposes of this
6 Section, being a recipient shall include person or persons or a crowd with whom a person
7 exploited in prostitution has actually performed or merely demonstrated such a sexual act;

8 (C) Any person who induces, persuades, entices, compels, kidnaps, recruits or in any
9 manner procures a person for the purpose of exploiting the person in prostitution;

10 (D) Any person who recruits another person purportedly for lawful employment but
11 actually for the purpose of exploiting the person in prostitution;

12 (E) Any person who induces, persuades, entices, compels, kidnaps, recruits or in any
13 manner procures or causes a person to work in an establishment knowing that the same is
14 involved in prostitution activities or when he/she has reasonable cause to believe that such
15 establishment is involved in the said activities;

16 (F) Any person who transports a person or persons from one place to another for the
17 purpose of exploiting the person or persons in prostitution;

18 (G) Any person who transports a person or persons from one place to another for the
19 purpose of exploiting the person or persons in prostitution;

20 (H) Any person who advertises, organizes, arranges, manages, promotes or facilitates, in
21 a manner or under any pretext, the commission of any of the acts prohibited under this Section;

22 (I) Any person who uses information technology such as cyberspace, satellite, television,
23 film, radio, print or any form of media to promote any of the prohibited acts defined in this
24 Section;

25 (J) Any person who derives profit or advantage from any of the prohibited acts defined in
26 this Section as owner, operator, manager, head, director, officer, or agent of the establishment
27 here any prostitution activity defined in this Section takes place, or of the establishment serving
28 as a cover or venue for any such prostitution activity, or aiding another establishment or person
29 involved in any prostitution activity;

1 (K) Any person who leases, subleases, or in any manner allows the use of any dwelling,
2 house, structure, building, land or any other property knowing that the lessee/sublessee intends to
3 use or uses it for prostitution activities as defined in this Section. For the purpose of this
4 paragraph, the owner of the dwelling, house structure, building, land or any other property used
5 for prostitution and his/her agent shall be presumed to have knowledge that the place is being
6 used or intended to be used for prostitution unless he/she disproves it.

7 (L) Any member of the military or police establishment, or any government official or
8 employee, or any person in authority who commits, causes, or promotes, facilitates, allows, or
9 tolerates the commission of any of the acts defined in this Section, or who, in any manner,
10 provides protection to the perpetrators of the said acts;

11 For purposes of this Section, it is understood that the prohibited acts of prostitution may
12 be committed in any establishment as defined in Section 3(F) above or in any other place not
13 otherwise mentioned in Section 3(F).

14 SECTION 5. *Attempt to Commit Child Prostitution.* – An attempt to commit child
15 prostitution is committed by:

16 (A) Any person who, not being a grandparent, parent, guardian or blood relative o a
17 child, is found alone with the said child inside a room or cubicle of a house, inn, hotel, motel,
18 pension house, apartelle, or any similar establishment, vessel, vehicle or any hidden or secluded
19 area, or under circumstances that would lead a reasonable person to believe that the child is
20 about to be prostituted;

21 (B) Any establishment providing entertainment or relaxation to the public including, but
22 not limited to, sauna, bath parlor, massage parlor, discotheque, bar, videoke or sing-along
23 establishment, resort, lodging house, motel and hotel, which employs a child; or

24 (C) Any person receiving services from a child in a sauna parlor or bath, massage clinic,
25 health club and any other similar establishment.

26 SECTION 6. *Persons Liable.* – The acts defined in Section 4 of this Act may be
27 committed by any natural or juridical person, establishment, association club movement, cult
28 religious group or organization. For the purpose of Section 4, the terms “person” when used to

1 refer to the offender, shall be interpreted to include the aforesaid persons or entities whenever
2 applicable.

3 SECTION 7. *Person Exploited in Prostituted as Victims.* – Any woman, man or child
4 used or employed for another person’s sexual gratification, pleasure or exploitation and for the
5 monetary gain or profit of others, as defined in Section 4 of this Act, shall be treated as victims
6 of prostitution. As such, they shall not incur any criminal liability under this Act, except to the
7 extent referred to under Section 8(G) hereof.

8 In addition, the consent of the person exploited in prostitution to the commission of any
9 of the acts defined in Section 4 of this Act shall not in any way exempt the offender from , or
10 mitigate his/her criminal liability.

