

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
First Regular Session

House Bill No. 2046

Introduced by HON. IRWIN C. TIENG
and HON. MARIANO MICHAEL M. VELARDE

EXPLANATORY NOTE

In this modern world, internet hubs and computer shops are almost everywhere. Even in our own homes, we have access to the latest technology. Communication is just a click away. Technological advancement has been beneficial to us. In fact, it makes our work easier and faster.

However, there are unscrupulous individuals who use this technology in immoral ways. These days, they are being utilized for cyber sex crimes, online dating and casual sex exploiting mostly women and children. A sad fact is that these women and children are forced as sex slaves posing in front of the computer cameras, undress themselves and perform sexual acts for the pleasure of the clients mostly foreigners. For a sum of money, parents even lure their children to engage into this cyber sex or let them do their private acts in front of a camera for the pleasure of the peeping characters.

The maintenance, ownership and operation of the cyber sex dens or any place being used for illicit cyber sex activities should be penalized severely. Thus, the passage of this Bill is urgently sought.



IRWIN C. TIENG



MARIANO MICHAEL M. VELARDE

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AN ACT
PENALIZING THE MAINTENANCE OF A DEN OR ANY PLACE FOR CYBER
SEX ACTIVITIES OR EXHIBITION OF PRIVATE ACTS, AND FOR OTHER
PURPOSES

*BE IT ENACTED by the Senate and the House of Representatives of the
Philippines in Congress assembled.*

Section 1. *Short Title.* – This Act shall be known and cited as the “*Anti-Cyber Sex Den Act*”.

Section 2. *Declaration of Policy.* – It is the policy of the State to value the dignity of every human person and to guarantee full respect for human rights. Further, 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.

With the increasing number of internet hubs or computer shops, there is the proliferation of cyber crimes which remain unpunished due to lack of a proper law that would respond to such immoral and indecent acts. Not only men and women become victims but even children are prone to the so-called cyber sex crimes. In view of the foregoing, the State needs to adopt a measure to penalize and eventually curb cyber sex crimes which threaten the morals of our countrymen, especially of our youth.

Section 3. *Unlawful act/s.* - It shall be unlawful for a person or group of persons to maintain, manage, operate and/ or control a den or any place, including but not limited to, a commercial building, apartment, condominium, a residential house, for cyber sex activities or exhibition of private acts.

By cyber sex den, it shall mean a place where illicit acts are performed, effected and carried out in front of a web camera which is connected via the internet and intended either for local or foreign clients.

Section 4. *Penalties.* - The penalty of twelve years and one day to twenty years (12 years and 1 day to 20 years) and a fine ranging from one hundred thousand to five hundred thousand pesos (Php 100,000.00 to 500,000.00) shall be imposed upon any person or group of persons who shall maintain, manage, operate, and/ or control a cyber sex den, be it owned or rented;

Provided, that if such establishment is under a lease contract, the lessor shall be solidarily liable with the lessee, whether or not he is aware of such illicit acts;

Provided, further, that if the subject of this online or cyber sex is a minor, the penalty of life imprisonment shall be imposed to such person or group of persons in violation of the preceding section.

Section 5. *Criminal Liability of Government Officials and Employees.* - The maximum penalties of the unlawful acts provided for in this Act shall be imposed, in addition to absolute perpetual disqualification from any public office, if those found guilty of such unlawful acts are government officials and employees.

Section 6. *Criminal Liability of Officers of Partnerships, Corporations, Associations or Other Juridical Entities.* - In case any violation of this Act is committed by a partnership, corporation, association or any juridical entity, the partner, president, director, manager, trustee, estate administrator, or officer who consents to or knowingly tolerates such violation shall be held criminally liable as a co-principal.

Section 7. *Additional Penalty if Offender is an Alien.* - In addition to the penalties prescribed in the unlawful act committed, any alien who violates such provisions of this Act shall, after service of sentence, be deported immediately without further proceedings, unless the penalty is death.

Section 8. *Separability Clause.* - If any provision or part thereof, is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

Section 9. *Repealing Clause.* - Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to, or inconsistent with the provisions of this Act is hereby repealed, modified or amended accordingly.

Section 10. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after its complete publication in at least two (2) national newspapers of general circulation.

Approved,