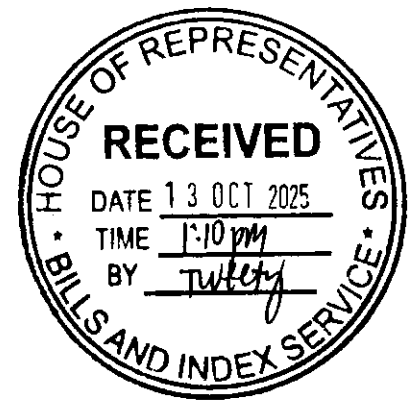


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session

House Bill No. 5494



**Introduced by Representatives Rolando M. Valeriano, Ronaldo V. Puno,
Jennifer A. Lagbas, Anna Victoria Veloso-Tuazon, Aniela Bianca D.
Tolentino, Antolin A. Oreta III, and Romeo M. Acop**

***AN ACT AMENDING REPUBLIC ACT NO. 11930 ENTITLED "AN ACT
PUNISHING ONLINE SEXUAL ABUSE OF EXPLOITATION OF CHILDREN,
PENALIZING THE PRODUCTION, DISTRIBUTION, POSSESSION AND
ACCESS OF CHILD SEXUAL ABUSE OR EXPLOITATION MATERIALS"***

EXPLANATORY NOTE

The Philippines has long been tagged as the global epicenter of OSAEC and CSAEM given the number of victims and number of facilitators (also called supply-side perpetrators) in the country. However, with the efforts being done in the country, the Philippines is uniquely positioned to be a global leader in identifying the wide global network of demand-side perpetrators through transnational investigation and prosecution through referral and sharing of information.

Per the International Justice Mission's "Scale of Harm" study, nearly half a million Filipino children were trafficked in 2022 alone to produce new child sexual exploitation materials. That's one (1) in every 100 Filipino children.

ECPAT, Interpol and UNICEF Office of Research Innocenti's "Disrupting Harm in the Philippines" study further reveals that 20% of internet users aged 12 to 17 in the Philippines were victims of grave instances of online sexual abuse or exploitation, including being blackmailed to engage in sexual activities, non-consensual sharing of intimate images, or being coerced to engage in sexual activities through promises of money or gifts. That's one in five children.

And then there's the data from the National Center for Missing & Exploited Children (NCMEC). In 2024, the Philippines ranked second in the world in cybertipline reports with 1,721,249 reports. This is behind only India, a country with 1.46 billion people, compared to the Philippines' 112 million people. These are numbers that we cannot ignore.

To this end, while Republic Act No. 11930, or the *Anti-OSAEC and CSAEM Act*, was a landmark measure in criminalizing these grave offenses, experience since its passage reveals **critical legal and implementation gaps**.

This bill amends Republic Act No. 11930 to align the statute with the contemporary and evolving modalities of OSAEC and CSAEM. It recognizes the indispensable role of internet and financial intermediaries in prevention, detection, disruption, and reporting, and the crucial supervisory authority of their regulators to set enforceable child-safeguarding standards. It strengthens the Department of Education's mandate for prevention and reporting within schools and learning environments; reinforces the NCC-OSAEC-CSAEM and its Secretariat with clearer powers, resources, and localized reach; and institutionalizes PICACC as the permanent hub for foreign-nexus coordination and evidence-sharing. The amendments address legal and implementation gaps by clarifying duties, establishing accountability and penalties, and improving lawful information- and evidence-sharing across agencies and with the private sector.

To ensure durability, the measure is technology-neutral and future-oriented: it expressly covers emerging trends and provides for anticipatory regulation through periodic risk reviews, regulator-issued standards, and IRR updates subject to due process. The objective is to create a coherent, permanently governed framework in which regulators, schools, industry, and law enforcement operate on a single playbook—preventing abuse earlier, moving evidence lawfully and faster, protecting victims better, and holding offenders and facilitators fully to account—now and as new threats arise.

In view of the urgency of protecting Filipino children from online sexual abuse and exploitation, the immediate passage of this bill is earnestly sought.


