

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

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 5228



Introduced by **Representative AGATHA PAULA "AGAY" A. CRUZ**

EXPLANATORY NOTE

The Philippines has one of the highest rates of internet and social media use globally. On average, Filipinos spend around nine hours a day online.¹ While this digital connectivity brings opportunities, it also creates dangerous digital spaces where women and children are increasingly preyed upon.

Technology has birthed novel avenues for violence: online harassment, cyberstalking, voyeuristic recording, fabrication of fake accounts, and non-consensual distribution of intimate images. The harms inflicted by online abuse are not confined to the virtual world. They destroy reputations, corrode dignity, and push victims into silence, isolation, and despair.

The Anti-Violence Against Women and Their Children Act of 2004 (RA 9262) was a landmark statute for its time. It was, however, crafted at a time when electronic and ICT-enabled violence was neither as common nor as insidious as it is today. While the Cybercrime Prevention Act of 2012 (RA 10175) and the Anti-Online Sexual Abuse or Exploitation of Children (OSAEC) and Anti-Child Sexual Abuse or Exploitation Materials (CSAEM) Act (RA 11930) penalize certain online offenses, they do not adequately address gender-based, domestic, or intimate partner violence committed through electronic means. This silence in our laws leaves Filipino women and children vulnerable to new forms of abuse.

The proposed Expanded Anti-Violence Against Women and Their Children (E-VAWC) Act closes this gap in the existing legal framework by explicitly defining and penalizing electronic or ICT-related violence against women and their children as a form of violence under RA 9262.

It seeks to expand RA 9262 by: (1) introducing electronic violence as a defined form of abuse and enumerating specific acts of online harassment, exploitation, and coercion;

¹ Dale Arasa, *Digital 2025 report shows the latest global online trends*, INQUIRER.NET, 2025, available at <https://technology.inquirer.net/140462/digital-2025-report-shows-the-latest-global-online-trends>

(2) strengthening jurisdictional rules to address cross-border cyberviolence; (3) extending protection orders to online platforms and mandating their cooperation in blocking harmful content and preventing continued abuse; and (4) providing support to women migrant workers by ensuring access to legal, medical, and psychosocial services abroad and upon return.

More than a statutory amendment, this measure is a declaration that Filipino women and children shall not be left defenseless in the boundless and borderless world of the internet. Violence may have evolved with new technologies, but our collective duty to safeguard the dignity, safety, and rights of Filipino women and children remains unchanged and unwavering.

Two decades ago, Congress stood for women and their children. In this digital age, we must stand again with greater resolve, sharper laws, and unyielding commitment. Thus, the passage of this long-overdue bill is most earnestly sought.


AGATHA PAULA "AGAY" AGUILAR CRUZ
Representative, Fifth Legislative District of Bulacan



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Introduced by **Representative AGATHA PAULA “AGAY” A. CRUZ**

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 the House of Representatives of the Philippines in Congress assembled:

1 **Section 1. Short Title.** – This Act shall be known as the “Expanded Anti-Violence
2 Against Women and Their Children (E-VAWC) Act.”
3

4 **Section 2.** Section 3 of Republic Act No. 9262 is amended to read as follows:
5

6 “SEC. 3. *Definition of Terms.* – As used in this Act:

7
8 “(a) x x x
9

10 “A. x x x
11

12 “B. x x x
13

14 “C. “Psychological violence” refers to acts or omissions
15 **THAT MAY BE COMMITTED THROUGH PHYSICAL,**
16 **VERBAL, EMOTIONAL, ELECTRONIC OR INFORMATION**
17 **AND COMMUNICATIONS TECHNOLOGY (ICT) DEVICES OR**
18 **OTHER MEANS** causing or likely to cause mental or emotional
19 suffering of ~~[the victim]~~ **A WOMAN AND/OR HER CHILDREN,**
20 such as ~~[but not limited to]~~ intimidation, harassment, stalking,
21 damage to property, public ridicule or humiliation, ~~[repeated]~~
22 verbal abuse and marital infidelity. It includes **THE ACT OF**

1 causing or [~~allowing the victim~~] **COERCING A WOMAN**
2 **AND/OR HER CHILDREN** to witness the physical, sexual or
3 psychological abuse of a member of the family to which the [~~victim~~
4 ~~belongs~~] **THEY BELONG**, or to witness pornography in any form
5 or to witness abusive injury to pets or [~~to~~] **THE** unlawful or
6 unwanted deprivation of the right to custody [~~and/or~~] **OR** visitation
7 of common children.