11 SECTION 8. *Penalties and Sanctions.* —

12 (A) Any person found guilty of the acts defined in Section 4(a) and (b) shall be penalized
13 as follows:

14 First offense – Six (6) months of mandatory human rights education on the plight
15 of the victims of prostitution and a fine of Fifty Thousand Pesos (P50,000.00);

16 Second and subsequent offenses – Imprisonment of one (1) year and a fine of One
17 Hundred Thousand Pesos (P100,000.00).

18 However, when the person exploited in prostitution referred to in Section 4(A) and (B) is
19 a child, the penalty shall be as follows:

20 First offense – Imprisonment of one (1) year and a fine of One Hundred Thousand
21 Pesos (P100,000.00);

22 Second and subsequent offenses – Imprisonment of two (2) years and a fine of
23 Two Hundred Thousand Pesos (P200,000.00)

24 (B) Any person found guilty of the acts defined in Section 4(C), (D), (E), (F) and (G)
25 shall suffer the penalty of imprisonment of twenty (20) years and a fine of not less than One
26 Million Pesos (P1,000,000.00) but not more than Two Million Pesos (P2,000,000.00); Provided,
27 however, that when the person exploited in prostitution under Section 4(C), (D), (E), (F) and (G)

1 is a child, the penalty shall be life imprisonment and a fine of not less than Two Million Pesos
2 (P2,000,000.00) but not more than Five Million Pesos (P5,000,000.00);

3 (C) Any persons found guilty of the acts defined in Section 4(H), (I), (J), and (K) shall
4 suffer the penalty of imprisonment of fifteen (15) years and a fine of not less than Five Hundred
5 Thousand Pesos (P500,000.00) but not more than One Million Pesos (P1,000,000.00);

6 (D) Any person found guilty of the acts defined in Section 4(I) shall suffer the penalty of
7 life imprisonment and a fine of not less than Two Million Pesos (P2,000,000.00) but not more
8 than Five Million Pesos (P5,000,000.00). In addition, the offender shall be perpetually
9 disqualified from holding any appointive position or from running for any elective position in
10 government;

11 (E) When the offender is the legal or common-law spouse, ascendant, parent, guardian,
12 stepparent, collateral relative within the fourth degree of consanguinity or affinity or one who
13 exercises parental authority or moral ascendancy over the person exploited in prostitution, he/she
14 shall suffer the penalty of life imprisonment and a fine of not less than Two Million Pesos
15 (P2,000,000.00) but not more than Five Million Pesos (P5,000,000.00). This penalty shall also
16 apply to any offender who is the legal spouse or common-law spouse of any of the persons
17 aforementioned;

18 (F) When the offender is any establishment as defined in this Act, the penalty shall be
19 imposed upon the owner and operator or manager, or the directors and officers, or the
20 responsible officers or agents of the establishment, corporation, partnership or association found
21 to be engaged in any of the acts defined in Section 4 of this Act.

22 In addition, the establishment, corporation, partnership or association shall be
23 immediately closed and its registration and/or license to operate shall be revoked. A sign with
24 the words "off limits" shall be conspicuously displayed outside the establishment by the
25 Department of Social Welfare and Development for such period as the Department may
26 determine, which shall not be less than one (1) year. The unauthorized removal of such sign shall
27 be punishable by imprisonment of six months.

28 (G) When the offender is a person who is also exploited in prostitution or had been
29 exploited in prostitution, he/she shall be penalized as follows:

1 First offense – The offender shall undergo three (3) months of mandatory
2 counseling and rehabilitation program with the Department of Social Welfare and
3 Development;

4 Second offense – Imprisonment of one (1) month and mandatory
5 counseling and rehabilitation program with the DSWD

6 Third offense – Imprisonment of one (1) month and mandatory counseling and
7 rehabilitation program with the DSWD for six (6) months;

8 Fourth and subsequent offense – Imprisonment of one (1) year and
9 mandatory counseling and rehabilitation program with the DSWD from six (6)
10 months to one (1) year.

11 Notwithstanding the criminal liability imposed upon the offender under this
12 provision, such liability shall not operate to divest him/her of the rights, benefits and
13 protection accorded to persons exploited in prostitution under this Act.