ROLANDO M. VALERIANO


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ROMEO M. ACOP

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PENALIZING THE PRODUCTION, DISTRIBUTION, POSSESSION AND
ACCESS OF CHILD SEXUAL ABUSE OR EXPLOITATION MATERIALS*"**

**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-Anti-Online Sexual Abuse or Exploitation of Children (OSAEC) and Anti-Child Sexual Abuse or Exploitation Materials (CSAEM) Act of 2025."

Section 2. Section 2 of Republic Act No. 11930 is hereby amended to read as follows:

Section 2. *Declaration of Policy* XXXX

XXXX

**(D) COMPLY AND ALIGN WITH INTERNATIONAL TREATIES
AND CONVENTIONS CONCERNING CYBERCRIMES TO WHICH
THE PHILIPPINES IS A SIGNATORY, INCLUDING, BUT NOT
LIMITED TO, THE CONVENTION ON CYBERCRIME (BUDAPEST
CONVENTION) AND ITS APPLICABLE PROTOCOLS,
RECOGNIZING THAT OSAEC IS PRIMARILY A CYBERCRIME
THAT TRANSCENDS BORDERS AND WHICH NECESSITATES
TIMELY AND LAWFUL CROSS-BORDER COOPERATION AND
SHARING OF INFORMATION;**

(E) Ensure the right of children to useful, meaningful and safe access to digital technologies that will provide knowledge and develop their understanding of civil, political, cultural, economic and social rights and help them achieve their potential to be empowered, responsible, law-abiding citizens, with the end in view of protecting them from any form of violence online; and

(F) Provide paramount consideration to the interests of children in all actions affecting them, whether undertaken by public or private social welfare institutions, courts of law, executive agencies, law enforcement agencies, local government units (LGUs), legislative bodies, and private business enterprises especially those related to the online safety and protection of children.

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

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

a. Child refers to a person below eighteen (18) years of age, **OR THOSE EIGHTEEN YEARS (18) OF AGE** or over, but are unable to fully take care of themselves or protect themselves from abuse, neglect, cruelty, exploitation, or discrimination because of physical, mental, intellectual, or sensory disability or condition. For purposes of this Act, a child shall also refer to:

(1) A person, regardless of age, who is presented, depicted, or portrayed as a child as defined herein; and

(2) Computer-generated, digitally or manually crafted images, or graphics of a person who is represented or who is made to appear to be a child as defined herein.

UNLESS OTHERWISE EXPRESSLY STATED, ANY REFERENCE TO A "CHILD" OR "CHILDREN" IN THIS ACT SHALL BE CONSTRUED TO INCLUDE THE COMPLETE DEFINITION SET OUT HEREIN, INCLUDING: (1) A PERSON, REGARDLESS OF AGE, WHO IS PRESENTED, DEPICTED, OR PORTRAYED AS A CHILD; AND (2) COMPUTER-GENERATED, DIGITALLY OR MANUALLY CRAFTED IMAGES OR GRAPHICS OF A PERSON WHO IS REPRESENTED OR MADE TO APPEAR TO BE A CHILD.

(b) Child sexual abuse xxxx

(c) Child sexual abuse or exploitation material (CSAEM) refers to any, representation, whether offline, or by, through, or with the use of ICT, by means of visual, video, audio, written, data, or any combination thereof, by electronic, mechanical, digital, optical, magnetic or any other means, of a child engaged or involved in real or simulated sexual **ACTIVITY AS DEFINED IN SECTION 3(BB) OF THIS ACT;** or that

depicting acts of sexual abuse or exploitation of a child; or that focuses on the genitalia, **ANUS, BREASTS** or other private body parts of a child **FOR SEXUAL PURPOSES, WHETHER OR NOT NUDITY IS COMPLETE**. For purposes of this Act, CSAEM may interchangeably be referred to as CSAM;

(d) Child sexual exploitation refers to any of the following acts even if consent appears to have been granted by the child:

(1) Child sexual abuse with consideration whether monetary or nonmonetary consideration, favor, or benefit in exchange for the opportunity to perform such abusive or exploitative act

