

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Constitution Hills, Quezon City

NINETEENTH CONGRESS
First Regular Session

House Bill No. 2585



Introduced by: **REPRESENTATIVE EDWIN L. OLIVAREZ**

EXPLANATORY NOTE

Section 13, Article II of the Constitution, on the Declaration of Principles and State Policies, provides: "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. xxxxx". Thus, from their infancy and in their formative years and throughout their childhood, children should be provided sufficient protection by the State from all forms of abuse, exploitation, neglect and discrimination and any potential crime that would endanger them should be prevented by the State. In further complementing the protection of children, it is also stated in Section 3, Article XV of the Constitution: "The State shall defend: xxxxx (2) The right of children to assistance, including proper care and nutrition, and special protection from all forms of neglect, abuse, cruelty, exploitation, and other conditions prejudicial to their development;" xxxxx and "(4) The right of families or family associations to participate in the planning and implementation of policies and programs that affect them."

This legislative measure is precisely intended for the protection of children from all other conditions prejudicial to their development, among which is the potential danger posed by foreign sex predators in conflict with child oriented laws, and by indicted or convicted sex offenders, who enter Philippine territorial jurisdiction and reside within our local communities.

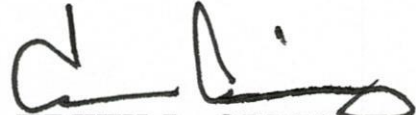
Pursuant to Sec. 29 of Commonwealth Act 613, there is an enumeration of the classes of alien that are specifically excluded from entry into the Philippines. Unfortunately, the excluded classes of aliens do not accommodate the categories of aliens that are specifically targeted under this proposed bill. Under the said law, the mandate of allowing the ingress of aliens into the country is jointly enforced by the Department of Foreign Affairs through the issuance of entry visas and by the Bureau of Immigration through the approval and allowance of entry documents, the power of which is to deny the issuance of visas and the power to deny the entry of the foreigner into the country.

Also, pursuant to Presidential Decree No. 830 dated November 27, 1975 and Letter of Implementation No. 47 dated August 18, 1976 in relation to Book IV, Title III, Chapter 10, Sec. 31 of the Administrative Code of 1987 (E.O. 292), the power and authority to deport undesirable aliens is within the exclusive jurisdiction of the Immigration Board of Commissioners presided over by the Commissioner of Immigration. Furthermore, Book III, Title I, Chapter 1, Section 1, of E.O. 292, the Commissioner of the Bureau of Immigration possesses the administrative authority to deport undesirable aliens who are in violation of immigration laws, rules and regulations is concerned. It becomes peremptory, therefore, to establish new administrative procedures that will enable the Commissioner of Immigration to promptly address the issue of undesirable aliens who, because of their well established nefarious activities in the Philippines, pose a clear and present danger to public safety, public health, and national interest in accordance with the proposed bill.

Our present system does not treat the prohibition of ingress of, and travel by, foreign citizens within our country as a priority concern over the protection of our own citizens and children. Thus, there is a moral and legal necessity to prevent any further humiliation to the foreign national who has derogatory criminal, civil and administrative record on any sexual misconduct involving minors, as well as the equally moral and legal necessity to protect minors under the jurisdiction of the Philippines. Such should warrant legal grounds to prevent the issuance of passport visa documents and his entry altogether or even when

issued passport visa documents, to prevent the ingress of such foreign citizen into the country.

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



EDWIN L. OLIVAREZ

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AN ACT PROTECTING CHILDREN FROM CHILD SEXUAL EXPLOITATION AND ABUSE, CHILD TRAFFICKING, CHILD PORNOGRAPHY, AND VIOLENT CRIME ON CHILDREN BY PROHIBITING THE INGRESS OF FOREIGN SEX OFFENDERS AND ALIENS IN CONFLICT WITH CHILD PROTECTION LAWS; PROVIDING PENALTIES FOR NON-COMPLIANCE THEREWITH; AND APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES.

