



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

Twentieth Congress
First Regular Session

HOUSE BILL NO. 4071



Introduced by Representative Giselle Mary L. Maceda

EXPLANATORY NOTE

Republic Act No. 9262, otherwise known as the “Anti-Violence Against Women and Their Children Act of 2004”, is widely recognized as a landmark piece of legislation that addressed the pressing issue of violence committed against women and their children. It was a trailblazing measure that recognized the unique forms of abuse experienced by women, and sought to provide them with protection, justice, and a path to recovery. Since its passage, RA 9262 has helped countless women and children in asserting their rights and in seeking redress for the harm they have suffered.

However, more than two decades have passed since this important law was enacted. Within that time, the world has drastically changed particularly in the realm of technology. The past twenty years have seen unprecedented technological advancements that have redefined how we live, work, communicate, and connect with one another. These amazing advances in technology have brought immense convenience to people’s lives allowing us to perform our work remotely, attend classes virtually, maintain social connections, and access entertainment and services with just a click or a tap. Indeed, technology has become an indispensable part of daily life.

Yet, these same tools have become a double-edged sword. The darker side of digital innovation has exposed new avenues for abuse. The anonymity, speed, and reach of digital platforms have enabled the alarming rise of technology-facilitated violence, particularly against women. Incidents of online harassment, stalking, blackmailing, unauthorized access to private data, impersonation, non-

consensual sharing of intimate images, and so-called “sextortion” are on the rise most of which disproportionately affect women and girls. These acts inflict deep psychological harm and, in many cases, irreparable damage to the victim’s personal and professional lives.

This bill, therefore, seeks to expand the coverage of the Anti-Violence Against Women and Their Children Act by defining and penalizing electronic violence committed against women and their children. It aims to bring the law up to date with the realities of the digital age, and ensure that Filipino women and children continue to be protected from all forms of abuse—whether offline or online.

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



REP. GISELLE MARY L. MACEDA
4th District, Manila City



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AN ACT
DEFINING ELECTRONIC VIOLENCE AGAINST WOMEN AND THEIR
CHILDREN, PROVIDING PROTECTIVE MEASURES, AND PRESCRIBING
PENALTIES FOR VIOLATIONS THEREOF, AMENDING FOR THE
PURPOSE REPUBLIC ACT NO. 9262, OTHERWISE KNOWN AS THE "ANTI-
VIOLENCE AGAINST WOMEN AND THEIR CHILDREN ACT OF 2004"

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 **EXPANDED ANTI-VIOLENCE AGAINST WOMEN AND THEIR CHILDREN (E-VAWC) ACT.**

SECTION 2. Section 3 of Republic Act No. 9262 is hereby amended to read as follows:

"SECTION 3. Definition of Terms. – As used in this Act:

(a) xxx

A. xxx

B. xxx

C. **"PSYCHOLOGICAL VIOLENCE"** REFERS TO ACTS OR OMISSIONS THAT MAY BE COMMITTED THROUGH PHYSICAL, VERBAL, EMOTIONAL, ELECTRONIC OR

INFORMATION AND COMMUNICATIONS TECHNOLOGY (ICT) DEVICES OR OTHER MEANS CAUSING OR LIKELY TO CAUSE MENTAL OR EMOTIONAL SUFFERING OF A WOMAN AND/OR HER CHILDREN, SUCH AS INTIMIDATION, HARASSMENT, STALKING, DAMAGE TO PROPERTY, PUBLIC RIDICULE OR HUMILIATION, VERBAL ABUSE AND MARITAL INFIDELITY. IT INCLUDES THE ACT OF CAUSING OR COERCING A WOMAN AND/OR HER CHILDREN TO WITNESS THE PHYSICAL, SEXUAL OR PSYCHOLOGICAL ABUSE OF A MEMBER OF THE FAMILY TO WHICH THE WOMAN AND/OR HER CHILDREN BELONG OR TO WITNESS PORNOGRAPHY IN ANY FORM OR TO WITNESS ABUSIVE INJURY TO PETS OR TO UNLAWFUL OR UNWANTED DEPRIVATION OF THE RIGHT TO CUSTODY OR VISITATION OF COMMON CHILDREN.