(2) Actual sexual intercourse with a child or children with or without consideration;

(3) Employing fraud, machination, undue influence, intimidation, threat or deception by any person to commit sexual abuse of or sexual intercourse with a child or children; or

(4) Any other similar or analogous acts related to child abuse, cruelty or exploitation or to be responsible for other conditions prejudicial to the development of the child;

(e) Competent authority refers to law enforcement **AGENCIES, GOVERNMENT ENTITIES VESTED WITH AUTHORITY TO INVESTIGATE OFFENSES, GOVERNMENT ENTITIES WITH PROSECUTORIAL FUNCTIONS, COURTS**, telecommunications/ICT **REGULATORS**, or the National Coordination Center against OSAEC and CSAEM (NCC-OSAEC-CSAEM) **SECRETARIAT**;

(f) Computer xxxx

(g) Computer data xxx

(h) Content data xxx

(i) Grooming refers to predatory conduct, act, or pattern of acts, of establishing a relationship of trust, or emotional connection by another, with a child or someone who is believed to be a child, and/or the family, guardian, and/or caregivers, whether in person or via electronic and other similar devices, for the purpose of perpetrating **CHILD** sexual abuse or exploitation or the production, **CREATION, OR TRANSMISSION** of any form of CSAEM.

(j) Image-based sexual abuse (ISA) refers to a form of technology-facilitated sexual violence. The term describes **EITHER A SINGLE ACT OF**, or a pattern of behavior involving the nonconsensual creation, distribution, or threats to distribute nude or sexual images. It includes

a diversity of behaviors, including, but not limited to, sextortion, the use of artificial intelligence to construct **SEXUALLY EXPLICIT** deepfake **TEXTS, AUDIOS, IMAGES, VISUALS**, videos, **AUDIOS, IMAGES, OR TEXTS**, threats to distribute **SEXUALLY INTIMATE TEXTS, AUDIOS, IMAGES, VISUALS** and videos; and the taking or sharing of sexual assault imagery.

(J)(1) CSAEM DEEPFAKE REFERS TO SYNTHETICALLY GENERATED OR DIGITALLY MANIPULATED TEXT, AUDIO, IMAGE, VISUAL, VIDEO, OR ANY COMBINATION THEREOF THAT FALSELY DEPICTS A CHILD AS BEING NAKED OR ENGAGED IN ANY SEXUAL ACTIVITY AS DEFINED IN SECTION 3(Y), IT IS CREATED USING ARTIFICIAL INTELLIGENCE OR SIMILAR TECHNOLOGIES, AND MAY NOT INVOLVE REAL CHILDREN. IT CAN ALSO BE BASED ON REAL PERSONS OR A COMBINATION OF REAL PERSONS AND COMPUTER-GENERATED PERSONS. THEY ARE CLASSIFIED AS CHILD SEXUAL ABUSE OR EXPLOITATION MATERIAL (CSAEM) DUE TO THEIR HARMFUL IMPACT.¹

(J)(2) SEXUAL EXTORTION OF CHILDREN (PREVIOUSLY REFERRED TO AS SEXTORTION) REFERS TO ANY ACT WHEREBY A PERSON, THROUGH DECEIT, GROOMING, MANIPULATION, INDUCEMENT, ENTICEMENT, PERSUASION, COERCION, INTIMIDATION, THREAT, ABUSE OF AUTHORITY, OR MISUSE OF INFORMATION AND COMMUNICATIONS TECHNOLOGIES, KNOWINGLY OBTAINS FROM A CHILD ANY SELF-GENERATED CSAEM OR CAUSES THE CHILD TO PRODUCE OR CREATE SELF-GENERATED CSAEM —INCLUDING NUDE OR SEXUALIZED TEXTS, AUDIOS, IMAGES, VISUALS, VIDEOS, LIVE STREAMS, OR ANY COMBINATION THEREOF— AND THEREAFTER THREATENS TO PUBLISH, TRANSMIT, OR DISSEMINATE THE CSAEMS UNLESS THE CHILD OR THE CHILD’S FAMILY PAYS, CREATES OR PRODUCES CSAEM, SENDS CSAEM, OR COMPLIES ANY CONDITION SET BY THE OFFENDER.