8
9 “D. x x x

10
11 “E. “ELECTRONIC OR ICT-RELATED VIOLENCE” REFERS TO
12 ANY ACT OR OMISSION INVOLVING THE USE OR EXPLOITATION
13 OF DATA OR ANY FORM OF ICT WHICH CAUSES OR IS LIKELY TO
14 CAUSE MENTAL, EMOTIONAL, OR PSYCHOLOGICAL DISTRESS
15 OR SUFFERING TO THE WOMAN AND/OR HER CHILDREN,
16 INCLUDING THE FOLLOWING:

17
18 “(1) RECORDING, REPRODUCTION, DISTRIBUTION,
19 USE, SHARING OR UPLOADING OF ANY PHOTOGRAPH,
20 VIDEO, OR OTHER FORMS OF ELECTRONIC OR ARTISTIC
21 PRESENTATION SHOWING OR DEPICTING IN ANY FORM
22 OR MANNER THE GENITALIA OF A WOMAN OR THOSE OF
23 HER CHILDREN’S GENITALIA, PUBIC AREA, BUTTOCKS,
24 BREASTS, EXCRETORY BODY PART OR FUNCTION,
25 NUDITY, SCENES WITH SEXUAL CONTEXT OR PORTRAYAL
26 OF SEXUAL CONDUCT SUCH AS SEXUAL INTERCOURSE,
27 MASTURBATION, KISSING, CARESSING, HUGGING, AND
28 PETTING;

29
30 “(2) RECORDING, REPRODUCTION, DISTRIBUTION,
31 USE, SHARING OR UPLOADING OF ANY PHOTOGRAPH,
32 VIDEO, OR ANY OTHER FORM OF ELECTRONIC OR
33 ARTISTIC PRESENTATION EXHIBITING ANY SEXUALLY-
34 RELATED VERBAL OR NONVERBAL EXPRESSION OR
35 GESTURE OF THE WOMAN AND/OR HER CHILDREN THAT
36 OBJECTIVELY DEPICTS LEWD, INDECENT, OR OBSCENE
37 CONDUCT;

38
39 “(3) RECORDING, REPRODUCTION, DISTRIBUTION,
40 USE, SHARING OR UPLOADING OF ANY PHOTOGRAPH,
41 VIDEO, OR ANY OTHER FORM OF ELECTRONIC OR
42 ARTISTIC PRESENTATION DEPICTING ANY PURPORTED
43 VIOLENT OR ERRANT BEHAVIOUR OF THE WOMAN
44 AND/OR HER CHILDREN, OR THE USE OF INTOXICATING

1 OR PROHIBITED SUBSTANCES OR DRUGS;

2
3 “(4) ANY SIMILAR RECORDING, REPRODUCTION,
4 DISTRIBUTION, USE, SHARING OR UPLOADING OF ANY
5 AUDIO PRESENTATION AND DATA, INCLUDING SOUND
6 CLIPS OF THE SAME NATURE AS THOSE ENUMERATED IN
7 PARAGRAPH (a) E. 1-3 OF THIS SECTION;

8
9 “(5) USE OF A PHOTOGRAPH, VIDEO, VOICE
10 RECORDING, NAME OR ANY MARK, REFERENCE OR
11 CHARACTER IDENTIFIABLE WITH A WOMAN AND/OR HER
12 CHILDREN AND SUGGESTIVE OF A WRONGDOING,
13 CONDUCT OR ATTRIBUTE THAT TENDS TO BESMIRCH
14 THE REPUTATION OF THE WOMAN AND/OR HER
15 CHILDREN;

16
17 “(6) HARASSING, INTIMIDATING, COERCING,
18 THREATENING OR VILLIFYING THE WOMAN AND/OR HER
19 CHILDREN THROUGH TEXT MESSAGING OR OTHER
20 CYBER, ELECTRONIC, OR MULTIMEDIA TECHNOLOGY;