ART. I – TITLE, STATEMENT OF POLICY, AND DEFINITION OF TERMS

Section 1. **Title.** - This Act shall be known as the **Ingress Prohibition of Alien Sex Offenders of Children Act (IPASOCA)**.

Section 2. **Statement of Policy.** - It is hereby declared the policy and obligation of the State to ensure that sex-related and specified offenses against minors with a sexual complexion are eliminated through effective legislations and policies on the prohibition of ingress into the country of alien nationals with pending investigations, cases, indictments, or convictions regarding such offenses to prevent future sex-related crimes

against minors. The paramount consideration, in all such cases, is the best interests of the children concerned.

Section 3. **Objectives.** - The purposes and objectives of this Act are:

- a) To better serve and safeguard public interest, more particularly the interests of children, by prohibiting the issuance of passport visa documents and/or the ingress of child-sex offenders, whether undergoing law enforcement or prosecutorial investigation or judicial trial;
- b) To engage the consulates, embassies or foreign affairs divisions of other States in inter-State and inter-agency cooperation and coordination in utilizing their respective national database and providing relevant information and data therein towards the prohibition of such child-sex offenders from ingress into the Philippines and vice versa;
- c) To establish new operational rules and guidelines for the Consular Offices of the Department of Foreign Affairs and the Bureau of Immigration in the interest of public safety, public health and/or national interest; and
- d) To encourage the protection of children and society by instituting gatekeeping mechanisms at the Department of Foreign Affairs and the Bureau of Immigration in checking the background and derogatory criminal records through shared relevant information and data on child-sex offenders and preventing their ingress.

Section 4. **Definition of Terms.** - As used in this Act, the terms:

- a) The term "**Philippines**" means all the territory and waters which are subject to the jurisdiction of the Government of the Philippines, including places wherein the Philippines exercises extra-territorial jurisdiction;
- b) The term "**Child**" or "**Minor**" means an individual who has not attained the age of eighteen (18) years;

- c) The term "**alien**" means any person not a citizen of the Philippines;
- d) The term "**Sex offense**" means a criminal, civil, or administrative offense that has an element involving a sexual act, sexual contact, sexually related or sexually-oriented act with a minor, for which an alien is being investigated or has been convicted, and which may have an equivalent offense under the Revised Penal Code or under special laws of the Philippines;
- e) The term "**sex offender**" ("SO") means any alien, who has been convicted under any national, state or domestic law, whether in his country or otherwise, of any crime involving any sex-related offense or any specified offense of a sexual nature or complexion involving children;
- f) The term "**alien in conflict with child protection laws**" ("AICPL") means any alien, who has a pending case, whether administrative, civil, or criminal in complexion, before any police, prosecutorial, quasi-judicial or judicial authorities, involving any sex-related offense or any specified offense of a sexual nature or complexion involving children;
- g) The term "**immigrant**" means any alien departing from any place outside the Philippines destined for the Philippines, other than a non-immigrant;
- h) The term "**immigration laws**" shall refer to the Immigration Act and any other law hereafter enacted relating to the entry of aliens into the Philippines, and their exclusion, deportation, and repatriation therefrom;
- i) The words "**the President**" refers to the President of the Philippines.

ART II. COVERAGE OF ALIENS EXCLUDED FROM INGRESS

Section 5. **EXCLUDED ALIENS.** – The following foreign nationals or aliens may be excluded from any form of travel, visit, entry or

passage through the Philippines or any area within which the Philippines exercises jurisdiction:

a) Any alien who has committed, or participated in the commission of, any violation of national, state or domestic law, whether in his/her state of citizenship or in any state or territorial jurisdiction outside the Philippines, related to any sex offense, sex-related offense, or any specified offense presumably of a sexual nature or complexion involving children;

b) Any alien who has committed any offense by reason of his/her omission of an obligation to protect or rescue a minor in violation of any national, state or domestic law, related to any sex offense, sex-related offense, or any specified offense presumably of a sexual nature or complexion involving children, whether in his state of citizenship or any state or territorial jurisdiction outside the Philippines;