IT ALSO INCLUDES THE THREAT TO PUBLISH, TRANSMIT, OR DISSEMINATE A CSAEM DEEPFAKE OF A REAL CHILD UNLESS THE CHILD OR THE CHILD’S FAMILY PAYS, CREATES OR PRODUCES CSAEM, SENDS CSAEM, OR COMPLIES WITH ANY CONDITION SET BY THE OFFENDER.

¹ Party based on ECPAT International & DOT Europe: Position Paper on AI-CSAM: chrome-extension://efaidnbmninnbpcapcglcfindmkaj/https://ecpat.org/wp-content/uploads/2021/05/SECO-Manifestations-CSAM_CSEM.pdf

NOTWITHSTANDING THE DEFINITION OF A CHILD UNDER SECTION 3(A) OF THE LAW, THE TERM "CHILD" USED IN THIS SECTION SHALL ONLY REFER TO ONE WHO IS BELOW EIGHTEEN YEARS OF AGE OR AGE EIGHTEEN OR ABOVE BUT IS UNABLE TO FULLY TAKE CARE OF OR PROTECT HIMSELF OR HERSELF FROM ABUSE, NEGLECT, CRUELTY, EXPLOITATION, OR DISCRIMINATION BECAUSE OF PHYSICAL, MENTAL, INTELLECTUAL, OR SENSORY DISABILITY OR CONDITION.

THE FAMILY MENTIONED IN THIS SECTION SHALL REFER TO THE CHILD'S RELATIVES BY CONSANGUINITY OR AFFINITY OF UP TO THE SECOND DEGREE.

(k) Information and communications technology (ICT) xxxx

(l) Internet address xxx

(m) Internet asset xxx

(n) Internet café or kiosk xxx

(o) Internet hotspot xxx

(p) Internet intermediaries xxx

(q) Internet service provider (ISP) xxxx

(r) Internet site xxx

(s) Luring refers to the act of communicating, by means of a computer system, with a child or someone who the offender believes to be a child for the purpose of facilitating the commission of sexual activity or **THE** production, **CREATION OR TRANSMISSION** of any form of CSAEM;

(t) Online sexual abuse or exploitation of children (OSAEC) refers to **ANY CONDUCT IN WHICH INFORMATION AND COMMUNICATIONS TECHNOLOGIES (ICT) ARE USED AS AN INSTRUMENT, VENUE, OR MEANS TO SEXUALLY ABUSE AND/OR EXPLOIT A CHILD. THIS CAN ALSO INCLUDE CASES IN** which offline child **SEXUAL** abuse and/or exploitation is combined with an **ICT COMPONENT**.

This can include, but is not limited to, **THE USE OF ICT AS AN INSTRUMENT, VENUE, OR MEANS TO COMMIT THE FOLLOWING:**

1. Production, **CREATION, PROCUREMENT, SOLICITATION, DISTRIBUTION, ADVERTISING, SALE, OFFERING,**

ACCESS, VIEWING, LIVESTREAMING, OR possession OF CSAEM;

- 2. Grooming AND LURING OF A CHILD AS DEFINED IN SECTIONS 3() AND 3() OF THIS ACT;**
- 3. CHILD SEXUAL EXTORTION AS DEFINED IN SECTION 3(J)(2) OF THIS ACT;**
- 4. PANDERING AS DEFINED IN SECTION (u) OF THIS ACT;**
- 5. PROSTITUTION OF A CHILD; AND**
- 6. SEXUALIZATION OF A CHILD.**