21
22 “(7) STALKING, INCLUDING THE HACKING OF
23 PERSONAL ACCOUNTS ON SOCIAL NETWORKING SITES
24 AND THE USE OF LOCATION DATA FROM ELECTRONIC
25 DEVICES;

26
27 “(8) FABRICATION OF FAKE INFORMATION OR
28 NEWS THROUGH TEXT MESSAGING OR OTHER CYBER,
29 ELECTRONIC, OR MULTIMEDIA TECHNOLOGY; AND

30
31 “(9) CREATION OF FAKE SOCIAL MEDIA ACCOUNTS
32 USING AN ALIAS OR ANOTHER INDIVIDUAL’S PERSONAL
33 INFORMATION RESULTING IN HARM TO THE
34 REPUTATION OF THE WOMAN AND/OR HER CHILDREN.

35
36 “x x x.”

37
38 **Section 3.** Section 5 of the same Act is amended to read as follows:

39
40 “SEC. 5. *Acts of Violence Against Women and Their Children.* – x x x

41
42 “(a) x x x

43
44 “(b) x x x

1
2 “(c) x x x
3

4 “(d) x x x
5

6 “(e) x x x
7

8 “(f) x x x
9

10 “(g) x x x
11

12 “(h) x x x
13

14 “(1) x x x
15

16 “(2) x x x
17

18 “(3) x x x
19

20 “(4) Destroying the property and personal belongings or
21 inflicting harm to animals or pets of the woman [øø] **AND/OR** her
22 [~~child; and~~] CHILDREN;
23

24 “(5) x x x
25

26 “(6) **RECORDING, REPRODUCING OR DISTRIBUTION**
27 **OF VIDEOS WHICH SHOW THE WOMAN AND/OR HER**
28 **CHILDREN NAKED OR IN UNDERGARMENT-CLAD**
29 **GENITALS, PUBIC AREA, BUTTOCKS OR BREASTS;**
30

31 “(7) **SHARING ANY MEDIA THAT CONTAINS**
32 **PICTURES, VOICE RECORDING OR VIDEO OF THE WOMAN**
33 **AND/OR HER CHILDREN THAT OBJECTIVELY DEPICT**
34 **LEWD, INDECENT OR OF SEXUAL CONTENT; AND**
35

36 “(8) **USING THE PICTURES, VIDEO, VOICE NAME OR**
37 **ANY OTHER ASPECT OF THE IDENTITY OF A WOMAN**
38 **AND/OR HER CHILDREN FOR MALICIOUS PURPOSES**
39 **INCLUDING PORNOGRAPHY, OTHER SEXUALLY-RELATED**
40 **CRIMES, AND VIOLATIONS UNDER REPUBLIC ACT NO.**
41 **10175, OTHERWISE KNOWN AS THE “CYBERCRIME**
42 **PREVENTION ACT OF 2012.”**
43

44 “(i) x x x

1
2 “(J) INFLECTING OR COMMITTING ELECTRONIC OR ICT-
3 RELATED VIOLENCE AGAINST A WOMAN AND/OR HER
4 CHILDREN; AND
5

6 “(K) THREATENING TO CAUSE ELECTRONIC OR
7 ICTRELATED VIOLENCE AGAINST A WOMAN AND/OR HER
8 CHILDREN.”
9

10 **Section 4.** Section 6 of the same Act is amended to read as follows:
11

12 “SEC. 6. *Penalties.* – x x x
13

14 “(a) x x x
15

16 “(b) x x x
17

18 “(c) x x x
19

20 “(d) x x x
21

22 “(e) x x x
23

24 “(f) x x x
25

26 “(G) ACTS FALLING UNDER SECTION 5(J) AND 5(K) OF THIS
27 ACT SHALL BE PUNISHED BY *RECLUSION TEMPORAL*.
28

29 “If the acts are committed while the woman or child is pregnant or
30 committed in the presence of [~~her~~] **THE WOMAN’S** child, the
31 penalty to be applied shall be the maximum period of penalty prescribed
32 in this section.
33