c) Any alien, who is in conflict with the law, whether it is in the law of the state of his citizenship or in any other state or territorial jurisdiction outside the Philippines, if he has a pending case, whether administrative, civil, or criminal in complexion, before any police, prosecutorial, quasi-judicial or judicial authorities, related to any sex offense, sex-related offense or any specified offense of a sexual nature or complexion involving children;

d) Any alien, who is in conflict with the law, more particularly for violations of law or for acts in other states or territorial jurisdictions, which would constitute criminal offenses in the Philippines if it had been committed in the Philippines, e.g. for violations of any law outside the Philippines which may constitute violations of The Child and Youth Welfare Code (PD 603 as amended by EO 91); the Code of Muslim Personal Laws (PD 1083); the Family Code; the Special Protection for Children Against Child Abuse, Exploitation and Discrimination Act (RA 7610); the law on the prohibition of Child Labor (RA 7658); the Death Penalty Act (RA 7659 as amended); the Inter-Country Adoption Act of 1995 (RA 8043); the Domestic Adoption Act of 1998 (RA 8552); the Anti-Rape Law of 1997 (RA 8353); the law on the prohibition of Hazardous Child Labor (RA 9231); the Anti-Violence Against Women and their Children Act (RA 9262); the

Anti-Trafficking in Persons Act (RA 9208 as amended by RA 10364); the Anti-Child Pornography Act (RA 9775); The Anti-Photo and Video Voyeurism Act (RA 9995); for violations of related provisions of the Revised Penal Code; for violations of related international criminal laws; and for violations of such other related and/or subsequent laws which cover criminal acts involving sex offenses, sex-related offenses, and specified offenses against minors.

e) Any alien whose name is included in the Sex Offenders Registry, Watchlist or Lookout Bulletin for any sex offense, or any such similar data base, of any country outside the Philippines.

Section 6. ***Alien Minors Accused of Sex Offenses.*** – All alien minors, 15 years old and above, being investigated for, indicted, or convicted for sex offenses under this Act shall not be exempt from coverage hereunder.

Section 7. ***Diplomats are not exempt from provisions herein.***
– No diplomat, ambassador, consular officer, or official representing the country or State or the United Nations or any of their offices, branches, or organizational structures to which he/she belongs shall be exempt from coverage hereunder.

Section 8. ***Consensual Sexual Conduct.*** - An offense involving consensual sexual conduct is not a sex offense for the purposes of this Act if the victim was an adult; unless the victim was a child at the time of the commission of the offense.

ART. III. - POWERS AND FUNCTIONS OF GOVERNMENT OFFICES:

Section 9. ***General Functions of Related Government Offices.***
- The Department of Foreign Affairs or Bureau of Immigration, whether through its Secretary or Commissioner, or through the office, agency or committee they authorize, shall have the following additional functions:

- 1) Promulgate rules and regulations, as well as Department and/or Administrative Orders, Memorandum Circulars, and all such inter-Department and intra-Department Instructions and Orders, including occasional amendments thereof, as may be necessary for the effective implementation of this Act;
- 2) Promulgate within its rules and regulations, including occasional amendments thereof, a detailed list, enumeration, and registration of all sex offenders, and all aliens in conflict with the law under this Act, and the counterpart sex offenses and specified offenses against minors for which they are or have been held accountable;
- 3) Promulgate an enumeration of various child-oriented protective legislations of various countries in which their citizens or permanent residents seek entry into the Philippines, which have equivalent coverage under Philippine legislations, among which should be specific provisions of the Revised Penal Code, special laws, and subsequent laws thereto;
- 4) Monitor and oversee the strict implementation of this Act within their agency or office jurisdiction;
- 5) Coordinate the programs, projects, rules and regulations, including all possible Administrative or Department Orders and Circulars of the various member agencies to effectively address the issues and problems attendant to the registration of sex offenders and notification to those concerned;
- 6) Secure from any Department, Bureau, Office, Agency or Instrumentality of the Government or from NGOs and other civic organizations such assistance as may be needed to effectively implement this Act;
- 7) Formulate a shared governmental and inter-governmental information system, including the Interpol, for the notification of the concerned states and other jurisdictions regarding convicted sex offenders and aliens in conflict with the law under this Act, and their mandatory registration under immigration laws, as well as to ensure that the proper immigration agencies and their international counterparts conduct a continuing research and study on the patterns and scheme of registration of, and dealing

with, sex offenders and aliens in conflict with the law, which shall form the basis for policy formulation and program direction;