(u) Pandering xxxx

(v) Participative network platform xxx

(w) Payment system provider (PSP) refers to **ANY NATURAL OR JURIDICAL PERSON THAT OWNS, OPERATES, MANAGES, OR PROVIDES A PAYMENT SYSTEM OR PAYMENT SERVICE ENABLING THE TRANSFER, EXCHANGE, ACCEPTANCE, ACQUISITION, PROCESSING, STORAGE, OR SETTLEMENT OF MONETARY VALUE, WHETHER IN FIAT CURRENCY, CRYPTOCURRENCY, OR OTHER DIGITAL ASSET, CONDUCTED ONLINE OR OFFLINE, AND DOMESTIC OR CROSS-BORDER. THE TERM INCLUDES—WHETHER DIRECTLY OR THROUGH A TECHNOLOGICAL PLATFORM—BANKS, NON-BANK FINANCIAL INSTITUTIONS (NBFI), ELECTRONIC MONEY ISSUERS (EMIS), DIGITAL MONEY SERVICE BUSINESSES, E-WALLET OPERATORS, REMITTANCE AGENTS, MERCHANT ACQUIRERS, PAYMENT GATEWAYS AND PROCESSORS, CARD ISSUERS AND CARD NETWORKS, CLEARING/SWITCH OPERATORS, OPERATORS OF PAYMENT SYSTEMS (OPS), AND VIRTUAL ASSET SERVICE PROVIDERS (VASPS) WHEN PERFORMING PAYMENT OR TRANSFER FUNCTIONS, AS WELL AS OTHER ENTITIES PERFORMING EQUIVALENT PAYMENT, CLEARING, OR SETTLEMENT FUNCTIONS.**

AN ENTITY THAT OFFERS OR MAKES SUCH PAYMENT SERVICES AVAILABLE IN OR INTO THE PHILIPPINES, WHETHER OR NOT IT HAS A PHYSICAL PRESENCE IN THE COUNTRY, SHALL BE DEEMED A PSP UNDER THIS ACT.

(x) Person xxx

(Y) PROSTITUTION REFERS TO ANY ACT, TRANSACTION, SCHEME OR DESIGN INVOLVING THE USE OF A PERSON BY ANOTHER, FOR SEXUAL INTERCOURSE OR LASCIVIOUS CONDUCT IN EXCHANGE FOR MONEY, PROFIT, OR ANY OTHER CONSIDERATION.

(Z) REGULATOR - REFERS TO ANY GOVERNMENT AGENCY, BODY, DEPARTMENT, BUREAU, OFFICE, INSTRUMENTALITY, COMMISSION, OR AUTHORITY EMPOWERED BY THIS ACT OR OTHER RELEVANT LAW TO, REGULATE, ADMINISTER, OR ADJUDICATE MATTERS AFFECTING SUBSTANTIAL RIGHTS AND INTERESTS OF PRIVATE PERSONS AND ENTITIES COVERED BY THIS ACT.

(AA) SELF-GENERATED CSAEM REFERS TO ANY TEXT, AUDIO, IMAGE, VISUAL, VIDEO, LIVE STREAM, OR ANY COMBINATION THEREOF DEPICTING A CHILD IN NUDITY OR SEXUAL ACTIVITY AS DEFINED IN SECTION 3(Y) OF THIS ACT THAT IS CREATED, PRODUCED, CAPTURED, RECORDED, OR OTHERWISE PRODUCED BY THE CHILD EITHER VOLUNTARILY OR UNDER DECEIT, GROOMING, LURING, MANIPULATION, INDUCEMENT, ENTICEMENT, PERSUASION, COERCION, INTIMIDATION, THREAT, ABUSE OF AUTHORITY, OR MISUSE OF INFORMATION AND COMMUNICATIONS TECHNOLOGIES.²

NOTWITHSTANDING THE DEFINITION OF A CHILD UNDER SECTION 3(A) OF THE LAW, THE TERM "CHILD" USED IN THIS SECTION SHALL ONLY REFER TO ONE WHO IS BELOW EIGHTEEN YEARS OF AGE OR AGE EIGHTEEN OR ABOVE BUT IS UNABLE TO FULLY TAKE CARE OF OR PROTECT HIMSELF OR HERSELF FROM ABUSE, NEGLECT, CRUELTY, EXPLOITATION, OR DISCRIMINATION BECAUSE OF PHYSICAL, MENTAL, INTELLECTUAL, OR SENSORY DISABILITY OR CONDITION.