34 “In addition to imprisonment, the perpetrator shall (a) pay a fine in
35 the amount of not less than [~~One~~] **THREE** hundred thousand pesos
36 ([~~P100,000.00~~] **P300,000.00**) but not more than [~~Three~~] **FIVE** hundred
37 thousand pesos ([~~P300,000.00~~] **P500,000.00**): **PROVIDED, THAT IN**
38 **CASES OF ELECTRONIC OR ICT-RELATED VIOLENCE, THE FINE**
39 **THAT MAY BE IMPOSED SHALL NOT BE LESS THAN THREE**
40 **HUNDRED THOUSAND PESOS (P300,000.00) BUT NOT MORE THAN**
41 **FIVE HUNDRED THOUSAND PESOS (P500,000.00); AND (b) SHALL**
42 **undergo mandatory psychological counseling or psychiatric treatment and**
43 **shall report compliance to the court.**
44

1 “LIABILITY UNDER THIS ACT SHALL BE WITHOUT
2 PREJUDICE TO ANY LIABILITY FOR VIOLATION OF ANY
3 PROVISION OF THE REVISED PENAL CODE, AS AMENDED, OR
4 SPECIAL LAWS.”
5

6 **Section 5.** Section 7 of the same Act is amended to read as follows:
7

8 “SEC. 7. *JURISDICTION AND Venue.* – The Regional Trial Court
9 designated as a Family Court shall have original and exclusive jurisdiction
10 over cases of violence against women and their children under this law. IN
11 CASES OF ELECTRONIC OR ICT-RELATED VIOLENCE, THE COURT
12 ACQUIRES JURISDICTION IF ANY OF THE ELEMENTS IS
13 COMMITTED WITHIN THE PHILIPPINES, OR COMMITTED WITH
14 THE USE OF ANY COMPUTER SYSTEM THAT IS WHOLLY OR
15 PARTLY SITUATED IN THE COUNTRY, OR WHEN SUCH
16 COMMISSION CAUSES ANY DAMAGE TO A WOMAN AND/OR
17 HER CHILDREN WHO, AT THE TIME OF THE COMMISSION OF
18 THE OFFENSE, ARE IN THE PHILIPPINES. CRIMINAL ACTION FOR
19 VIOLATION OF THIS ACT SHALL BE FILED WITH THE REGIONAL
20 TRIAL COURT DESIGNATED AS A FAMILY COURT WHERE THE
21 OFFENSE WAS COMMITTED. In the absence of such court [~~in the place~~
22 ~~where the offense was committed~~], the case shall be filed in the Regional
23 Trial Court where the crime or any of its elements was committed at the
24 option of the complainant. IN CASES OF ELECTRONIC OR ICT-
25 RELATED VIOLENCE, THE CASE MAY BE FILED IN THE PLACE
26 WHERE ANY PART OF THE COMPUTER SYSTEM USED IS
27 SITUATED, WHERE ANY OF THE DAMAGE CAUSED TO THE
28 WOMAN AND/OR HER CHILDREN TOOK PLACE, OR WHERE THE
29 WOMAN AND/OR HER CHILDREN RESIDE AT THE TIME THEY
30 LEARN OF THE COMMISSION OF THE OFFENSE.”
31

32 **Section 6.** Section 8 of the same Act is amended to read as follows:
33

34 “SEC. 8. Protection Orders. – x x x
35

36 “(a) x x x
37

38 “(b) x x x
39

40 “(c) x x x
41

42 “(d) x x x
43

44 “(e) x x x

1
2 “(f) x x x

3
4 “(g) x x x

5
6 “(h) x x x

7
8 “(i) x x x

9
10 “(j) x x x; [~~and~~]

11
12 “(k) ORDERING THE IMMEDIATE BLOCKING,
13 BLACKLISTING, REMOVAL, OR SHUTDOWN OF ANY UPLOAD,
14 PROGRAM, OR APPLICATION THAT CAUSES OR TENDS TO
15 CAUSE VIOLENCE AGAINST A WOMAN AND/OR HER CHILDREN.
16 FAILURE OF AN INTERNET SERVICE PROVIDER TO COOPERATE
17 WITH LAW ENFORCEMENT AGENCIES SHALL CONSTITUTE THE
18 CRIME OF OBSTRUCTION OF JUSTICE. THE DUTIES OF AN
19 INTERNET SERVICE PROVIDER AS PROVIDED FOR UNDER
20 SECTION 9 (B) OF REPUBLIC ACT NO. 11930, OTHERWISE KNOWN
21 AS THE “ANTI-ONLINE SEXUAL ABUSE OR EXPLOITATION OF
22 CHILDREN (OSAEC) AND ANTI-CHILD SEXUAL ABUSE OR
23 EXPLOITATION MATERIALS (CSAEM) ACT”, SHALL BE
24 APPLICABLE; AND