8) Formulate a "blacklist" registration for aliens under the coverage of this Act, who have been excluded from being issued a visa, or from ingress into the country;

9) Develop the mechanisms to ensure the timely, coordinated, and effective response to the cases of registration of sex offenders, notification and the failure thereof;

10) Recommend measures and undertake joint activities to enhance cooperative efforts and mutual assistance among foreign countries through bilateral and/or multilateral arrangements to promote the registration of sex offenders and their notification to persons concerned;

11) Adopt measures and policies to protect the rights and needs of children who are foreign nationals in the Philippines and foreign NGOs caring for and protecting children;

12) Initiate training programs in identifying and providing the necessary measures for intervention or assistance to victims or NGOs protecting child victims of sex offenders; and

13) Exercise all the powers and perform such other functions necessary to attain the purposes and objectives of this Act.

Section 10. *No Familial Reintegration.* – No alien sex offender or alien in conflict with the law in accordance herewith, who is being investigated, who has been indicted, or who has been convicted of any criminal, civil, or administrative offense in accordance with the excluded aliens, whether in his State of citizenship, permanent residence, or any other territorial jurisdiction, may demand ingress into the Philippines by virtue of his being a parent, stepparent, adoptive parent, foster parent of a Filipino child or being a common law spouse of a Filipino child's parent, cohabitant or sex partner of the Filipino child's parent. He shall be prohibited from ingress into the Philippines.

A Regional Trial Court shall not issue any such order for family reintegration or for custody of children for any sex offense or specified offense against a minor that may have been committed by the aforementioned aliens.

**A) POWERS AND FUNCTIONS OF CONSULAR OFFICERS
B) FROM THE DEPARTMENT OF FOREIGN AFFAIRS:**

Section 11. ***Visa Issuances Governed by Regulations.*** - The form and manner of applying for an immigration visa by a non-citizen, whether for temporary visits, multiple entries or permanent residence, and the form and validity of such immigration visa shall be established by regulations to be validly issued by the Department of Foreign Affairs.

Section 12. ***Powers of a Consular Officer.*** - The examination of aliens concerning their applications for visa and travel documents to enter or reside in the Philippines shall be performed by Consular Officers of the Department of Foreign Affairs.

Consular Officers are also empowered to administer oaths, to take and consider evidence concerning the application of any alien to enter or reside in the Philippines.

In view thereof, Consular Officers are authorized to exclude any alien not properly documented, any "undesirable alien" under the coverage of the Immigration Act, and/or aliens hereby specifically excluded as required by this Act and to assist in the enforcement of immigration laws and regulations prescribed thereunder.

Section 13. ***Power to require further documentation and clearances.*** - Consular Officers may require clearance certificates or any other necessary legal and/or judicial document before issuing any valid travel documentation or visas to alien applicants wishing to enter and/or reside in the Philippines, when informed or apprised of any pending or terminated case, whether criminal, civil, or administrative in nature, from the appropriate authorities of the country of

citizenship or residence or any other foreign territorial jurisdiction, where the alien was indicted, convicted, or may have been held accountable for any sexual act, or sex-related or sex-oriented criminal, civil, or administrative offense committed against children or minors.

Section 14. ***Power to deny passport visa and/or other travel documents.*** - A Consular Officer may reject or deny the issuance of a passport visa and/or other travel documents to an applicant who fails to establish satisfactorily his status as an alien without any conflict to any child-oriented protection legislation, or whose entry into the Philippines would not be contrary to the public safety, more particularly the safety of children under coverage of this Act.

Section 15. ***Power to deny passport visa and/or other travel documents on reasonable belief.*** - No immigration visa shall be issued to an immigrant alien if the Consular Officer knows from statements in the application therefor, from the papers submitted therewith, or otherwise has reason to believe that said alien is inadmissible under immigration laws.

