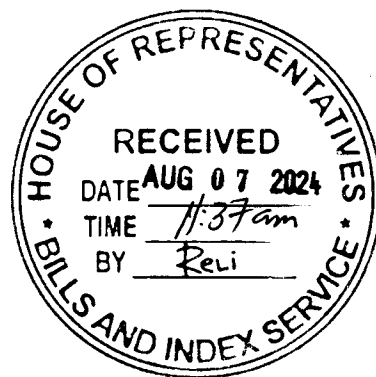




Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

NINETEENTH CONGRESS
Third Regular Session

HOUSE BILL NO. **10731**



Introduced by Representative Crispin Diego “Ping” D. Remulla

AN ACT
STRENGTHENING CYBERCRIME PREVENTION MEASURES, AMENDING FOR
THE PURPOSE REPUBLIC ACT NO. 10175, OTHERWISE KNOWN AS THE
“CYBERCRIME PREVENTION ACT OF 2012”

EXPLANATORY NOTE

Republic Act No. 10175, or the Cybercrime Prevention Act of 2012, was enacted to stop cybercrimes such as hacking and online scams. The law makes it easier to find, investigate, and prosecute cybercriminals. Unfortunately, despite the existence of the law and due to the modernization of technology with increasing users, cybersecurity is still a problem and is becoming more critical.

In 2023, the Philippine National Police Anti-Cybercrime Group reported approximately 20,000 cybercrimes, which caused a financial loss of over PHP 55 million. In addition, government offices such as the Philippine Health Insurance Corp. (PhilHealth), the Department of Science and Technology (DOST), and the Philippine Statistics Authority were victims of cybersecurity breaches.

The proposed measure aims to amend the cybercrime law to widen the scope of offenses and include additional categories of individuals who perpetrate cybercrimes.

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

A handwritten signature in black ink, appearing to be 'CR' followed by a stylized flourish.

CRISPIN DIEGO “PING” D. REMULLA



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

1 **SECTION 1.** Section 3 of Republic Act No. 10175 is hereby amended to read as
2 follows:

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

5 a) x x. x;

6 b) x x x;

7 (n) *Service provider* refers to:

8 (1) x x x; ~~{and}~~

9 (2) x x x [-]; **AND**

10 **(3) ANY ENTITY CONTRACTED BY ANOTHER ENTITY, WHETHER**
11 **DOMESTIC OR FOREIGN, TO PROCESS ANY DATA OR**
12 **INFORMATION OF ANY PERSON WHEREVER LOCATED,**

1 **INCLUDING ENTITY PROVIDING BUSINESS PROCESS**
2 **OUTSOURCING AND SIMILAR SERVICES.**

3 x x x

4 (o) Subscriber's information refers to any information contained in the form of
5 computer data or any other form that is held **OR ACCESSED** by a service providing, relating
6 to subscribers, **WHETHER LOCATED IN THE PHILIPPINES OR NOT**, of its services
7 other than traffic or content data and by which identity can be established:

8 x x x

9 **(Q) IDENTIFYING INFORMATION REFERS TO ANY NAME OR**
10 **NUMBER THAT MAY BE USED ALONE OR IN CONJUNCTION WITH ANY**
11 **OTHER INFORMATION TO IDENTIFY ANY SPECIFIC INDIVIDUAL,**
12 **INCLUDING ANY OF THE FOLLOWING:**

13 **(1) NAME, DATE OF BIRTH, DRIVER'S LICENSE NUMBER,**
14 **PASSPORT NUMBER, TAX IDENTIFICATION NUMBER OR OTHER**
15 **GOVERNMENT-ISSUED IDENTIFICATION NUMBER;**

16 **(2) UNIQUE BIOMETRIC DATA, SUCH AS FINGERPRINT OR**
17 **OTHER UNIQUE PHYSICAL REPRESENTATION;**

18 **(3) UNIQUE ELECTRONIC IDENTIFICATION NUMBER,**
19 **ADDRESS, OR ROUTING CODE; AND**

20 **(4) TELECOMMUNICATION IDENTIFYING INFORMATION**
21 **OR ACCESS DEVICE.**

22 **SEC. 2.** Section 4 of Republic Act No. 10175 is hereby amended to read as follows:

23 SEC. 4. *Cybercrime Offenses.* – The following acts constitute the offense of
24 cybercrime punishable under this Act;