25
26 “(L) Provision of such other forms of relief as the court deems
27 necessary to protect and provide for the safety of the petitioner and any
28 designated family or household member, provided petitioner and any
29 designated family or household member consents to such relief.

30
31 “x x x.”

32
33 **Section 7.** Section 24 of the same Act is amended to read as follows:

34
35 “SEC. 24. *Prescriptive Period.* – Acts falling under Sections 5(a) to 5(f)
36 **OF THIS ACT** shall prescribe in twenty (20) years. Acts falling under
37 Sections 5(g) to 5(i) **OF THIS ACT** shall prescribe in ten (10) years. **ACTS**
38 **FALLING UNDER SECTIONS 5(J) AND 5(K) OF THIS ACT SHALL BE**
39 **IMPREScriptIBLE.”**

40
41 **Section 8.** Section 32 of the same Act is amended to read as follows:

42
43 “SEC. 32. *Duties of Other Government Agencies and LGUs.* – Other
44 government agencies and LGUs, **INCLUDING PHILIPPINE EMBASSIES**

1 **AND CONSULAR OFFICES**, shall establish programs such as, but not
2 limited to, education and information campaign and seminars or symposia
3 on **SEXUAL AND REPRODUCTIVE HEALTH, AND** the nature, causes,
4 incidence and consequences of such violence **AGAINST WOMEN**
5 **AND/OR THEIR CHILDREN** particularly towards educating the public
6 on its social impacts.

7
8 "x x x."

9
10 **Section 9.** Section 39 of the same Act is amended to read as follows:

11
12 "SEC. 39. Inter-Agency Council on Violence Against Women and
13 Their Children (IAC-VAWC). – x x x

14
15 "(a) x x x

16
17 "(b) [~~National Commission on the Role of Filipino Women~~
18 ~~(NCRFW)~~] **PHILIPPINE COMMISSION ON WOMEN (PCW);**

19
20 "(c) x x x

21
22 "(d) x x x

23
24 "(e) x x x

25
26 "(f) x x x

27
28 "(g) x x x

29
30 "(h) x x x

31
32 "(i) x x x

33
34 "(j) x x x

35
36 "(k) Department of Labor and Employment; [~~and~~]

37
38 "(l) National Bureau of Investigation[-];

39
40 "(M) **MOVIE AND TELEVISION REVIEW AND**
41 **CLASSIFICATION BOARD (MTRCB);**

42
43 "(N) **DEPARTMENT OF SCIENCE AND TECHNOLOGY**
44 **(DOST);**

1
2 “(O) NATIONAL TELECOMMUNICATIONS COMMISSION
3 (NTC);

4
5 “(P) DEPARTMENT OF INFORMATION AND
6 COMMUNICATIONS TECHNOLOGY (DICT);

7
8 “(Q) DEPARTMENT OF FOREIGN AFFAIRS (DFA);

9
10 “(R) COMMISSION ON FILIPINOS OVERSEAS (CFO);

11
12 “(S) DEPARTMENT OF MIGRANT WORKERS (DMW);

13
14 “(T) OVERSEAS WORKERS WELFARE ADMINISTRATION
15 (OWWA); AND

16
17 “(U) TWO (2) REPRESENTATIVES FROM WOMEN’S RIGHTS
18 ORGANIZATIONS WITH A PROVEN TRACK RECORD OF
19 INVOLVEMENT IN THE PREVENTION AND ELIMINATION OF
20 VIOLENCE AGAINST WOMEN AND THEIR CHILDREN (VAWC)
21 WHO SHALL BE CHOSEN BY THE GOVERNMENT AGENCY
22 REPRESENTATIVES OF THE COUNCIL TO SERVE FOR A TERM OF
23 THREE (3) YEARS.