D. xxx

E. *"ELECTRONIC OR ICT-RELATED VIOLENCE"* REFERS TO ANY ACT OR OMISSION INVOLVING THE USE OR EXPLOITATION OF DATA OR ANY FORM OF ICT WHICH CAUSES OR IS LIKELY TO CAUSE MENTAL, EMOTIONAL, OR PSYCHOLOGICAL DISTRESS OR SUFFERING TO THE WOMAN AND/OR HER CHILDREN, INCLUDING THE FOLLOWING:

- 1) RECORDING, REPRODUCTION, DISTRIBUTION, USE, SHARING OR UPLOADING OF ANY PHOTOGRAPH, VIDEO, OR OTHER FORMS OF ELECTRONIC OR ARTISTIC PRESENTATION SHOWING OR DEPICTING IN ANY FORM OR MANNER THE GENITALIA OF A WOMAN OR THOSE OF HER CHILDREN'S GENITALIA, PUBIC AREA, BUTTOCKS, BREASTS, EXCRETORY BODY PART OF FUNCTION, NUDITY, SCENES WITH SEXUAL CONTENT OR PORTRAITAL OF SEXUAL CONDUCT SUCH AS SEXUAL INTERCOURSE, MASTURBATION, KISSING, CARESSING, HUGGING, AND PETTING;
- 2) RECORDING, REPRODUCTION, DISTRIBUTION, USE, SHARING OR UPLOADING OF ANY PHOTOGRAPH, VIDEO, OR ANY OTHER FORM OF ELECTRONIC OR ARTISTIC PRESENTATION EXHIBITING ANY SEXUALLY-RELATED VERBAL OR NONVERBAL EXPRESSION OR GESTURE OF THE WOMAN AND/OR HER CHILDREN WHICH MAY BE CONSTRUED AS LEWD, INDECENT, OR OBSCENE;

- 3) RECORDING, REPRODUCTION, DISTRIBUTION, USE, SHARING OR UPLOADING OF ANY PHOTOGRAPH, VIDEO, OR ANY OTHER FORM OF ELECTRONIC OR ARTISTIC PRESENTATION DEPICTING ANY PURPORTED VIOLENT OR ERRANT BEHAVIOR OF THE WOMAN AND/OR HER CHILDREN, OR THE USE OF INTOXICATING OR PROHIBITED SUBSTANCES OR DRUGS;
- 4) ANY SIMILAR RECORDING, REPRODUCTION, DISTRIBUTION, USE, SHARING OR UPLOADING OF ANY AUDIO PRESENTATION AND DATA, INCLUDING SOUND CLIPS OF THE SAME NATURE AS THOSE ENUMERATED IN PARAGRAPH (a) E. 1-3 OF THIS SECTION;
- 5) USE OF A PHOTOGRAPH, VIDEO, VOICE RECORDING, NAME OR ANY MARK, REFERENCE OR CHARACTER IDENTIFIABLE WITH A WOMAN AND/OR HER CHILDREN AND SUGGESTIVE OF A WRONGDOING, CONDUCT OR ATTRIBUTE THAT TENDS TO BESMIRCH THE REPUTATION OF THE WOMAN AND/OR HER CHILDREN;
- 6) HARASSING, INTIMIDATING, COERCING, THREATENING OR VILLIFYING THE WOMAN AND/OR HER CHILDREN THROUGH TEXT MESSAGING OR OTHER CYBER, ELECTRONIC, OR MULTIMEDIA TECHNOLOGY;
- 7) STALKING, INCLUDING THE HACKING OF PERSONAL ACCOUNTS ON SOCIAL NETWORKING SITES AND THE USE OF LOCATION DATA FROM ELECTRONIC DEVICES;
- 8) FABRICATION OF FAKE INFORMATION OR NEWS THROUGH TEXT MESSAGING OR OTHER CYBER, ELECTRONIC, OR MULTIMEDIA TECHNOLOGY; AND
- 9) CREATION OF FAKE SOCIAL MEDIA ACCOUNTS USING AN ALIAS OR A DIFFERENT INDIVIDUAL'S PERSONAL INFORMATION RESULTING IN HARM TO THE WOMAN AND/OR HER CHILDREN'S REPUTATION.

xxx"

SECTION 3. Section 5 of the same Act is hereby amended to read as follows:

“SECTION 5. Acts of Violence Against Women and Their Children. – xxx

(a) xxx

(b) xxx

(c) xxx

(d) xxx

(e) xxx

(f) xxx

(g) xxx

(h) xxx

(1) xxx

(2) xxx

(3) xxx

(4) Destroying the property and personal belongings or inflicting harm to animals or pets of the woman **AND/OR HER CHILDREN;**

(5) xxx

(6) RECORDING, REPRODUCING OR DISTRIBUTION OF VIDEOS WHICH SHOW THE WOMAN AND/OR HER CHILDREN NAKED OR IN UNDERGARMENT-CLAD GENITALS, PUBIC AREA, BUTTOCKS OR BREASTS;

(7) SHARING ANY MEDIA THAT CONTAINS PICTURES, VOICE RECORDING OR VIDEO OF THE WOMAN AND/OR HER CHILDREN WHICH MAYBE CONSTRUED AS LEWD, INDECENT OR OF SEXUAL CONTENT; AND

(8) USING THE PICTURES, VIDEO, VOICE NAME OR ANY OTHER ASPECT OF THE INDENTITY OF A WOMAN AND/OR HER CHILDREN FOR MALICIOUS PURPOSES INCLUDING PORNOGRAPHY, OTHER SEXUALLY-RELATED CRIMES, AND

**VIOLATIONS UNDER REPUBLIC ACT NO. 10175, OTHERWISE
KNOWN AS THE “CYBERCRIME PREVENTION ACT OF 2012.”**

(i) xxx

**(J) INFLECTING OR COMMITTING ELECTRONIC OR ICT-RELATED
VIOLENCE AGAINST A WOMAN AND/OR HER CHILDREN; AND**

**(K) THREATENING TO CAUSE ELECTRONIC OR ICT-RELATED
VIOLENCE AGAINST A WOMAN AND/OR HER CHILDREN.”**

SECTION 4. Section 6 of the same Act is hereby amended to read as follows:

“SECTION 6. Penalties. –

(a) xxx

(b) xxx

(c) xxx

(d) xxx

(e) xxx

(f) xxx

**(G) ACTS FALLING UNDER SECTION 5(J) AND 5(K) OF THIS ACT
SHALL BE PUNISHED BY RECLUSION TEMPORAL.**

If the acts are committed while the women or child is pregnant or committed in the presence of **THE WOMAN’S** child, the penalty to be applied shall be the maximum period of penalty prescribed in this section.

**IN ADDITION TO IMPRISONMENT, THE PERPETRATOR SHALL (A)
PAY A FINE IN THE AMOUNT OF NOT LESS THAN THREE
HUNDRED THOUSAND PESOS (P300,000.00) BUT NOT MORE THAN
FIVE HUNDRED THOUSAND PESOS (P500,000.00): PROVIDED, THAT
IN CASES OF ELECTRONIC OR ICT-RELATED VIOLENCE, THE FINE
THAT MAY BE IMPOSED SHALL NOT BE LESS THAN THREE
HUNDRED THOUSAND PESOS (P300,000.00) BUT NOT MORE THAN
FIVE HUNDRED THOUSAND PESOS (P500,000.00); AND (B) SHALL
UNDERGO MANDATORY PSYCHOLOGICAL COUNSELING OR**

PSYCHIATRIC TREATMENT AND SHALL REPORT COMPLIANCE TO THE COURT.

LIABILITY UNDER THIS ACT SHALL BE WITHOUT PREJUDICE TO ANY LIABILITY FOR VIOLATION OF ANY PROVISION OF THE REVISED PENAL CODE, AS AMENDED, OR SPECIAL LAWS."

SECTION 5. Section 7 of the same Act is hereby amended to read as follows:

"SECTION 7. *JURISDICTION AND VENUE.* - THE REGIONAL TRIAL COURT DESIGNATED AS A FAMILY COURT SHALL HAVE ORIGINAL AND EXCLUSIVE JURISDICTION OVER CASES OF VIOLENCE AGAINST WOMEN AND THEIR CHILDREN UNDER THIS LAW. IN CASES OF ELECTRONIC OR ICT-RELATED VIOLENCE, THE COURT ACQUIRES JURISDICTION IF ANY OF THE ELEMENTS IS COMMITTED WITHIN THE PHILIPPINES, OR COMMITTED WITH THE USE OF ANY COMPUTER SYSTEM THAT IS WHOLLY OR PARTLY SITUATED IN THE COUNTRY, OR WHEN SUCH COMMISSION CAUSES ANY DAMAGE TO A WOMAN AND/OR HER CHILDREN WHO, AT THE TIME OF THE COMMISSION OF THE OFFENSE, ARE IN THE PHILIPPINES. CRIMINAL ACTION FOR VIOLATION OF THIS ACT SHALL BE FILED WITH THE REGIONAL TRIAL COURT DESIGNATED AS A FAMILY COURT WHERE THE OFFENSE WAS COMMITTED. IN THE ABSENCE OF SUCH COURT, THE CASE SHALL BE FILED IN THE REGIONAL TRIAL COURT WHERE THE CRIME OR ANY OF ITS ELEMENTS WAS COMMITTED AT THE OPTION OF THE COMPLAINANT. IN CASES OF ELECTRONIC OR ICT-RELATED VIOLENCE, THE CASE MAY BE FILED IN THE PLACE WHERE ANY PART OF THE COMPUTER SYSTEM USED IS SITUATED, WHERE ANY OF THE DAMAGE CAUSED TO THE WOMAN AND/OR HER CHILDREN TOOK PLACE, OR WHERE THE WOMAN AND/OR HER CHILDREN RESIDE AT THE TIME THEY LEARN OF THE COMMISSION OF THE OFFENSE."

SECTION 6. Section 8 of the same Act is hereby amended to read as follows:

"SECTION 8. *Protection Orders.* - xxx

(a) xxx

(b) xxx

(c) xxx

(d) xxx

(e) xxx

(f) xxx

(g) xxx

(h) xxx

(i) xxx

(j) xxx

(K) ORDERING THE IMMEDIATE BLOCKING, BLACKLISTING, REMOVAL, OR SHUTDOWN OF ANY UPLOAD, PROGRAM, OR APPLICATION THAT CAUSES OR TENDS TO CAUSE VIOLENCE AGAINST A WOMAN AND/OR HER CHILDREN. FAILURE OF AN INTERNET SERVICE PROVIDER TO COOPERATE WITH LAW ENFORCEMENT AGENCIES SHALL CONSTITUTE THE CRIME OF OBSTRUCTION OF JUSTICE. THE DUTIES OF AN INTERNET SERVICE PROVIDER AS PROVIDED FOR UNDER SECTION 9(B) OF 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 (CSAEM) ACT", SHALL BE APPLICABLE; AND

(L) Provision of such other forms of relief as the court deems necessary to protect and provide for the safety of the petitioner and any designated family or household member, provided petitioner and any designated family or household member consents to such relief.

xxx"

SECTION 7. Section 24 of the same Act is hereby amended to read as follows:

"SECTION 24. *Prescriptive Period.* - ACTS FALLING UNDER SECTIONS 5(A) TO 5(F) OF THIS ACT SHALL PRESCRIBE IN TWENTY (20) YEARS. ACTS FALLING UNDER SECTIONS 5(G) TO 5(I) OF THIS ACT SHALL PRESCRIBE IN TEN (10) YEARS. ACTS FALLING UNDER SECTIONS 5(J) AND 5(K) OF THIS ACT SHALL BE IMPRESCRIPTIBLE."

SECTION 8. Section 32 of the same Act is hereby amended to read as follows:

“SECTION 32. *Duties of Other Government Agencies and LGUs.* – Other government agencies and LGUs, **INCLUDING PHILIPPINE EMBASSIES AND CONSULAR OFFICES**, shall establish programs such as, but not limited to, education and information campaign and seminars or symposia on **SEXUAL AND REPRODUCTIVE HEALTH, AND** the nature, causes, incidence and consequences of such violence **AGAINST WOMEN AND/OR THEIR CHILDREN** particularly educating the public on its social impacts.

xxx”

SECTION 9. Section 39 of the same Act is hereby amended to read as follows:

“SECTION 39. *Inter-Agency Council on Violence Against Women and Their Children (IAC-VAWC).* – xxx

(a) xxx

(b) **PHILIPPINE COMMISSION ON WOMEN (PCW);**

(c) xxx

(d) xxx

(e) xxx

(f) xxx

(g) xxx

(h) xxx

(i) xxx

(j) xxx

(k) xxx

(l) xxx

(M) MOVIE AND TELEVISION REVIEW AND CLASSIFICATION BOARD (MTRCB);