14 (H) When the offender is a foreigner, he/she shall be deported immediately after service
15 of sentence and permanently barred from entry into the country;

16 (I) Any person found guilty of an attempt to commit child prostitution shall suffer the
17 penalty of imprisonment of four (4) years, without prejudice to the filing of other criminal
18 charges under other applicable laws;

19 Except to the extent referred to in Section 8(G) above, any person found guilty of any
20 prohibited act under Section 4 shall, in addition to the penalty of imprisonment and fine, undergo
21 a rehabilitation program with the DSWD for a period of not less than three (3) months but no
22 longer than one (1) year, provided, that only first-time offenders shall undergo such
23 rehabilitation program. The DSWD shall submit to the court a report on the rehabilitation of the
24 offender.

25 SECTION 9. *Civil Liability for Prostitution.* – Persons exploited in prostitution may file
26 independent civil cases for damages against the persons, natural or juridical, responsible for their
27 exploitation.

1 Provinces, cities and municipalities shall be liable for damages, in addition to any other
2 criminal or administrative liability under existing laws, to persons exploited in prostitution when
3 it is proven that the responsible authorities had knowledge or were informed of the activities
4 constituting prostitution of this Section, the responsible authorities shall be deemed to have
5 knowledge of the production activities when the same are common knowledge in the community.

6 SECTION 10. *Prosecution under this Act or R.A. No. 9208.* – Acts or omissions covered
7 and penalized under this Act may be prosecuted under this Act or under Republic Act No. 9208
8 or the Anti-Trafficking in Persons Act whenever the latter is applicable; provided, however, that
9 the institution of a criminal complaint under this Act, arising from the same act, transaction,
10 design or scheme, shall be a bar to the institution of another criminal complaint under R.A. No.
11 9208, or *vice versa*.

12 SECTION 11. *Prosecution of Cases.* – Any person who has personal knowledge of the
13 commission of any offenses under this Act, or the person exploited in prostitution, the parents,
14 spouse, siblings, children or legal guardian, or the law enforcement agencies, or the Task Force
15 created under this Act may file a complaint for prostitution.

16 SECTION 12. *Venue.* – A criminal action arising from a violation of this Act shall be
17 filed here the offense was committed, or where any of its elements occurred, or where the person
18 exploited in prostitution actually resides as the time of the commission of the offense; provided,
19 that the court where the criminal action is first filed shall acquire jurisdiction to the exclusion of
20 other courts.

21 SECTION 13. *Prescriptive Period.* – Cases under this Act shall prescribe in ten (10)
22 years. The prescriptive period shall commence to run from the day on which the person exploited
23 in prostitution is delivered or released from the situation of exploitation and shall be interrupted
24 by the filing of the complaint or information and shall commence to run again when such
25 proceedings terminate without the accused being convicted or acquitted or are unjustifiably
26 stopped for any reason not imputable to the accused.

1 SECTION 14. *Applicability of Republic Act No. 7309 and Republic Act No. 6981.* –

2 Persons exploited in prostitution shall be covered by the Witness Protection, Security and Benefit
3 Act (R.A. No. 6981). They may also file claims with the Board of Claims created under
4 Republic Act No. 7309. For the purpose of the application of Republic Act No. 7309, persons
5 exploited in prostitution shall be deemed victims of violent crimes under Section 3, paragraph (d)
6 hereof.

7 SECTION 15. *Human Rights of Persons Exploited in Prostitution.* – Persons exploited in

8 prostitution have human rights that must be respected, protected and promoted by all branches,
9 agencies and instrumentalities of the government in law enforcement drives, criminal
10 prosecution, civil suits, service provision, and program development and implementation. These
11 rights include, but are not limited to:

- 12 (A) The right to be treated as human beings;
- 13 (B) The right to dignity and security of person;
- 14 (C) The right against any form of discrimination;
- 15 (D) The right to equal protection of the law;
- 16 (E) The right to be protected from abuse and exploitation;
- 17 (F) The right to seek redress for violations of their rights and to have their complaints
18 appropriated addressed;
- 19 (G) The right to fair and humane treatment;
- 20 (H) The right to sensitive and appropriate legal, health, and other social services;
- 21 (I) The right to organize themselves and fight for their legitimate concerns; and
- 22 (J) The right to be consulted on any governmental initiative affecting them.

23 Persons exploited in prostitution shall not be detained on the occasion of on by reason of
24 a raid or in the name of law enforcement. There shall be at least one social worker or one
25 representative from a non-governmental organization known to be working with women
26 exploited in prostitution present during raids.

