

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City



Sixteenth Congress
Third Regular Session

HOUSE BILL NO. **6301**

Introduced by
Hon. Samuel D. Pagdilao, Jr.

EXPLANATORY NOTE

Foreign nationals who are registered as sex offenders in other countries shall not be allowed entry to the Philippine territory, this was the statement issued by the Bureau of Immigration following reports that the Bureau deported American national Robert Snyder, 67, who was arrested in Dumaguete City. Snyder had been a fugitive for ten years in connection with a sex assault case.

True enough, these sex offenders are threats to public safety, most especially to children who, by reason of their economic status, are prone to sexual exploitation and abuse. Unfortunately, government's efforts to totally ban their entry to the country are not enough to protect the general public.

This legislation aims to establish a National Sex Offenders Registry System which will require all convicted sex offenders, both local and foreign nationals, to

register so as to give sufficient information to the public and law enforcement agencies of the possible threat that these sex offenders might present. The establishment of this registry system can be seen as the Philippines' opportunity to boost its capability to monitor the activities of foreign pedophiles, and at the same time warn communities that a sexual predator may be within their midstⁱ.

The aim is not to humiliate or embarrass convicted sex offenders, however, the high risk of recidivism in sex offenders calls for this drastic and serious measure which is necessary for the protection of children and society from sex-related crimes.

Hence, the immediate passage of the bill is earnestly sought.



Samuel D. Pagdilao, Jr.

ⁱ <http://globalnation.inquirer.net/132529/aussie-funded-project-needs-sex-offenders-registry-in-ph>

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AN ACT
ESTABLISHING A NATIONAL SEX OFFENDER
REGISTRY SYSTEM AND PROVIDING FUNDS
THEREFOR

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

SECTION 1. *Short Title.* – This Act shall be known as the
“Sex Offender Registration Act of 2015.”

SEC. 2. *Declaration of Policy.* – It is hereby declared the policy of the State to protect the physical, moral, spiritual and social well-being of its citizens, hence, it shall adopt every measure that aims to ensure their safety from any form of sexual abuse and exploitation by making our community and law enforcement agencies aware of sexual offenders that are possible threats to the personal safety and well-being of all Filipino citizens, specially children.

SEC. 3. *Definition of Terms.* – For purposes of this Act, the following shall be defined as follows;

- a. “National Sex Offender Registry System” means a database which shall contain the names and other pertinent details pertaining to sex offenders who lives and sojourns in the country;
- b. “Sex offenders” means any person convicted by final judgement of: (1.) Rape under Art. 266 of the Revised Penal Code, (2.) Crimes committed against chastity as defined under Book 2 Title XI of the Revised Penal Code, and (3.) Violations of Sec. 5 (g) of Republic Act 9262, as amended, as well as other forms of Sexual Violence as defined in therein.

This term shall include persons convicted by final judgment before foreign courts for the crimes of rape, sexual assault, acts of lasciviousness, or other similar crimes involving sexual violence or activity.

SEC. 4. *Establishment of National Sex Offender Registry.* – The National Sex Offender Registry shall include the following information for each sex offender; name, address, employment, fingerprints, DNA sample, complete criminal history, recent photograph, in addition to any other information that will be

deemed necessary for the proper registration of sex offenders.

Every convicted sex offender, prior to being released from prison, shall register in each province, municipality, or city wherein he resides, is employed, or is a student. Each sex offender shall be required to regularly update the registration as provided under Section 6 of this Act.

Moreover, a sex offender who changes residence, employment, or school shall update the registration within ten (10) days from the said change.

SEC. 5. *Implementing agency.* – The Department of Justice shall be mandated to create and maintain the necessary database, computer system, and software that will establish the National Sex Offender Registry System which shall allow immediate information-sharing between local and foreign jurisdictions, including law enforcement agencies.

The database, computer system, and software created shall be shared and distributed to Local Government Units for the operation of a uniform registry and internet websites.

SEC. 6. *Duration of registration in the Registry.* – Every sex offender must verify their information in person at regular intervals, depending on the severity of the sex offense they committed;

- a. The least serious offenders are required to appear in person once a year and shall remain on the registry for 15 years;
- b. The serious offenders must appear in person every six (6) months and shall remain on the registry for 25 years;
- c. The most serious offenders shall remain on the registry for life and shall be required to appear in person every three (3) months.

The severity of their sexual offense shall be determined solely by the court which convicted the sexual offender. For those convicted by foreign courts or when the court fails to determine the severity of the sexual offense, the severity shall be deemed as most serious and the sex offender shall remain on the registry for life and shall be required to appear in person every (3) months.

SEC. 7. *Accessibility of the Registry System.* – The general public shall not have access to the detailed information of the registered sex offender, however, a website shall be made available to the public which will only include relevant information about the sex offenders, such as the name, recent photograph, and the crime committed.

In addition to the National Sex Offender Registry System as stated in the preceding paragraph, every Local Government Unit

shall be required to maintain its own online registry which shall also be accessible to the general public.

SEC. 8. *Penalties.* – Pursuant to this Act, any sex offender who shall knowingly and willfully fails to register or update his information as provided herein shall suffer the penalty of one (1) to five (5) years imprisonment.

In the event said unregistered sex offender commits a crime, regardless of its nature, the penalty of five (5) to ten (10) years imprisonment shall be imposed, which shall be in addition to the penalty imposed by reason of the crime committed.

SEC. 9. *Appropriation.* - To carry out the provisions of this Act, such amount as may be necessary is hereby authorized to be appropriated from the National Treasury. The amount necessary for its continuous implementation shall be included in the annual appropriation of the Department of Justice.

SEC. 10. *Separability Clause.* - If any provision or part hereof is held invalid or unconstitutional, the remainder of this Act or the provisions not otherwise affected shall remain valid and subsisting.

SEC. 11. *Repealing Clause.* - All laws, decrees, orders, rules and regulations or parts thereof inconsistent with this Act are hereby repealed or modified accordingly.

SEC. 12. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Adopted.