Section 16. ***Additional Authority to Issue Prohibition Orders for Ingress of Suspected and Convicted Sex Offenders and Aliens in Conflict with the Law.*** - The Consular Officer, upon a well-founded and reasonable determination based on available and verifiable civilian, immigration, or military intelligence reports, is hereby authorized to order the prohibition of the ingress or entry of any such alien sex offender or alien in conflict with child protection laws into the Philippines or any place where the Department of Foreign Affairs exercises its functions and jurisdiction so as to guarantee the safety of children under the coverage of this Act.

Section 17. ***Authority to Cancel Visa.*** - An immigration visa, or a passport visa, or a reentry permit, obtained by fraud or willful misrepresentation of fact concerning violations of law under this Act shall be subject to cancellation by the issuing officer or by the Board of Commissioners.

Section 18. ***Submission of Reports to the President.*** - The Secretary of the Department of Foreign Affairs shall furnish the

Office of the President a quarterly report every year of excluded aliens with their names, aliases, nationalities and the specific grounds for their deportation under this Act. In compliance therewith, the DFA Secretary may call upon, and require, the Consular Officers for any such necessary reports and documents therewith.

Section 19. ***Administrative Accountability of the Officials of the Department of Foreign Affairs.*** – Officials from the Department of Foreign Affairs and its consular officers, who violates this Act by issuing a passport visa and/or any other travel document that enables an excluded alien to enter Philippine jurisdiction, shall be held administratively liable with the pertinent penalty for Grave Misconduct under Civil Service Laws and/or under the laws being enforced by the Office of the Ombudsman.

Any such official(s) shall also be held criminally liable for violation herewith for a one to two year penalty of imprisonment, or a fine of Five Hundred Thousand Pesos (P 500,000.00).

A) POWERS AND FUNCTIONS OF IMMIGRATION OFFICERS FROM THE BUREAU OF IMMIGRATION:

Section 20. ***Powers of Immigration Officer.*** - The examination of aliens concerning their right to enter or remain in the Philippines shall be performed by Immigrant Inspectors.

Immigrant Inspectors are authorized to exclude any alien not properly documented or cleared as required by this Act, and to enforce the immigration laws and regulations prescribed thereunder.

Immigrant Inspectors are also empowered to administer oaths, to take and consider evidence concerning the right of any alien to enter or reside in the Philippines, and to go aboard and search for aliens on any vessel or other conveyance in which they believe aliens are being brought into the Philippines. Immigrant Inspectors shall have the power to arrest, without

warrant, any alien who in their presence or view is entering or is still in the course of entering the Philippines in violation of this Act, other child-related laws or regulations prescribed thereunder.

Section 21. *Authority to Issue Prohibition Orders for Ingress of Suspected and Convicted Sex Offenders and Aliens in Conflict with the Law.* — The Bureau of Immigration, upon a well-founded and reasonable determination by the Commissioner of Immigration or any of his assigned assistants, deputies or officers, based on available and verifiable civilian, immigration, or military intelligence reports, is hereby authorized to prohibit the ingress or entry of any such alien into the Philippines or any place where the Bureau of Immigration exercises its functions and jurisdiction so as to guarantee the safety of children under this Act.

Section 22. *Prohibition of alien sex offenders and aliens in conflict with the law.* - Sex offenders with foreign conviction, or other foreign nationals facing investigation and/or charges for a sex offense or any specified offense against a minor, based on information provided by a foreign embassy or a legally recognized international entity or on authentic documents or official web information, shall be prohibited from ingress by the BI and will be issued an order to leave if already admitted into the country.

Section 23. *Authority to Issue Summary Deportation Orders.* – The Bureau of Immigration, through its Commissioner and/or Associate Commissioner(s), or in their absence, the Acting Commissioner of Immigration, is hereby authorized to issue and effect a Summary Deportation Order, if probable cause exists, if any of the aliens enumerated under Section 5 hereof has been able to obtain ingress into the Philippines or any of its areas of territorial or extra-territorial jurisdiction, or is under a state of arrest within any Philippine territorial or extra-territorial jurisdiction. Said foreign national shall be ordered to leave immediately and his visa and travel documents cancelled, with his name included in the BI blacklist registry.