27 During raids of establishment, and at any stage of the investigation, prosecution and trial
28 of complaints for violation of this Act, law enforcers, prosecutors and judges shall not disclose to

1 the public the name, personal circumstances and other information that will establish the identity
2 of the person exploited in prostitution, unless the latter consents thereto in writing.

3 It shall also be the duty of the law enforcers to ensure that persons exploited in
4 prostitution are not exposed to the media on the occasion of a raid. Law enforcers who allow or
5 facilitate the exposure to the media of persons exploited in prostitution shall suffer the penalty of
6 six (6) months imprisonment, without prejudice to the filing of other criminal, civil and
7 administrative charges under applicable laws.

8 It shall be the responsibility of any journalist, reporter, editor, publisher or producer or
9 print and broadcast media to protect the identity and privacy of persons exploited in prostitution,
10 most particularly on the occasion of a raid of rescue operation. Any journalist, reporter, editor,
11 publisher or producer of print and broadcast media who exposes to the public the identity of any
12 person exploited in prostitution without her or hi consent thereto in writing, or causes the
13 publication of any picture or video that violates the dignity and other human rights of the person
14 exploited in prostitution, shall suffer the penalty of one (1) year imprisonment. In addition, the
15 owner or publisher of the print or broadcast media found guilty of the violation shall pay a fine
16 of Five Hundred Thousand Pesos (P500,000.00) This shall be without prejudice to the right of
17 persons exploited in prostitution to file a civil action for damages for the violation of their
18 human rights or for any injury caused them by the publication.

19 SECTION 16. *Entrapment Prohibited.* – Law enforcers shall not use entrapment as a
20 method in law enforcement activities when the same will involve the sexual exploitation of
21 persons as defined in Section 3(B) of this Act. A law enforcement officer who resorts to this
22 method shall suffer the penalty of eight (8) years imprisonment.

23 SECTION 17. *Requirements for Hotels, Motels and Lodging Houses.* – Notwithstanding
24 any legislation, ordinance or rule to the contrary, every hotel, motel or lodging area shall:

25 (A) Maintain a reception and registration area for guests and patrons that is readily within
26 the public view;

27 (B) Maintain open garages, or those that do not have doors or any closing mechanism;

28 (C) Maintain good lighting in all its entrances, exists, driveways and garages.

1 No hotel, motel or lodging house shall be allowed to operate in any part of the
2 Philippines without complying with the preceding requirements.

3 For the purpose of this Section, hotels, motels, and lodging houses already operating shall
4 have six (6) months from the effectivity of this Act too comply with this provision. Failure of
5 any hotel, motel and lodging house to comply with this Section shall result in the cancellation of
6 their license or permit to operate.

7 SECTION 18. *Responsibilities of Government Agencies in Anti-prostitution Efforts.* –
8 Local government units shall exercise their powers to curb prostitution within their respective
9 jurisdictions. It shall be unlawful for any local government unit to issue licenses or permits for
10 the operation of any establishment that is used or intended to be used for any prostitution
11 activity. Any such license or permit already issued prior to the effectivity of this Act shall be
12 deemed automatically revoked or cancelled and shall not be renewed.

13 Their responsibility shall include conducting public information campaign against
14 prostitution, carrying out rescue operations and ensuring the safety or security of victims of
15 prostitution.

16 Local government units may employ elements of the National Bureau of Investigation
17 (NBI) or the Philippine National Police (PNP) as provided for under Republic Act No. 6975, as
18 amended by Republic Act No. 8551.

19 The national government shall ensure that local government units conscientiously engage
20 in anti-prostitution activities, provide support for the same, and intervene when necessary.

21 The NBI and the PNP shall continuously conduct surveillance and monitor
22 establishments to prevent prostitution. They shall promptly investigate any establishment
23 suspected to be engaged in activities constituting prostitution under Section 4 of this Act and
24 shall take appropriate measures, in coordination with the local government unit concerned and
25 other relevant government agencies, for the speedy prosecution of the offenders.

26 The Department of Tourism (DOT) shall undertake corrective and enforcement measures
27 to stop activities in tourism constituting, promoting or facilitating prostitution in consultation and

1 coordination with government agencies and non-governmental organizations (NGOs) working
2 for the elimination of prostitution.