24
25 “These agencies are tasked to formulate programs and projects to
26 eliminate [~~VAW~~] VAWC based on their mandates as well as develop
27 capability programs for their employees to become more sensitive to the
28 needs of their clients. The Council will also serve as the monitoring body
29 as regards [~~to VAW~~] **THE IMPLEMENTATION OF THIS ACT AND**
30 **ANTI-VAWC** initiatives.

31
32 “x x x.”

33
34 **Section 10.** Section 40 of the same Act is amended to read as follows:

35
36 “SEC. 40. *Mandatory Programs and Services for* [~~Victims~~] **WOMEN**
37 **AND THEIR CHILDREN. – IN CASES FILED UNDER THIS ACT, [The]**
38 **THE DSWD, and LGUs shall provide [the victims] WOMEN AND THEIR**
39 **CHILDREN, temporary shelters, provide counseling, psycho-social**
40 **services [and/or] OR recovery, rehabilitation programs, and livelihood**
41 **assistance.**

42
43 **“IN THE CASE OF WOMEN MIGRANT WORKERS AND/OR**
44 **THEIR CHILDREN, RELEVANT EMBASSIES AND FOREIGN**

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

13
14 "The DOH shall provide medical assistance to [~~victims~~] WOMEN
15 AND THEIR CHILDREN IN CASES FILED UNDER THIS ACT.

16
17 "THE DSWD, LGUs AND DOH SHALL ENSURE THAT ALL
18 RECORDS OF A WOMAN AND HER CHILDREN OBTAINED IN
19 CONNECTION WITH THE PROVISIONING OF SUCH SERVICES BY
20 THE AGENCIES SHALL BE HELD CONFIDENTIAL UNLESS THERE
21 IS A COURT ORDER AUTHORIZING THE RELEASE OF ANY
22 INFORMATION OR DATA.

23
24 "THE DOJ SHALL ESTABLISH AND ADMINISTER AN
25 IDENTITY AND LOCATION CONFIDENTIALITY PROGRAM TO BE
26 REFERRED TO AS THE "PROGRAM", WHICH SHALL ENSURE THE
27 PROTECTION AND SAFETY OF WOMEN AND THEIR CHILDREN
28 BY PROVIDING THEM WITH A SUBSTITUTE ADDRESS TO BE
29 USED WHEN INTERACTING WITH GOVERNMENT AGENCIES
30 AND A NEW MAILING ADDRESS WHICH KEEPS THEIR ACTUAL
31 WHEREABOUTS CONFIDENTIAL AND FREE FROM THE RISK OF
32 DISCOVERY BY THIRD PARTIES. THE PROGRAM SHALL CATER
33 TO WOMEN AND THEIR CHILDREN WHO INTEND TO ESTABLISH
34 A NEW RESIDENCE OR THOSE WHO HAVE ALREADY RELOCATED
35 TO ANOTHER PLACE UNKNOWN TO THEIR ASSAILANTS OR
36 ABUSERS WHO MAY USE PUBLIC RECORDS TO FIND THEM.

37
38 "IN THIS REGARD, THE APPLICATION FOR INCLUSION IN
39 THE PROGRAM AS WELL AS OTHER SUPPORTING DOCUMENTS
40 SUBMITTED BY WOMEN AND THEIR CHILDREN SHALL NOT BE
41 CONSIDERED AS PUBLIC RECORD AND SHALL BE KEPT
42 CONFIDENTIAL BY THE DOJ AND SHALL ONLY BE RELEASED
43 UPON THE ORDER OF THE COURT.