(BB) Sexual activity xxx

(CC) Sexualization of a child refers to ANY ACT BY WHICH A PERSON USES, PORTRAYS, REPRESENTS, DIRECTS, OR CAUSES A CHILD TO BE USED OR PORTRAYED AS A SEXUAL OBJECT for the sexual desire or satisfaction of ONESELF OR another, even if there is no PHYSICAL CONTACT, ACTUAL SEXUAL INTERCOURSE, OR DISPLAY OF NUDITY OR PRIVATE PARTS, AND WHETHER COMMITTED OFFLINE OR THROUGH ICT.

THIS CAN ALSO INCLUDE, BUT IS NOT LIMITED TO:

- 1. POSING, CHOREOGRAPHY, GESTURES, OR CONDUCT THAT DEPICT OR SIMULATE SEXUAL ACTIVITY, SUGGESTIVE TOUCHING, OR SEXUALIZED DANCES;**
- 2. STAGING, ATTIRE, PROPS, OR SETTINGS DIRECTED AT OR IMPOSED ON A CHILD TO CREATE A SEXUALIZED CONTEXT;**
- 3. LASCIVIOUS FOCUS ON A CHILD'S BODY OR SPECIFIC**

² Partly based on UNICEF Philippines: <https://www.unicef.org/philippines/online-sexual-abuse-and-exploitation-children-philippines>

BODY PARTS (INCLUDING BUTTOCKS, BREASTS, GENITAL OR PUBIC AREA), EVEN WITHOUT NUDITY, THROUGH CAMERA ANGLES, ZOOM, CROPPING, OR NARRATION INTENDED TO SEXUALIZE;

- 4. CREATION, CAPTURE, EDITING, CURATION, OR DISSEMINATION OF SEXUALIZED IMAGES OF A CHILD;**
- 5. SEXUALIZED SOLICITATION OR COMMENTARY DIRECTED AT A CHILD; OR**
- 6. DIGITALLY MANIPULATED MATERIALS, INCLUDING DEEPFAKES, THAT PORTRAY A CHILD, OR A PERSON MADE TO APPEAR TO BE A CHILD, IN A SEXUALIZED MANNER.**

(DD) SOLICIT REFERS TO ANY REQUEST, COMMAND, PERSUASION, INDUCEMENT, ENTICEMENT, ENCOURAGEMENT, PROPOSAL, OR ADVERTISEMENT FOR, OR OFFER OF ANY CONSIDERATION (WHETHER MONETARY OR NON-MONETARY) TO ANOTHER PERSON —DIRECTLY OR INDIRECTLY, PUBLICLY OR PRIVATELY, IN PERSON OR THROUGH ANY MEANS OF ICT COMMUNICATION OR TECHNOLOGY, INCLUDING TECHNOLOGY PLATFORMS SOFTWARE USABLE OFFLINE—TO PERFORM AN ACT.

(EE) Streaming xxx

(FF) Subscriber's information or Registration information xxxx

(GG) SUPPLEMENTARY LEARNING AND YOUTH ACTIVITY CENTER REFERS TO ANY PUBLIC OR PRIVATE ESTABLISHMENT, FACILITY, ORGANIZATION, OR PROGRAM THAT PROVIDES INSTRUCTIONAL, RECREATIONAL, DEVELOPMENTAL, OR SKILLS-BASED ACTIVITIES FOR CHILDREN OR YOUTH OUTSIDE THE FORMAL BASIC OR HIGHER EDUCATION SYSTEM.

THIS INCLUDES, BUT IS NOT LIMITED TO, TUTORIAL OR REVIEW CENTERS, ENRICHMENT OR LEARNING HUBS, SPORTS, ARTS, OR MUSIC CLINICS, COMPUTER OR LANGUAGE CENTERS, SUMMER CAMPS, AFTER-SCHOOL PROGRAMS, COMMUNITY YOUTH CENTERS, LIBRARIES WITH LEARNING PROGRAMS, AND SIMILAR VENUES WHERE MINORS PARTICIPATE IN SUPERVISED ACTIVITIES EITHER PHYSICALLY OR ONLINE.