3 SECTION 19. *Social Services and Programs.* – There shall be a National Anti-
4 Prostitution Task Force composed of the following:

- 5 (A) Department of Social Welfare and Development (DSWD) as lead agency;
- 6 (B) National Commission on the Role of Filipino Women (NCRFW);
- 7 (C) Department of Labor and Employment (DOLE);
- 8 (D) Technical Education and Skills Development Authority (TESDA);
- 9 (E) Department of Health (DOH);
- 10 (F) Department of Interior and Local Government (DILG);
- 11 (G) Department of Justice (DOJ);
- 12 (H) National Bureau of Investigation (NBI);
- 13 (I) Philippine National Police (PNP);
- 14 (J) Three (3) non-government organizations (NGOs) to be selected by NGOs providing
15 support services to victims of prostitution; and
- 16 (K) Three (3) representatives of persons exploited in prostitution.

17 The National Anti-Prostitution Task Force shall perform the following functions:

- 18 (1) Develop a program addressing prostitution and the needs of persons exploited
19 prostitution and those vulnerable to be exploited in prostitution. The program
20 shall include public information and education campaign against prostitution,
21 crisis intervention service, education assistance, socio-economic assistance
22 such as sustainable livelihood skills training and financial support for scale
23 businesses, and integration and complete after-care programs for persons
24 exploited in prostitution, among others;
- 25 (2) Identify and, if necessary, create centers in strategic places all over the
26 Philippines that will provide health services, including counseling and
27 therapy, temporary shelter and other crisis intervention services to persons
28 exploited in prostitution. The rape crisis centers established under Republic

1 Act No. 8505 and the hospital-based prosecution units for women and
2 children may also served as centers servicing persons exploited in prostitution.

3 Each center shall establish a network of health care and other service
4 providers to address the needs of persons exploited in prostitution;

5 (3) Ensure that units are created or identified within relevant government
6 agencies, particularly those composing the Task Force, that shall focus on
7 addressing prostitution and the needs of persons exploited in prostitution.

8 This shall include units within the National Prosecution Service Offices in
9 local government units that shall specifically focus on the prosecution of
10 offenders under this Act;

11 (4) Ensure that relevant government agencies work in close coordination with
12 each other in addressing prostitution and the needs of persons exploited in
13 prostitution.

14 (5) Develop and implement a training program for law enforcers, public
15 prosecutors, judges, government lawyers, government health care providers,
16 social workers and barangay officials that aims to increase their understanding
17 of prostitution as a system, and equip them with the perspective and skills to
18 appropriately address the needs of persons exploited in prostitution, respect,
19 protect and promote their human rights, and pursue the prosecution of
20 offenders;

21 (6) Ensure that local counterparts of the Task Force are created in every
22 municipality, city and provinces;

23 (7) Undertake the lead the prosecution of any violation of this Act; and

24 (8) Promulgate, when necessary, rules and regulations for the effective
25 implementation and enforcement of this Act.

26 SECTION 20. *Appropriations.* – The amount necessary to carry out the provisions of this
27 Act is hereby authorized to be appropriated in the General Appropriations Act of the year
28 following the enactment of this law and every year thereafter.

1 All local government units are likewise mandated to allot not less than five percent (5%)
2 of their gender and development (GAD) budget and not less than five percent (5%) of the local
3 development fund of local government units (LGUs) for programs, project and activities aimed
4 to control prostitution activities within their jurisdiction, including the development and conduct
5 of deterrent information campaigns directed to potential and actual buyers of prostitution sex.

6 SECTION 21. *Separability Clause.* - If any provision of this Act is declared invalid or
7 unconstitutional, the remaining provisions shall not affected thereby shall continue in full force.

8 SECTION 22. *Suppletory Application.* - The provisions of Republic Act No. 9280 or the
9 Anti-Trafficking in Persons Act shall have suppletory application to this Act.

10 SECTION 23. *Repealing Clause.* - Article 202 and 341 of the Revised Penal Code are
11 hereby amended. Articles III, Section 5 and 6 of Republic Act No. 7610 and all other laws,
12 decrees, ordinances and rules inconsistent with the provisions of this Act are hereby modified or
13 repealed accordingly.

14 SECTION 24. *Effectivity Clause.* - This Act shall take effect upon completion of its
15 publication in at least two (2) newspapers of general circulation.

16 Approved,