

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 9391



Introduced by **HON. GUS S. TAMBUNTING**

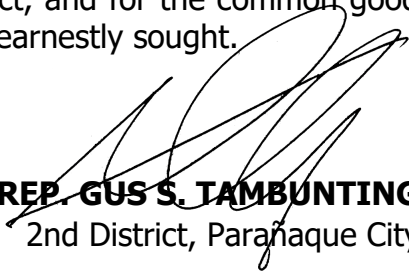
EXPLANATORY NOTE

In light of the landmark ruling "People vs. Santos Jr., Ressa, and Rappler," which exposed the absence of a defined prescription period for crimes outlined in Republic Act 10175, this proposed legislation aims to amend the Cybercrime Prevention Act of 2012. The ruling underscored the pressing need to effectively address cybercrimes and raised questions regarding the suitability and clarity of the existing prescription periods, particularly concerning offenses such as cyber libel within the digital domain.

Expanding on the insights brought forth by the "People vs. Santos Jr., Ressa, and Rappler" ruling, this proposed amendment seeks to optimize legal frameworks for pursuing justice in cybercrime cases. The absence of a clear prescription period within RA 10175 has led to differing legal interpretations regarding when cyber libel cases should be considered prescribed. Legal experts have debated the applicability of Act No. 3326, which establishes a 12-year prescription period for offenses punishable by imprisonment for six years or more.

To mitigate this confusion and bring clarity to the legal landscape, this bill proposes amendments to RA 10175, introducing specific prescription periods for offenses punishable under this law. By providing a defined timeframe within which legal actions must be initiated for the offenses outlined in RA 10175, this amendment seeks to minimize ambiguity and promote a more systematic and just approach to addressing cybercrimes.

On behalf of the people of Parañaque City's Second District, and for the common good of the Filipino people, the approval of the said measure is earnestly sought.


REP. GUS S. TAMBUNTING
2nd District, Parañaque City

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AN ACT
AMENDING REPUBLIC ACT NO. 10175 ENTITLED "AN ACT DEFINING
CYBERCRIME, PROVIDING FOR THE PREVENTION, INVESTIGATION,
SUPPRESSION AND THE IMPOSITION OF PENALTIES THEREFOR AND FOR
OTHER PURPOSES" BY PROVIDING FOR PRESCRIPTION PERIOD FOR THE
OFFENSES PUNISHABLE BY SAID
LAW, AND FOR OTHER PURPOSES

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

SECTION 1. A new Section 8 is hereby added to Republic Act 10175 to read as follows:

SEC 8. *Prescription.* – The punishable acts as provided for in Chapter II of this Act shall prescribe in three (3) years from the commission of the offense except Sec 4 (c)(4) Libel, which shall prescribe in one (1) year from date of publication.

SEC 2. The succeeding Sections are hereby renumbered accordingly.

SEC 3. Repealing Clause. — All laws, decrees or rules inconsistent with this Act are hereby repealed or modified accordingly.

SEC 4. Effectivity. — This Act shall take effect fifteen (15) days after the completion of its publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,