

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH (17th) CONGRESS
First Regular Session

House Bill No. **4702**



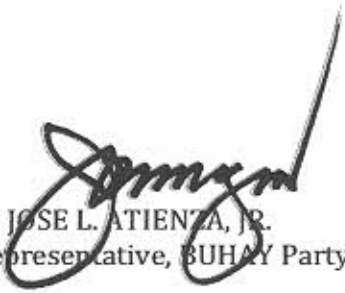
Introduced by: Hon. Jose L. Atienza, Jr.

EXPLANATORY NOTE

All over the world, incidents of cybercrime, i.e., hacking and computer fraud have become rampant – with bank depositors, private corporations, government offices and even governments falling victims to various scams. These crimes are tantamount to economic sabotage – causing irreparable damage to personal and company finances, as well as government economies.

Recent events in the country have shown that these scammers' network is getting wider and bolder. However, government's efforts to catch and prosecute them have so far failed due to the meager fines imposed on them – a mere P10,000, which enables them to go scot-free after paying the said amount. Foreigners involved in these scams, when caught, pay the same amount then up and leave, transferring their base of operations elsewhere.

This bill seeks to amend Section 10 of Republic Act 8484 or the Access Devices Regulation Act of 1998, making it a non-bailable offense. This will likewise increase the fines for this offense anywhere from P3,000,000 to P5,000,000, instead of the present P10,000. This will make it harder for these cyber-criminals to slip away, guaranteeing that they will be prosecuted and made to answer for their crimes.


JOSE L. ATIENZA, JR.
Representative, BUKAY Party-list

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AN ACT
INCREASING THE PENALTY FOR VIOLATION OF
THE PROVISIONS OF REPUBLIC ACT 8484

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

Section 1. *Amendment* – Section 10 of Republic Act 8484 otherwise known as the “Access Devises Regulation Act of 1998” is hereby amendment to read as follows:

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“**Section 10. Penalties** – Any person committing any of the acts constituting access device fraud enumerated in the immediately preceding section shall be punished with:

(a) a fine of Three Million Pesos (P3,000,000.00) or twice the value obtained by reason of the commission of the offense, whichever is higher, and imprisonment for not less than twenty (20) years and not more than thirty (30) years, in the case of offenses falling under Section 9 (b) to (e), (g) to (i) and (k) to (p);

(b) a fine of Five Million Pesos (P5,000,000.00) or twice the value obtained by reason of the commission of the offense whichever is higher, and life imprisonment, in the case of offenses falling under Section 9 (a), (f) and (j) of the foregoing section; and

The accused charged for any of the crimes punished under Section 9 (a), (f) and (j) of this Act shall not be entitled to post bail when the evidence of guilt is strong.”

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Section 2. *Separability Clause.* – In the event that any of the provision of this Act is declared unconstitutional, the remaining provisions which have not been affected by such declaration shall remain valid and effective;

Section 3. *Repealing Clause.* – All laws, decrees, executive orders, circulars, rules and regulations and other issuances or parts thereof that are inconsistent with the provisions of the Act is deemed repealed, amended or modified.

Section 4. *Effectivity Clause.* – This Act shall take effect after fifteen (15) days following its complete publication in at least two (2) newspapers of general circulation.

Approved.