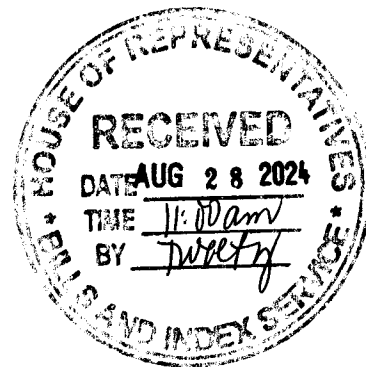


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Batasan Hills, Quezon City
NINETEENTH CONGRESS
Third Regular Session



HOUSE BILL NO. 10832

Introduced by: **Hon. Margarita Ignacia B. Nograles**

Explanatory Note

The Philippines is a signatory to the United Nations Convention on the Rights of the Child which obligates the member states to protect children from all forms of sexual exploitation and sexual abuse. Section 3(2), Article XV of the 1987 Philippine Constitution also mandates that Filipino children shall have special protection from all forms of neglect, abuse, cruelty, exploitation, and other conditions prejudicial to their development. The country manifests this duty by passing Republic Act No. 11930 or the "Anti-Online Sexual Abuse or Exploitation of Children (OSAEC) and Anti-Child Sexual Abuse or Exploitation Materials (CSAEM) Act."

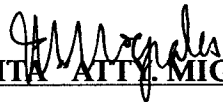
Although Republic Act No. 11930 gives the State a strong weapon to wield against abusers, it must further be strengthened to anticipate emerging trends worldwide. One of these trends is the soliciting of minors to engage in sexual activities or soliciting the consent of their parents or guardian to allow such minors to engage in sexual activities. It is also the duty of the State to punish acts that are preparatory in the commission of sexual abuse or exploitation. This way, no child shall undergo the trauma of being sexually abused before an offender or predator is punished.

For these reasons, this proposal seeks to add some provisions under punishable acts in R.A. 11930. With the proliferation of digital communication platforms, minors are increasingly vulnerable to online solicitation and grooming by predators. Criminalizing the solicitation of minors for sexual purposes helps create safer online environments by holding perpetrators accountable for their actions without a child ever becoming an actual victim of abuse. It also empowers law enforcement agencies to take proactive measures to identify and apprehend individuals who pose a threat to minors in cyberspace.

Moreover, minors depend on their parents or guardians to act in their best interests and protect them from harm. Soliciting the consent of these individuals to

engage in activities that are inherently harmful, such as sexual abuse or exploitation, disregards the well-being of the minor involved. By criminalizing this behavior, the Philippines reaffirms its commitment to safeguarding minors and preventing their exploitation. It also acts as a deterrent and helps prevent the commission of offenses against minors by imposing legal consequences for those who seek to exploit parental or custodial authority for nefarious purposes.

Hence, approval of this bill is earnestly sought.


HON. MARGARITA MIGS B. NOGRALES
PBA Party-list Representative

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

NINETEENTH CONGRESS
Third Regular Session

HOUSE BILL NO. 10832

Introduced by: **Hon. Margarita Ignacia B. Nograles**

AN ACT
**EXPANDING REPUBLIC ACT NO. 11930 OTHERWISE KNOWN AS THE ANTI-
ONLINE SEXUAL ABUSE OR EXPLOITATION OF CHILDREN (OSAEC) AND
ANTI-CHILD SEXUAL ABUSE OR EXPLOITATION MATERIALS, ADDING FOR
THE PURPOSE SECTIONS 3(EE), 4(U), 4(V), AND 10(J) THEREOF**

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

SECTION 1. Section 3 of Republic Act No. 11930 is hereby amended to read as follows:

Section 3. Definition of Terms. — As used in this Act: xxx xxx xxx

“(ee) SOLICIT MEANS TO COMMAND, AUTHORIZE, URGE, ENTICE, REQUEST, OR ADVISE A PERSON BY ANY MEANS, WHETHER IN PERSON, THROUGH AN AGENT OR AGENCY, THROUGH A COMPUTER OR ANY OTHER ELECTRONIC MEANS TO PERFORM ANY OF THE PROHIBITED ACTS UNDER THIS ACT.”

xxx xxx xxx

SECTION 2. Section 4 of the same Act is hereby amended to read as follows:

- (a) To **SOLICIT**, hire, employ, use, persuade, induce, extort, engage, or coerce a child, to perform or participate in whatever way in the creation or production of any form of OSAEC and CSAEM”

xxx xxx xxx

SECTION 2. Section 4 of the same Act is hereby amended to read as follows:

- (a) To **SOLICIT**, hire, employ, use, persuade, induce, extort, engage, or coerce a child, to perform or participate in whatever way in the creation or production of any form of OSAEC and CSAEM”

xxx xxx xxx

“(u) A PERSON SHALL NOT SOLICIT A CHILD, OR A LAW ENFORCEMENT OFFICER POSING AS A CHILD, TO ENGAGE IN ACTIVITIES THAT WOULD BE UNLAWFUL FOR THE PERSON TO ENGAGE IN THE UNLAWFUL ACTS PROHIBITED UNDER THIS ACT.

(v) A PERSON SHALL NOT SOLICIT THE CONSENT OF A PARENT OR GUARDIAN OF A CHILD, OR A LAW ENFORCEMENT OFFICER POSING AS A PARENT OR GUARDIAN OF A CHILD, TO ENGAGE IN THE UNLAWFUL ACTS PROHIBITED UNDER THIS ACT.”

xxx xxx xxx

Section 3. Section 10 of the same Act is hereby amended to read as follows:

xxx xxx xxx

“(j) ANY PERSON WHO VIOLATES SECTION 4, PARAGRAPH (U) AND (V) OF THIS ACT SHALL SUFFER THE PENALTY OF PRISION CORRECCIONAL IN ITS MAXIMUM PERIOD AND A FINE OF NOT LESS THAN TWO HUNDRED THOUSAND PESOS (P200,000).”

SECTION 4. Separability Clause. – If any portion or provision of this Act is declared unconstitutional, the remainder of this Act or any provision not affected thereby shall remain in force and effect.

SECTION 5. *Repealing Clause.* – All laws, presidential decrees, executive orders, rules and regulations and other issuances, or any part thereof, inconsistent with this Act are hereby repealed, modified or amended accordingly.

SECTION 6. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,