1 “ANY OFFICIAL OR EMPLOYEE WHO WILLFULLY
2 BREACHES THE CONFIDENTIALITY OF THESE RECORDS OR
3 WILLFULLY DISCLOSES THE NAME, RESIDENTIAL OR MAILING
4 ADDRESS OF A WOMAN AND HER CHILDREN IN VIOLATION OF
5 THIS PROVISION OF THIS ACT, SHALL SUFFER THE PENALTY OF
6 ONE (1) YEAR IMPRISONMENT AND A FINE OF NOT LESS THAN
7 THREE HUNDRED THOUSAND PESOS (P300,000.00) BUT NOT
8 MORE THAN FIVE HUNDRED THOUSAND PESOS (P500,000.00).”
9

10 **Section 11.** Section 43 of the same Act is amended to read as follows:
11

12 ~~“SEC. 43. [Entitlement to Leave. — Victims under this Act shall be~~
13 ~~entitled to take a paid leave of absence up to ten (10) days in addition to~~
14 ~~other paid leaves under the Labor Code and Civil Service Rules and~~
15 ~~Regulations, extendible when the necessity arises as specified in the~~
16 ~~protection order.~~
17

18 ~~“Any employer who shall prejudice the right of the person under~~
19 ~~this section shall be penalized in accordance with the provisions of the~~
20 ~~Labor Code and Civil Service Rules and Regulations. Likewise, an~~
21 ~~employer who shall prejudice any person for assisting a co-employee who~~
22 ~~is a victim under this Act shall likewise be liable for discrimination.]~~
23

24 **ADDITIONAL LEAVE BENEFITS. – DURING THE APPLICATION OF**
25 **ANY PROTECTION ORDER, INVESTIGATION, PROSECUTION,**
26 **AND/OR TRIAL OF THE CRIMINAL CASE, A VICTIM OF E-VAWC**
27 **WHO IS EMPLOYED SHALL BE ENTITLED TO A PAID LEAVE OF**
28 **ABSENCE OF UP TO TWENTY (20) DAYS IN ADDITION TO OTHER**
29 **PAID LEAVES UNDER THE LABOR CODE, CIVIL SERVICE RULES**
30 **AND REGULATIONS AND OTHER EXISTING LAWS AND**
31 **COMPANY POLICIES, EXTENDIBLE WHEN THE NECESSITY ARISES**
32 **AS SPECIFIED IN THE PROTECTION ORDER. THE PUNONG**
33 **BARANGAY/KAGAWAD, PNP WOMEN’S AND CHILDREN’S DESKS**
34 **OR PROSECUTOR OR THE CLERK OF COURT, PHYSICIANS,**
35 **SOCIAL WORKERS, AND LICENSED COUNSELORS AS THE CASE**
36 **MAY BE, SHALL ISSUE A CERTIFICATION, AT NO COST TO THE**
37 **WOMAN, THAT SUCH IS PENDING UNDER THEIR JURISDICTION.**
38 **THIS CERTIFICATION SHALL BE THE ONLY REQUIREMENT FOR**
39 **THE EMPLOYER TO GRANT THE TWENTY (20)-DAY PAID LEAVE**
40 **APPLICATION. IN ADDITION TO THE AFOREMENTIONED**
41 **CERTIFICATION, AN EMPLOYEE OF THE GOVERNMENT MUST**
42 **FILE AN APPLICATION FOR LEAVE, CITING THIS ACT. THE**
43 **ADMINISTRATIVE ENFORCEMENT OF THIS LEAVE**
44 **ENTITLEMENT SHALL BE CONSIDERED WITHIN THE**
JURISDICTION OF THE REGIONAL DIRECTOR OF THE

1 DEPARTMENT OF LABOR AND EMPLOYMENT (DOLE) UNDER
2 ARTICLE 129 OF THE LABOR CODE OF THE PHILIPPINES, AS
3 AMENDED, FOR EMPLOYEES IN THE PRIVATE SECTOR, AND THE
4 CIVIL SERVICE COMMISSION (CSC), FOR GOVERNMENT
5 EMPLOYEES.

6
7 “THE AVAILMENT OF THE TWENTY (20)-DAY LEAVE OF
8 ABSENCE SHALL BE AT THE OPTION OF THE WOMAN EMPLOYEE,
9 WHICH SHALL COVER THE DAYS THAT SHE HAS TO ATTEND TO
10 MEDICAL, LEGAL, AND OTHER VALID CONCERNS RELATED TO
11 THE PENDING CASE. LEAVES NOT AVAILED OF ARE NON-
12 CUMULATIVE AND NOT CONVERTIBLE TO CASH.