Section 24. *No Motion for Reconsideration from Summary Deportation Orders.* - If so admitted into the country already, a

foreign national who has been issued a Summary Deportation Order may not file a Motion for Reconsideration therefrom.

Section 25. ***Authority to Effect a Warrantless Arrest.*** – Under the circumstances stated in the next preceding section, the Bureau of Immigration, through its Chairman or Associate Commissioner(s), or in their absence, the Acting Commissioner of Immigration, is hereby authorized to effect a warrantless arrest of any such aliens enumerated under Section 5 hereof if probable cause exists, or if there is any legal or valid request from any State with diplomatic relations with the Philippines for the arrest of such alien or aliens in accordance with Section 5, Rule 113 of the Rules of Court or if such alien is found ***in flagrante delicto*** violating Philippine Immigration laws.

Section 26. ***Authority to Issue Mission Orders for Verification and Investigation of Suspected Illegal Aliens.*** – In the cases of aliens who have obtained admission or ingress into the country, the Bureau of Immigration, through its Chairman or Associate Commissioners, or in their absence, the Acting Commissioner of Immigration, is hereby authorized, in the interest of national security, public health, public safety and/or national interest, to issue a mission order directing appropriate officers of the Bureau of Immigration, whether organic or on detail, to conduct verification and investigation operations against the alien or aliens concerned.

Section 27. ***Submission of Reports to the President.*** — The Commissioner of the Bureau of Immigration shall furnish the Office of the President an annual report of excluded and deported aliens with their names, aliases, nationalities and the specific grounds for their deportation, with a duplicate original copy of subject report(s) furnished the Secretary of Justice.

Section 28. ***Administrative Accountability of Criminal Justice Officials.*** – Officials from the Department of Justice, Bureau of Immigration and its immigration officers who violate this Act by allowing the ingress of an excluded alien shall be held administratively liable with the pertinent penalty for Grave Misconduct under Civil Service Laws and/or under the laws being enforced by the Office of the Ombudsman.

Any such official shall also be held criminally liable with a penalty of three (3) years of imprisonment, or a fine of Five Hundred Thousand Pesos (P500,000.00) or both at the discretion of the court.

Section 29. ***Administrative Accountability of Bureau of Immigration Official.*** - The BI official(s), who allows the ingress of such sex offender or any such person as stated in the preceding provision despite prior notice of a foreign conviction or receipt of information on the investigation and/or charges for a sex offense or any specified offense against a minor, shall be held administratively liable with the pertinent penalty for Grave Misconduct under Civil Service Laws and/or under the laws being enforced by the Office of the Ombudsman.

**C) AUTHORITY OF THE DEPARTMENT OF FOREIGN
AFFAIRS AND/OR BUREAU OF IMMIGRATION FOR
REQUIRED DOCUMENTATION:**

Section 30. ***Information Required from an Indictment as a Sex Offender.*** - An alien accused or investigated for any of the aforementioned offenses herein shall provide the following information to the DFA or BI for registration purposes:

- A) His legal name and any other names or aliases that he is using or has used;
- B) His Social Security Number or Unified Multi-Purpose ID Common Reference Number, if applicable;
- C) His passport identification and number;
- D) His date of birth;
- E) His current address, the address where he will reside, the address(es) where he wishes to establish permanent residence(s) or temporary domicile, in which he resides for more than twenty days successive or segregated within a whole year;

F) The name and place of his current employment or where he will be an employee, if applicable;

G) The name and address of the educational institution where he is a student or will be a student, if applicable;

H) The Motor vehicle registration information and vehicle description for all motor vehicles that the sex offender owns, operates, or drives or will own, operate, or drive, if applicable; and

I) The date and place of his indictment for, and nature of, the sex offense or specified offense against a minor.