1 (a) Offenses against the confidentiality, integrity, and availability of computer data
2 and systems;

3 x x x

4 (3) Data Interference. – The intentional or reckless alteration,
5 **INPUTTING**, damaging, deletion or deterioration of computer data, electronic
6 document, or electronic data message, without right, including the introduction
7 or transmission of viruses, **REGARDLESS OF WHO CONTROLS OR**
8 **OWNS THE COMPUTER DATA.**

9 x x x

10 (b) Computer-related Offenses:

11 x x x

12 (2) Computer-related Fraud. – The unauthorized input, alteration, or
13 deletion of computer data or program or interference in the functioning of a
14 computer system, causing **ANY FORM OF** damage thereby, **WHETHER**
15 **DIRECT, INDIRECT, LEGAL OR CONTRACTUAL**, with fraudulent
16 intent: *Provided*, That if no damage has been cause, the penalty imposable shall
17 be one (1) degree lower.

18 **SEC. 3.** Section 5 of Republic Act No. 10175 is hereby amended to read as follows:

19 SEC. 5. *Other Offenses.* The following acts shall also constitute an offense:

20 (a) Aiding or Abetting in the Commission of Cybercrime. – Any person who
21 willfully abets or aids in the commission of, **OR INFLUENCES OR**
22 **DECEIVES ANOTHER TO COMMIT** any of the offenses enumerated
23 in this Act shall be held liable.

24 (b) x x x.

1 (c) **FAILURE TO SURRENDER COMPUTER DATA OR COMPUTER**
2 **SYSTEM. – ANY PERSON WHO KNOWINGLY AND**
3 **UNLAWFULLY POSSESSES OR FAILS TO SURRENDER ANY**
4 **COMPUTER SYSTEM THAT CONTAINS COMPUTER DATA**
5 **THAT ARE CONSIDERED PERSONAL INFORMATION,**
6 **SENSITIVE PERSONAL INFORMATION OR PRIVILEGED**
7 **INFORMATION UNDER REPUBLIC ACT NO. 10173, OR THE**
8 **“DATA PRIVACY ACT OF 2012,**
9 **SHALL BE HELD LIABLE.**

10 (d) **SOLICITATION TO COMMIT CYBERCRIME. – ANY PERSON**
11 **WHO WILLFULLY PROPOSES, SOLICITS, OR INDUCES**
12 **ANOTHER PERSON TO COMMIT ANY OF THE OFFENSES**
13 **UNDER THIS ACT, SHALL BE HELD LIABLE.**

14 **SEC. 4.** Section 6 of Republic Act No. 10175 is hereby amended to read as follows:

15 SEC. 6. All crimes defined and penalized by the Revised Penal Code, as
16 amended, and special laws, if committed by, through and with the use of information an
17 communication technologies shall be covered by the relevant provisions of this Act: *Provided,*
18 That the penalty to be imposed shall be one (1) degree higher than that provided for by the
19 Revised Penal Code, as amended, and special laws, as the case may be. **THE PROSECUTION**
20 **OF THE OFFENSES UNDER THIS ACT MAY BE INITIATED BY ANY OFFENDED**
21 **PARTY WHICH MAY INCLUDE AN AFFECTED SERVICE PROVIDER.**

22 **SEC. 5. Implementing Rules and Regulations.** – The Department of Information and
23 Communications Technology (DICT), Department of Justice (DOJ) Cybercrime Office,
24 Philippine National Police (PNP) Anti-Cybercrime Group, and the National Bureau of

1 Investigation (NBI) Cybercrime Division shall formulate the rules and regulations necessary
2 for its effective implementation within ninety (90) days from the approval of this Act.

3 **SEC. 6. Separability Clause.** - If any clause, sentence, paragraph, or part of this Act
4 shall be declared unconstitutional or invalid, such judgment shall not affect, invalidate or
5 impair any other part of this Act.

6 **SEC. 7. Repealing Clause.** – All laws, decrees, executive orders, rules and regulations,
7 and other issuances or parts thereof which are inconsistent with this Act are hereby repealed,
8 amended, or modified accordingly.

9 **SEC. 8. Effectivity.** - This Act shall take effect after fifteen (15) days following its
10 publication in the Official Gazette or in any major newspaper of general circulation in the
11 Philippines.

Approved,