FOR PURPOSES OF THIS ACT, SUCH CENTERS ARE DEEMED CHILD-RELATED INSTITUTIONS AND ARE SUBJECT TO THE CHILD PROTECTION, REPORTING, AND PREVENTION OBLIGATIONS PROVIDED HEREIN.

(HH) TECHNOLOGY PLATFORMS - REFERS TO ANY SOFTWARE, DIGITAL SERVICE, HARDWARE-SOFTWARE SYSTEM, OR TOOL—INCLUDING THOSE THAT OPERATE ONLINE OR OFFLINE, NETWORK-CONNECTED OR STAND-ALONE—THAT ENABLES THE CREATION, GENERATION, CAPTURE, STORAGE, PROCESSING, TRANSMISSION, SHARING, PUBLICATION, DISTRIBUTION, DISCOVERY, RECOMMENDATION, MONETIZATION, OR ACCESS OF CONTENT, COMMUNICATIONS, OR DATA.

THE TERM INCLUDES: OPERATING SYSTEMS; MOBILE/DESKTOP APPLICATIONS (INCLUDING APPLICATIONS USABLE WITHOUT INTERNET); CONTENT-GENERATION TOOLS AND AI MODELS (LOCAL OR CLOUD-BASED); MESSAGING AND FILE-TRANSFER APPLICATIONS; SOCIAL MEDIA AND CONTENT-SHARING SERVICES; CLOUD, HOSTING AND CDN SERVICES; APPLICATION STORES AND MARKETPLACES; PAYMENT AND ADVERTISING SYSTEMS TIED TO CONTENT; AND SOFTWARE DEVELOPMENT KITS, APPLICATION PROGRAMMING INTERFACES, AND ON-PREMISES OR EMBEDDED SOFTWARE THAT PROVIDE MATERIALLY SIMILAR FUNCTIONALITY.

IT ALSO COVERS ANY NATURAL OR JURIDICAL PERSON THAT DESIGNS, DEVELOPS, OPERATES, CONTROLS, PROVIDES, OR MAKES AVAILABLE SUCH PLATFORM IN OR INTO THE PHILIPPINES, WHETHER OR NOT IT HAS A PHYSICAL PRESENCE IN THE COUNTRY.

(II) Traffic data xxx

(JJ) Web hosting provider xxx”

Section 4. Section 4 of Republic Act 11930 is hereby amended to read as follows:

“Section 4. Unlawful or Prohibited Acts. — Regardless of the consent of the child, it shall be unlawful for any person to commit the following acts through online or offline means or a combination of both:

*(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;*

xxxx

(K) TO OFFER, ADVERTISE, OR MAKE AVAILABLE ANY CHILD OR CHILDREN FOR PROSTITUTION TO ANOTHER PERSON BY, THROUGH, OR WITH THE USE OF INFORMATION AND COMMUNICATIONS TECHNOLOGY (ICT).

THE CHILD BEING OFFERED FOR PROSTITUTION BY AND THROUGH THE USE OF ICT SHALL BE CONSIDERED AS A VICTIM AND NOT AS AN OFFENDER.

THE CHILD VICTIM SHALL BE ACCORDED THE NECESSARY TREATMENT AND SERVICES UNDER THIS ACT AND IN EXISTING LAWS.

NOTWITHSTANDING THE DEFINITION OF A CHILD UNDER SECTION 3(A) OF THE LAW, THE TERM "CHILD" USED IN THIS SECTION SHALL ONLY REFER TO ONE WHO IS BELOW EIGHTEEN YEARS OF AGE OR AGE EIGHTEEN OR ABOVE BUT IS UNABLE TO FULLY TAKE CARE OF OR PROTECT HIMSELF OR HERSELF FROM ABUSE, NEGLECT, CRUELTY, EXPLOITATION, OR DISCRIMINATION BECAUSE OF PHYSICAL, MENTAL, INTELLECTUAL, OR SENSORY DISABILITY OR CONDITION.

