

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

TWENTIETH CONGRESS
First Regular Session
House Bill No. 4190



Introduced by Representative

BRIAN DANIEL POE LLAMANZARES, PhD, MNSA

AN ACT PROVIDING FOR MODERNIZATION FUNDING FOR THE CYBERCRIME INVESTIGATION AND COORDINATING CENTER (CICC), INCREASING AND REORGANIZING ITS ADMINISTRATION, PROVIDING INTELLIGENCE, FORENSIC INFORMATION, AND COHERENT POLICY OPTIONS EMPOWERING FILIPINOS IN FOSTERING A CYBERCRIME RESILIENT COMMUNITY AND FOR OTHER PURPOSES

EXPLANATORY NOTE

This House Bill seeks to provide modernization funding to the Cybercrime Investigation and Coordinating Center (CICC). Its purpose is to help the CICC administer and implement the Data Privacy Act of 2012, and to monitor and ensure the country's compliance with international data protection standards.

The Department of Information and Communications Act of 2015 (RA 10844) attaches several agencies to the Department for policy and program coordination, including the National Telecommunications Commission, the National Privacy Commission, and the Cybercrime Investigation and Coordination Center. The CICC is chaired by the DICT Secretary.

All powers and functions related to cybersecurity are transferred to the Department, which includes the formulation of the National Cybersecurity Plan, the establishment of the National Computer Emergency Response Team (CERT), and the facilitation of international cooperation on intelligence regarding cybersecurity matters.

The bill requests the early passage of this measure



HON. BRIAN DANIEL POE LLAMANZARES, PhD, MNSA
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FPJ Panday Bayanihan Party-List

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REORGANIZING ITS ADMINISTRATION, PROVIDING INTELLIGENCE,
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OTHER PURPOSES**

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

SECTION 1. DECLARATION OF POLICY - It shall hereby be a declared policy of the State to. which is responsible for the recommendation and implementation of appropriate laws, policies, strategies, and measures; facilitation of domestic and international cooperation; mobilization of stakeholders' support; and monitoring of cybercrime cases towards a safe and secure Philippine cyberspace and the promotion of digital socio-economic opportunities for all.

The state shall formulate policies for the efficient and effective administration and management of all manpower, skills and competencies to ensure compliance.

SECTION 2. CYBERCRIME PREVENTION - The State recognizes the vital role of information and communications industries such as content production, telecommunications, broadcasting electronic commerce, and data processing, in the nation's overall social and economic development.

The State also recognizes the importance of providing an environment conducive to the development, acceleration, and rational application and exploitation of information and communications technology (ICT) to attain free, easy, and intelligible access to exchange and/or delivery of information; and the need to protect and safeguard the integrity of computer, computer and communications systems, networks, and databases, and the confidentiality, integrity, and availability of information and data stored therein, from all forms of misuse, abuse, and illegal access by making punishable under the law such conduct or conducts.

In this light, the State shall adopt sufficient powers to effectively prevent and combat such offenses by facilitating their detection, investigation, and prosecution at both the domestic and international levels, and by providing arrangements for fast and reliable international cooperation.

SECTION 3. MODERNIZATION FUNDING. The amount of Five Hundred Million Pesos (Php 500,000,000.00) for the operation and administration of the Cybercrime Investigation and Coordinating Center (CICC) shall be chargeable against funds for the purpose and other sources recommended by the Department of Budget and Management (DBM).

Thereafter, appropriations for the Cybercrime Investigation and Coordinating Center (CICC) shall be included in the budget proposals under the Department of Information and Communications Technology (DICT).

The Department of Budget and Management (DBM) shall rationalize the existing organizational structure and staffing pattern of the Cybercrime Investigation and Coordinating Center (CICC) in accordance with the provisions of this Act and relevant compensation and position classification laws, rules and regulations.

Thereafter, the amount needed for the continued implementation of the modernization program, shall be included in the annual General Appropriations Act (GAA).

SECTION 4. CYBERCRIME INVESTIGATION AND COORDINATING CENTER (CICC) MODERNIZATION FUND - There is hereby created the (CIMF) Cybercrime Investigation Modernization Fund to be used exclusively for the (CICC) Modernization Program.

The (CICC) Modernization Fund shall be administered by the Secretary of the DICT in accordance with existing government budgeting, accounting and auditing rules and regulations.

SECTION 5. PROGRESS REPORT - The Executive Secretary shall prepare an annual report on the status of the implementation of the (CICC) Modernization Programs which shall be submitted, to the Office of the President and to the Chairpersons of the Committee on Information and Communications Technology of the Senate and the House of Representatives.

SECTION 6. PERIOD OF IMPLEMENTATION The modernization program under this Act shall be implemented for an initial period of two (2) years: Provided, that payments for multi-year contract obligations incurred under this Act may extend beyond this period: Provided, further, That the Cybercrime Investigation and Coordinating Center (CICC) shall continue to develop, modernize and constantly update its operational capabilities to keep pace with best global practices.

SECTION 7. POWERS AND FUNCTIONS. The Cybercrime Investigation and Coordinating Center (CICC) shall continue to exercise and uphold the following powers and functions; but not limited to:

- (a) To formulate a national cybersecurity plan and extend immediate assistance for the suppression of real-time commission of cybercrime offenses through a computer emergency response team (CERT);
- (b) To coordinate the preparation of appropriate and effective measures to prevent and suppress cybercrime activities as provided for in this Act;
- (c) To monitor cybercrime cases being bandied by participating law enforcement and prosecution agencies;
- (d) To facilitate international cooperation on intelligence, investigations, training, and capacity building related to cybercrime prevention, suppression, and prosecution;
- (e) To coordinate the support and participation of the business sector, local government units, and non-government organizations in cybercrime prevention programs and other related projects;
- (f) To recommend the enactment of appropriate laws, issuances, measures, and policies;
- (g) To call upon any government agency to render assistance in the accomplishment of the CICC's mandated tasks and functions; and
- (h) To perform all other matters related to cybercrime prevention and suppression, including capacity building and such other functions and duties as may be necessary for the proper implementation of this Act.

SECTION 8. INCREASE OF PERSONNEL. The shall maintain the sufficient staffing pattern. Hence, it is authorized to increase its manpower to meet such required and may continue to increase personnel per percentage rate increase of committed mandates annually or as the need arises.

SECTION 9. TRANSITORY PROVISION - Existing industries, businesses and offices affected by the implementation of this Act shall be given six (6) months transitory period from

the effectivity of the IRR or such other period as may be determined, to comply with the requirements of this Act.

SECTION 10. IMPLEMENTING RULES AND REGULATIONS. The departments and agencies charged with carrying out the provisions of this Act shall, within sixty (60) days after the effectivity of this Act, formulate the necessary rules and regulations for its effective implementation.

SECTION 11. REPEALING CLAUSE. All laws, decrees, executive orders, rules and regulations, or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 12. SEPARABILITY CLAUSE. If, for any reason, any section or provision of this Act is held unconstitutional or invalid, the other sections or provisions hereof shall not be affected thereby.

SECTION 13. EFFECTIVITY CLAUSE. This Act shall take effect after fifteen (15) days from its publication in the Official Gazette or in at least two (2) national newspapers of general circulation whichever comes earlier.

Approved,


HON. BRIAN DANIEL POE LLAMANZARES, PhD, MNSA
Representative
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