- (N) DEPARTMENT OF SCIENCE AND TECHNOLOGY (DOST);
- (O) NATIONAL TELECOMMUNICATIONS COMMISSION (NTC);
- (P) DEPARTMENT OF INFORMATION AND COMMUNICATIONS TECHNOLOGY (DICT);
- (Q) DEPARTMENT OF FOREIGN AFFAIRS (DFA);
- (R) COMMISSION ON FILIPINOS OVERSEAS (CFO);
- (S) DEPARTMENT OF MIGRANT WORKERS (DMW);
- (T) OVERSEAS WORKERS WELFARE ADMINISTRATION (OWWA);
AND
- (U) TWO (2) REPRESENTATIVES FROM WOMEN'S RIGHTS ORGANIZATIONS WITH A PROVEN TRACK RECORD OF INVOLVEMENT IN THE PREVENTION AND ELIMINATION OF VIOLENCE AGAINST WOMEN AND THEIR CHILDREN (VAWC) WHO SHALL BE CHOSEN BY THE GOVERNMENT AGENCY REPRESENTATIVES OF THE COUNCIL TO SERVE FOR A TERM OF THREE (3) YEARS.

THESE AGENCIES ARE TASKED TO FORMULATE PROGRAMS AND PROJECTS TO ELIMINATE VAWC BASED ON THEIR MANDATES AS WELL AS DEVELOP CAPABILITY PROGRAMS FOR THEIR EMPLOYEES TO BECOME MORE SENSITIVE TO THE NEEDS OF THEIR CLIENTS. THE COUNCIL SHALL ALSO SERVE AS THE MONITORING BODY AS REGARDS THE IMPLEMENTATION OF THIS ACT AND ANTI-VAWC INITIATIVES.

xxx"

SECTION 10. Section 40 of the same Act is hereby amended to read as follows:

"SECTION 40. MANDATORY PROGRAMS AND SERVICES FOR WOMEN AND THEIR CHILDREN. - IN CASES FILED UNDER THIS ACT, THE DSWD AND LGUs SHAL PROVIDE WOMEN AND THEIR CHILDREN TEMPORARY SHELTERS, PROVIDE COUNSELLING, PSYCHO-SOCIAL SERVICE OR RECOVERY, REHABILITATION PROGRAMS, AND LIVELIHOOD ASSISTANCE.

IN THE CASE OF WOMEN MIGRANT WORKERS AND/OR THEIR CHILDREN, RELEVANT EMBASSIES AND FOREIGN AFFAIRS

PERSONNEL AND EMPLOYEES SHAL ENSURE THAT THEY ARE GIVEN ADEQUATE RESOURCES AND ACCESS TO LEGAL, MEDICAL, AND SOCIAL SERVICES IN THE RECEIVING STATE, DURING TRANSIT AND UPON RETURN, ESPECIALLY DURING REPATRIATION. THESE SERVICES INCLUDE THE PROVISION OF TEMPORARY SHELTERS, PSYCHOSOCIAL SERVICES, AND LEGAL AID, AND PRIORITIZING WOMEN'S AND CHILDREN'S SPECIFIC HEALTH NEEDS AT THE COMMUNITY LEVEL, PARTICULARLY ACCESS TO SEXUAL AND REPRODUCTIVE HEALTH SERVICES, AND ANTI-SEXUAL ASSAULT KITS TO INCLUDE EMERGENCY CONTRACEPTION AND POST EXPOSURE PROPHYLAXIS FOR HIV.

THE DOH SHAL PROVIDE MEDICAL ASSISTANCE TO WOMEN AND THEIR CHILDREN IN CASES FILED UNDER THIS ACT.

THE DSWD, LGUs AND DOH SHALL ENSURE THAT ALL RECORDS OF A WOMAN AND HER CHILDREN OBTAINED IN CONNECTION WITH THE PROVISIONS OF SUCH SERVICES BY THE AGENCIES SHALL BE HELD CONFIDENTIAL UNLESS THERE IS A COURT ORDER AUTHORIZING THE RELEASE OF ANY INFORMATION OR DATA.