13
14 “THE IMMEDIATE SUPERIOR OF THE PERSON APPLYING
15 FOR A TWENTY (20)-DAY PAID LEAVE SHALL APPROVE THE
16 APPLICATION ON THE SAME DAY IT WAS FILED. IF THE
17 IMMEDIATE SUPERIOR IS UNAVAILABLE TO ACT ON THE
18 APPLICATION FOR A LEAVE, THE APPLICATION SHALL BE ACTED
19 UPON BY ANY AVAILABLE SENIOR OFFICIAL OF THE PRIVATE
20 COMPANY OR GOVERNMENT AGENCY.

21
22 “ALL PRIVATE COMPANIES AND GOVERNMENT
23 AGENCIES SHALL RECORD ALL APPLICATIONS FOR LEAVE IN A
24 LOGBOOK SPECIFICALLY FOR CASES OF E-VAWC. THEY SHALL
25 SUBMIT A QUARTERLY REPORT ON ALL APPLICATIONS ISSUED
26 TO THE REGIONAL DIRECTOR OF THE DOLE FOR EMPLOYEES OF
27 THE PRIVATE SECTOR, AND THE CSC, FOR GOVERNMENT
28 EMPLOYEES.

29
30 “FAILURE TO ACT ON AN APPLICATION FOR A TWENTY
31 (20)-DAY PAID LEAVE OF ABSENCE WITHIN THE PRESCRIBED
32 PERIOD WITHOUT JUSTIFIABLE CAUSE SHALL RENDER THE
33 IMMEDIATE SUPERIOR OR SENIOR OFFICIAL
34 ADMINISTRATIVELY LIABLE, AND THE PENALTY OF
35 SUSPENSION FOR FIFTEEN (15) DAYS SHALL BE IMPOSED UPON
36 THE OFFICIAL. AN ADMINISTRATIVE COMPLAINT AGAINST THE
37 IMMEDIATE SUPERIOR OR SENIOR OFFICIAL FOR FAILURE TO
38 PERFORM ONE’S DUTIES CAN BE FILED BY A VICTIM-SURVIVOR
39 WITH THE REGIONAL DIRECTOR OF THE DOLE FOR EMPLOYEES
40 OF THE PRIVATE SECTOR, AND THE CSC, FOR GOVERNMENT
41 EMPLOYEES, FOR GROSS NEGLECT OF DUTY OR MALFEASANCE.

42
43 “THE IMMEDIATE SUPERIOR OR SENIOR OFFICIAL WHO
44 DENIES THE APPLICATION FOR LEAVE, AND WHO SHALL

1 PREJUDICE THE VICTIM-SURVIVOR OR ANY PERSON FOR
2 ASSISTING A CO-EMPLOYEE WHO IS A VICTIMSURVIVOR
3 UNDER THIS ACT SHALL BE LIABLE FOR A FINE NOT EXCEEDING
4 TEN THOUSAND PESOS (P10,000.00) AND SUSPENSION FOR
5 THIRTY (30) DAYS FOR DISCRIMINATION AND VIOLATION OF
6 THIS ACT.
7

8 "ANY SENIOR OFFICIAL, INCLUDING THE HEAD OF THE
9 AGENCY WHO HAS KNOWLEDGE OF, BUT FAILS TO ACT ON, OR
10 HAS IN ANY WAY INFLUENCED THE DENIAL OF THE IMMEDIATE
11 SUPERIOR OF THE LEAVE APPLICATION OF A VICTIM-
12 SURVIVOR, SHALL BE HELD ADMINISTRATIVELY LIABLE AND
13 SHALL BE SUSPENDED FOR FIFTEEN (15) DAYS."
14

15 **Section 12. *Separability Clause.*** – If any part or provision of this Act is held
16 unconstitutional or invalid, the remainder thereof not otherwise affected shall remain in
17 full force and effect.
18

19 **Section 13. *Repealing Clause.*** – All laws, decrees, executive orders, rules, and
20 regulations, or parts thereof inconsistent with the provisions of this Act are hereby
21 repealed or modified accordingly.
22

23 **Section 14. *Effectivity.*** – This Act shall take effect fifteen (15) days following the
24 completion of its publication in the *Official Gazette* or in a newspaper of general circulation.
25

26 *Approved,*