

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

NINETEENTH CONGRESS
2nd Regular Session

House Bill No. **10600**



INTRODUCED BY REPRESENTATIVES ERWIN T. TULFO, RALPH WENDEL P. TULFO, EDVIC G. YAP AND ERIC GO YAP

AN ACT
PROTECTING THE INTEGRITY OF THE ELECTRONIC TRANSACTIONS OF SENIOR CITIZENS AND PERSONS WITH DISABILITY (PWDs), DEFINING FOR THE PURPOSE THE CRIME OF INTERNET AND TELECOMMUNICATIONS PHISHING AND FRAUDULENT PRACTICES AGAINST SENIOR CITIZENS AND PWDs AND PROVIDING PENALTIES THEREFOR

EXPLANATORY NOTE

The 1987 Constitution declares one of its state policies the promotion of dignity of every human person including full respect of his/her human rights. The country's senior citizens and persons with disabilities remain (PWDs) to be the most vulnerable and disadvantaged in several facets of society notwithstanding the initiatives being taken by the state to provide them adequate and comprehensive support programs.

Republic Act No. 10175, otherwise known as the Cybercrime Prevention Act of 2012, provides a framework for combatting various forms of cybercrime, including online fraud. However, despite existing legal measures, there remains a significant gap in the prevention of cybercrime specifically aimed at PWDs who are particularly vulnerable to cyber threats due to their financial, physical, or mental circumstances. Senior citizens, often unfamiliar with the rapidly evolving digital landscape, are also prime targets for cybercriminals who exploit their limited technical knowledge.

This bill aims to provide protection for senior citizens and PWDs by clearly defining and penalizing internet and telecommunications fraud against seniors and PWDs. By imposing stringent penalties, the bill seeks to deter potential offenders and underscore the seriousness of these crimes. The implementation of this bill would not only safeguard the financial assets of senior citizens and PWDs but also restore their confidence in using digital platforms for communication and transactions.

In view of the foregoing, approval of this bill is earnestly sought.



ERWIN T. TULFO



RALPH WENDEL P. TULFO



HON. EDVIC G. YAP



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

SECTION 1. *Short Title.* – This Act shall be known as the “*Senior Citizens and PWDs Protection Against Scams Act*”.

SEC. 2. *Declaration of Policy.* – It is hereby declared the policy of the State to protect the rights and welfare of senior citizens and persons with disabilities. Recognizing that senior citizens and PWDs are often vulnerable to various forms of fraud and financial exploitation, the State shall prevent and penalize such acts to empower senior citizens and PWDs and protect their financial assets and personal information.

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

- (a) Senior Citizen – refers to any resident citizen of the Philippines who is at least sixty (60) years old;
- (b) Persons with Disability (PWDs) – refers to any person who is suffering from restriction of different abilities as a result of a mental, physical, or sensory impairment, to perform an activity in the manner or within the range considered normal for a human being, as defined in existing laws and regulations.

- (c) Phishing - refers to the act of fraudulently obtaining sensitive information such as but not limited to personal information, passwords or personal identification numbers, or financial details, by disguising oneself as a legitimate entity in an electronic communication or transaction for fraudulent purposes such as but not limited to fraudulent business practices, financial fraud, identity theft or false misrepresentations.
- (d) Internet Fraud - refers to the use of internet services, e-commerce platforms, social media sites, or any other software, application, or website, whether legitimate or not, through internet access to deceive, fraud, or mislead another individual or entity; and,
- (e) Telecommunications Fraud - refers to the use of telecommunications services to deceive, defraud, or mislead another individual or entity.

SEC. 4. *Prohibited Acts.* – Any person found guilty of committing the act of phishing, internet fraud, or telecommunications fraud where the offended party is a senior citizen or PWD at the time of the commission shall be punished by imprisonment of three (3) years and one (1) day to six (6) years, and a fine of at least Five Hundred Thousand Pesos (PhP500,000.00), as determined by the regular courts, or the amount equivalent to the total damage incurred to the offended party, whichever is higher.

SEC. 5. *Liability of Corporations.* – If the offender is a corporation, partnership, association, or any other juridical entity, the penalty shall be imposed upon the responsible officers, directors, or employees who participated in or allowed the commission of the prohibited acts under the preceding Section.

SEC. 6. *Education on Internet and Telecommunications Fraud.* – The Department of the Interior and Local Government (DILG) shall, through the local government units, after consultation and in coordination with the different government agencies, educate the senior citizens, PWDs, and their families and caregivers on the following:

- (a) General information on various contemporary forms of phone, text, and internet scams and fraudulent practices, especially those targeting senior citizens and PWDs, including descriptions of common fraud schemes; and,
- (b) Information on how and where to report scams and fraud, and how to prevent the same.

SEC. 7. *Implementing Rules and Regulations.* – Within sixty (60) days from the effectivity of this Act, the Department of Justice (DOJ), in coordination with the Department of Information and Communications Technology (DICT), and the National Telecommunications Commission (NTC), shall promulgate the necessary rules and regulations for the effective implementation of this Act.

SEC. 8. *Separability Clause.* – If any provision of this Act shall at any time be found to be unconstitutional or invalid, the remainder thereof not affected by such declaration shall remain in full force and effect.

SEC. 9. *Repealing Clause.* – All laws, decrees, rules or regulations inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 10. *Effectivity Clause.* – This Act shall take effect after fifteen (15) days following its complete publication in two (2) newspapers of general circulation.

Approved,