THE DOJ SHALL ESTABLISH AND ADMINISTER AN IDENTITY AND LOCATION CONFIDENTIALITY PROGRAM TO BE REFERRED TO AS THE "PROGRAM", WHICH SHALL ENSURE THE PROTECTION AND SAFETY OF WOMEN AND THEIR CHILDREN BY PROVIDING THEM WITH A SUBSTITUTE ADDRESS TO BE USED WHEN INTERACTING WITH GOVERNMENT AGENCIES AND A NEW MAILING ADDRESS WHICH KEEPS THEIR ACTUAL WHEREABOUTS CONFIDENTIAL AND FREE FROM THE RISK OF DISCOVERY BY THIRD PARTIES. THE PROGRAM SHALL CATER TO WOMEN AND THEIR CHILDREN WHO INTEND TO ESTABLISH A NEW RESIDENCE OR THOSE WHO HAVE ALREADY RELOCATED TO ANOTHER PLACE UNKNOWN TO THEIR ASSAILANTS OR ABUSERS WHO MAY USE PUBLIC RECORDS TO FIND THEM.

IN THIS REGARD, THE APPLICATION FOR INCLUSION IN THE PROGRAM AS WELL AS OTHER SUPPORTING DOCUMENTS SUBMITTED BY WOMEN AND THEIR CHILDREN SHALL NOT BE CONSIDERED AS PUBLIC RECORD AND SHALL BE KEPT CONFIDENTIAL BY THE DOJ AND SHALL ONLY BE RELEASED UPON THE ORDER OF THE COURT.

ANY OFFICIAL OR EMPLOYEE WHO WILLFULLY BREACHES THE CONFIDENTIALITY OF THESE RECORDS OR WILLFULLY DISCLOSES THE NAME, RESIDENTIAL OR MAILING ADDRESS OF

A WOMEN AND HER CHILDREN IN VIOLATION OF THIS PROVISION OF THIS ACT, SHALL SUFFER THE PENALTY OF ONE (1) YEAR IMPRISONMENT AND A FINE OF NOT LESS THAN THREE HUNDRED THOUSAND PESOS (P300,000.00) BUT NOT MORE THAN FIVE HUNDRED THOUSAND PESOS (P500,000.00)."

SECTION 11. Section 43 of the same Act is hereby amended to read as follows:

"SECTION 43. *ADDITIONAL LEAVE BENEFITS.* - DURING THE APPLICATION OF ANY PROTECTION ORDER, INVESTIGATION, PROSECUTION, AND/OR TRIAL OF THE CRIMINAL CASE, A VICTIM OF E-VAWC WHO IS EMPLOYED SHALL BE ENTITLED TO A PAID LEAVE OF ABSENCE OF UP TO TWENTY (20) DAYS IN ADDITION TO OTHER PAID LEAVES UNDER THE LABOR CODE, CIVIL SERVICE RULES AND REGULATIONS AND OTHER EXISTING LAWS AND COMPANY POLICIES, EXTENDIBLE WHEN THE NECESSITY ARISES AS SPECIFIED IN THE PROTECTION ORDER. THE PUNONG BARANGAY/KAGAWAD, PNP WOMEN'S AND CHILDREN'S DESKS OR PROSECUTOR OR THE CLERK OF COURT, PHYSICIANS, SOCIAL WORKERS, AND LICENSED COUNSELORS, AS THE CASE MAY BE, SHALL ISSUE A CERTIFICATION, AT NO COST TO THE WOMEN, THAT SUCH IS PENDING UNDER THEIR JURISDICTION. THIS CERTIFICATION SHALL BE THE ONLY REQUIREMENT FOR THE EMPLOYER TO GRANT THE TWENTY (20)-DAY PAID LEAVE APPLICATION. IN ADDITION TO THE AFOREMENTIONED CERTIFICATION, AN EMPLOYEE OF THE GOVERNMENT MUST FILE AN APPLICATION FOR LEAVE, CITING THIS ACT. THE ADMINISTRATIVE ENFORCEMENT OF THIS LEAVE ENTITLEMENT SHALL BE CONSIDERED WITHIN THE JURISDICTION OF THE REGIONAL DIRECTOR OF THE DEPARTMENT OF LABOR AND EMPLOYMENT (DOLE) UNDER ARTICLE 129 OF THE LABOR CODE OF THE PHILIPPINES, AS AMENDED, FOR EMPLOYEES IN THE PRIVATE SECTOR, AND THE CIVIL SERVICE COMMISSION (CSC), FOR GOVERNMENT EMPLOYEES.