Section 31. ***Other Required Registry Information.*** - The DFA and/or BI shall ensure that the following information is also included in their registry for subject alien herein:

A) The current photograph of the indicted person;

B) His/her physical description, including a description of any tattoos, scars or other distinguishing features on his/her body that would assist in future identification;

C) His/her photocopy of the valid driver's license or identification card/s;

D) His/her photocopy of the latest valid passport;

E) His/her DNA sample, if available;

F) The nature of and date of commission of the alleged offense by the indicted person, including the text of the provision of law defining the criminal offense for which he/she is registered; and

G) His/her criminal history, including the date of all arrests and convictions.

All information shall be updated by the DFA/BI upon receipt of new valid information.

Section 32. ***Exempt Information.*** - The following information shall be exempt from public disclosure:

- 1) The identity of any victim of a sex offense;
- 2) The Social Security Number or Unified Multi-Purpose ID Common Reference Number of the suspected or convicted sex offender;
- 3) Any reference to arrests of the suspected or indicted sex offender that did not result in conviction;
- (4) Any information about a conviction that did not arise from a sex offense, except for offenses against minors;
- (5) The name of an employer of the suspected or convicted sex offender; and
- (6) The name of an educational institution where the suspected or convicted sex offender is a student.

Section 33. ***Blacklist Registry.*** - The Department of Foreign Affairs and/or the Bureau of Immigration shall create their own database or information registry of aliens who have been excluded from the issuance of a visa and/or excluded from ingress into the country due cases falling under the coverage of this Act. All the information and documentation under this particular Article of the Act herein shall be included in this Blacklist Registry.

ARTICLE IV. GENERAL PROVISIONS:

Section 34. ***Good Faith Conduct Immunity.*** - Any person who, without malice or any ill-intent, furnishes any information or document regarding any case falling under coverage hereof shall be immune from liability for good faith conduct under this Act.

Section 35. ***Transitory Provision.*** - As soon as this Act takes effect, the DFA Secretary and the Commissioner of the Bureau of Immigration shall have the authority to apply the powers

herein granted for alien immigrants who have been allowed ingress into the country prior to the enactment of this Act.

Section 36. **Implementing Rules and Regulations.** - The Department of Foreign Affairs and the Department of Justice in coordination with Bureau of Immigration shall issue the implementing rules and regulations in the immediate enforcement of this Act and may issue subsequent guidelines in the interpretation and further implementation of this Act.

The Department of Foreign Affairs and the Bureau of Immigration shall create a committee and may invite the officers of the various Cabinet departments, and government offices and agencies, including non-government organizations, for the drafting of implementing rules and regulations (IRR). The IRR for the implementation of this act shall be promulgated within sixty (60) days from the effective passage of this law.

Section 37. **Appropriations Clause.** - The initial budget of Five Million Pesos (P5,000,000.00) for the Department of Affairs and another Five Million Pesos (P5,000,000.00) for the Bureau of Immigration, for the enforcement of the IPASOCA and its operational expenses, establishment of its "blacklist" registry and database facilities, and such other necessary expenses thereto immediately in the year of its enactment shall be drawn from the National Treasury. Thereafter, the amount necessary to carry out the provisions of this Act shall be included in the General Appropriations Act of the year immediately following its enactment into law and subsequent thereto.

Section 38. **General Penal Clause.** - A sex offender who fails to comply with the registration requirements or provides false information shall suffer the penalty of **prisión correccional** in its maximum period.

An informant, who has not acted in good faith, and provides false information shall suffer the penalty of **arresto mayor** in its medium period.

Section 39. **Separability Clause.** - If any part or section of this Act shall be declared unconstitutional, such declarations shall not invalidate the other provisions hereof.

Section 40. ***Repealing Clause.*** - All laws, parts of laws, decrees, presidential issuances, proclamations, orders, ordinances, and administrative regulations in conflict with the provisions of this Act are hereby amended, modified or repealed accordingly.

Section 41. ***Effectivity.*** - This Act shall take effect fifteen (15) days after its complete publication in at least two (2) newspapers of general circulation.

Approved: