



Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL No. **5431**



Introduced by HONORABLE ERNESTO “ERNIX” M. DIONISIO, JR.

**AN ACT ESTABLISHING A NATIONAL SEX OFFENDER REGISTRATION DATABASE
AND PROVIDING FUNDS THEREFORE AND FOR OTHER PURPOSES**

EXPLANATORY NOTE

Every year, there are about 7,000,000 children that are victims of sexual abuse in the Philippines. More than 70% of these victims are children aged between ten and eighteen years of age, and 20% are under the age of six¹. In 2020 the Philippine National Police recorded 5,029 cases of child rape and around 1,794 cases of rape wherein women are the victim².

Despite numerous laws enacted to fight against sex offenses, the numbers of cases involving such crime is continuously increasing. The 1987 Constitution³ states that: “The maintenance of peace and order, the protection of life, liberty, and property, and the promotion of the general welfare are essential for the enjoyment by all the people of the blessings of democracy.

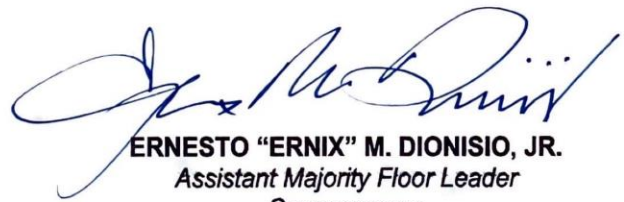
It is the duty of the State to ensure that peace and order is maintained but, contradictorily, crimes are still increasing, especially against the more vulnerable sector of women and children.” In many instances, sex offenders formerly convicted and apprehended continues to commit such heinous activities just by hiding and relocating to another place to continue his or her immoral crimes.

This bill aims to establish a national sex offender registration database. The database will be used in order to allow the general public and non-government organizations to obtain relevant information and data with regard to the convicted and suspected sex offenders. By doing so, it is an added protection to probable victims and it will also help track and monitor these sex offenders. Due to the rising number of sexual offenders and crimes connected therein, the immediate approval of this bills is necessary.

¹ Context in the Philippines available at <https://www.cameleon-association.org/contexte-aux-philippines/?lang=en> (last accessed on September 25, 2022).

² Sexual violence in PH: Stuff of jokes, stats of nightmares available at <https://newsinfo.inquirer.net/1376035/sexual-violence-in-ph-stuff-of-jokes-stats-of-nightmares> (last accessed on September 25, 2022).

³ Article II, Section 5, 1987 Constitution.

A handwritten signature in blue ink, appearing to read 'Ernesto M. Dionisio, Jr.', with a stylized flourish at the end.

ERNESTO "ERNIX" M. DIONISIO, JR.

Assistant Majority Floor Leader

Congressman

First Congressional District of Manila



Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL No. 5431

Introduced by **HONORABLE ERNESTO “ERNIX” M. DIONISIO, JR.**

**AN ACT ESTABLISHING A NATIONAL SEX OFFENDER REGISTRATION
DATABASE AND PROVIDING FUNDS THEREFORE AND FOR OTHER
PURPOSES**

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

Section 1. Short Title. - This Act shall be known as the “National Sex Offender Registry Act”.

Sec. 2. Declaration of Policy. - It is hereby declared the policy of the State to value the dignity of women and children and guarantee full respect for human rights.

Towards this end, it shall adopt measures to ensure their safety from any form of violence, sexual abuse and exploitation by making our concerned law enforcement agencies aware of the presence of sexual offenders, who are possible threats to the personal safety and well-being of Filipino citizens, especially the vulnerable women and children in every part of the country.

Sec. 3. Definition of Terms. - For the purposes of this Act, the following shall be defined as follows;

- (a) National Sex Offender Registry Database - refers to the national database which shall contain the names and other pertinent details of sex offenders who reside or sojourn in the country, regardless of nationality or citizenship;
- (b) Sex offender - refers to any person convicted by final judgment of:
 - (i) Rape;
 - (ii) Crimes committed against chastity;
 - (iii) Violation of RA 9262 also known as the Anti-Violence Against Women and Children Act of 2004, as amended.The term shall include persons convicted of final judgment before foreign courts for the crimes of rape, sexual assault, acts of lasciviousness, or other similar crimes involving sexual violence of activity.

Sec. 4. Establishment of National Sex Offender Registry Database. - The Secretary of the Department of Justice (DOJ) shall establish a National Sex Offender Registry that makes available and accessible to the Philippine National Police (PNP) and to concerned law enforcement agencies, all information necessary to determine which registered sex offenders are currently residing within a radius, as specified by the user of the registry, of the location indicated by the use of the registry. It shall allow immediate information-sharing between local and foreign jurisdiction for each sex offender, in addition to any other information that will be deemed necessary for the proper registration and identification of sex offenders:

- (a) Full name and aliases;
- (b) Permanent and present residential addresses;
- (c) Employment history;
- (d) Fingerprints and DNA samples;
- (e) Complete criminal history;
- (f) Education information;
- (g) Recent photograph.

Convicted sex offenders, prior to being released from imprisonment, shall register in each province, city or municipality where they are residing, are employed, or are studying. Sex offenders shall be required to regularly update their registration. Moreover, a sex offender who changes residence, employment, or school shall update registration within ten (10) days from the said change.

Sec. 5. Accessing Information from the Registry. – The DOJ shall create a mechanism that shall allow the public access to information from the Registry, subject to the rules and regulations to be formulated by the DOJ.

The DOJ shall prescribe the guidelines for requesting information from the Registry as well as the details they may share relating to the sex offender registered in the system.

Sec. 6. Duration of Inclusion in the Registry. - The sex offenders convicted in local and foreign courts shall remain in the registry for life and shall be required to appear within a period prescribed by the courts before the local police in his/her place of residence. Moreover, sex offenders must verify their information in person.

Sec. 7. Public Information and Education. - There shall be information and education campaign spearheaded by the DOJ and the PNP to raise public awareness on the existence of the Registry and to instruct concerned law enforcement agencies on how to access and use it.

Sec. 8. Penalties. - Pursuant to this Act, sex offenders who shall knowingly and willfully fail to register or update their information as provided herein, shall suffer the penalty of one (1) to five (5) years of imprisonment and a fine of fifty thousand pesos (Php 50,000.00).

Sec. 9. Implementing Agency. - The DOJ in coordination with the Department of Information and Communications Technology shall be mandated to create and

maintain the necessary database, computer system, and software that will establish the NSOR. The database, computer system, and software shall be shared with the PNP and the NBI and other concerned law enforcement agencies.

Sec. 10. Appropriations. - The funding necessary for the implementation of this Act shall be included in the yearly budget allocation of the DOJ under the General Appropriations Act.

Sec. 11. Implementing Rules and Regulations. - Within ninety (90) days from the effectivity of this Act, the DOJ shall, in coordination with the Department of Interior and Local Government, Philippine National Police, Department of Information and Communications Technology promulgate the rules and regulations necessary for the implementation of this Act.

Sec. 12. Repealing Clause. - Pertinent provisions of Presidential Decree 442 or the Labor Code of the Philippines as amended, Executive Order No. 111 series of 1986, RA 7796 or the TESDA Act of 1994 and all other laws, decrees, executive orders and rules and regulations contrary to or inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

Sec. 13. Separability Clause. - If any provision or provision of this Act is declared unconstitutional or invalid, the remainder of this Act or any provisions not affected thereby shall remain in force and effect.

Sec. 14. Effectivity. - This Act shall take effect fifteen (15) days from the date of its publication in the Official Gazette or in a newspaper of general circulation.

Approved,