THE AVAILMENT OF THE TWENTY (20)-DAY LEAVE OF ABSENCE SHALL BE AT THE OPTION OF THE WOMAN EMPLOYEE, WHICH SHALL COVER THE DAYS THAT SHE HAS TO ATTEND TO MEDICAL, LEGAL, AND OTHER VALID CONCERNS RELATED TO THE PENDING CASE. LEAVES NOT AVAILED OF ARE NON-CUMULATIVE AND NOT CONVERTIBLE TO CASH.

THE IMMEDIATE SUPERIOR OF THE PERSON APPLYING FOR A TWENTY (20)-DAY PAID LEAVE SHALL APPROVE THE APPLICATION ON THE SAME DAY IT WAS FILED. IF THE

IMMEDIATE SUPERVISOR IS UNAVAILABLE TO ACT ON THE APPLICATION FOR A LEAVE, THE APPLICATION SHALL BE ACTED UPON BY ANY AVAILABLE SENIOR OFFICIAL OF THE PRIVATE COMPANY OR GOVERNMENT AGENCY.

ALL PRIVATE COMPANIES AND GOVERNMENT AGENCIES SHALL RECORD ALL APPLICATIONS FOR LEAVE IN A LOGBOOK SPECIFICALLY FOR CASES OF E-VAWC. THEY SHALL SUBMIT A QUARTERLY REPORT ON ALL APPLICATION ISSUED TO THE REGIONAL DIRECTOR OF THE DOLE FOR EMPLOYEES OF THE PRIVATE SECTOR, AND THE CSC, FOR GOVERNMENT EMPLOYEES.

FAILURE TO ACT ON AN APPLICATION FOR A TWENTY (20)-DAY PAID LEAVE OF ABSENCE WITHIN THE PRESCRIBED PERIOD WITHOUT JUSTIFIABLE CAUSE SHALL RENDER THE IMMEDIATE SUPERVISOR OR SENIOR OFFICIAL ADMINISTRATIVELY LIABLE, AND THE PENALTY OF SUSPENSION FOR FIFTEEN (15) DAYS SHALL BE IMPOSED UPON THE OFFICIAL. AN ADMINISTRATIVE COMPLAINT AGAINST THE IMMEDIATE SUPERIOR OR SENIOR OFFICIAL FOR FAILURE TO PERFORM ONE'S DUTIES CAN BE FILED BY A VICTIM-SURVIVOR WITH THE REGIONAL DIRECTOR OF THE DOLE FOR EMPLOYEES OF THE PRIVATE SECTOR, AND THE CSC, FOR GOVERNMENT EMPLOYEES, FOR GROSS NEGLECT OF DUTY OR MALFEASANCE.

THE IMMEDIATE SUPERIOR OR SENIOR OFFICIAL WHO DENIES THE APPLICATION FOR LEAVE, AND WHO SHALL PREJUDICE THE VICTIM-SURVIVOR OR ANY PERSON FOR ASSISTING A CO-EMPLOYEE WHO IS A VICTIM-SURVIVOR UNDER THIS ACT SHALL BE LIABLE FOR A FINE NOT EXCEEDING TEN THOUSAND PESOS (P10,000.00) AND SUSPENSION FOR THIRTY (30) DAYS FOR DISCRIMINATION AND VIOLATION OF THIS ACT.

ANY SENIOR OFFICIAL, INCLUDING THE HEAD OF THE AGENCY WHO HAS KNOWLEDGE OF, BUT FAILS TO ACT ON, OR HAS IN ANY WAY INFLUENCED THE DENIAL OF THE IMMEDIATE SUPERIOR OF THE LEAVE APPLICATION OF A VICTIM-SURVIVOR, SHALL BE HELD ADMINISTRATIVELY LIABLE AND SHALL BE SUSPENDED FOR FIFTEEN (15) DAYS."

SECTION 12. *Separability Clause.* – If any portion or provision of this Act is declared unconstitutional or invalid, the remainder of this Act or any provision not affected thereby shall remain in force and effect.

SECTION 13. *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 14. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,