(L) TO PROCURE, SOLICIT, OR PAY FOR THE SEXUAL SERVICES OF A CHILD WHO IS OFFERED, ADVERTISED, OR MADE AVAILABLE FOR PROSTITUTION BY, THROUGH, OR WITH THE USE OF INFORMATION AND COMMUNICATIONS TECHNOLOGY (ICT), WHETHER OR NOT THE ACT OF SEXUAL EXPLOITATION IS CONSUMMATED.

FOR PURPOSES OF THIS SECTION, THE OFFENSE IS COMMITTED REGARDLESS OF THE CONSENT OF THE CHILD OR OF ANY INTERMEDIARY, AND WHETHER MONETARY OR NON-MONETARY CONSIDERATION, FAVOR, OR BENEFIT IS GIVEN, PROMISED, OR RECEIVED IN EXCHANGE FOR THE SEXUAL ACT OR THE OPPORTUNITY TO COMMIT SUCH ACT. THE PERSON WHO KNOWINGLY ENGAGES, ATTEMPTS TO ENGAGE, OR OFFERS TO ENGAGE THE SERVICES OF A CHILD IN SUCH MANNER SHALL BE LIABLE AS A PRINCIPAL OFFENDER UNDER THIS ACT.

(M) TO SOLICIT ANY PERSON, INCLUDING A LAW ENFORCEMENT OFFICER POSING AS A CHILD OR AS A PARENT OR GUARDIAN OF A CHILD, TO CREATE, PRODUCE, MANUFACTURE, TRANSMIT, DISTRIBUTE, PUBLISH, BROADCAST, SELL, STREAM, LIVESTREAM A CSAEM OR TO COMMIT OSAEC;

(N) TO COMMIT CHILD SEXUAL EXTORTION AS DEFINED IN SECTION 3(J)(2).

(O) To knowingly benefit from, financial or otherwise, the commission of any of the offenses of this Act;

(P) To **KNOWINGLY OR BY GROSS NEGLIGENCE**, provide a venue for the commission of **ANY OF THE** prohibited acts under this section, such as dens, private rooms, cubicles, cinemas, houses, private homes, or other establishments;

(Q) To engage in the luring or grooming of a child: Provided, That grooming taking place offline as a prelude to violations under this Act shall also be penalized;

(R) TO KNOWINGLY OR WITH RECKLESS DISREGARD ENGAGE IN THE SEXUALIZATION OF A CHILD AS DEFINED IN SECTION 3(Z) OF THIS ACT.

(S) To engage in pandering as defined under this Act;

(T) To willfully subscribe, join, donate to, or support an internet site that hosts OSAEC or the streaming or live-streaming of child sexual abuse and exploitation;

(U) To advertise, publish, print, broadcast or distribute, or cause the advertisement, publication, printing, broadcasting or distribution by any means of any brochure, flyer, or any material that promotes OSAEC and child sexual abuse or exploitation

(V) To possess any form of CSAEM: Provided, That possession of three (3) or more CSAEMs is prima facie evidence of the intent to sell, distribute, publish or broadcast;

(W) To willfully access any form of CSAEM; and

(X) To conspire to commit any of the prohibited acts stated in this section.

Provided, That the investigation or prosecution of offenses under this Act shall be without prejudice to appropriate investigation and prosecution mechanisms under Republic Act No. 9208, otherwise known as the "Anti-Trafficking in Persons Act of 2003," as amended, and other related laws."

Section 5. Section 8 of Republic Act 11930 is hereby amended to read as follows:

"Section 8. *Safe Harbor Exception*. — Access, possession and recording of any CSAEM **OR RECORDED INTERVIEW OF THE CHILD** for the purpose of complying with the duties under this Act; the reporting to government authorities; legitimate investigation and administration of the criminal justice system; and legitimate policy, scholarly and academic purposes with requisite ethical clearance, shall not be subject to any civil, criminal, or administrative liability."

Section 6. Section 9 of Republic Act No. 11930 is hereby amended to read as follows:

"Section 9. *Duties of Internet Intermediaries AND TECHNOLOGY PLATFORMS*—

(a) Internet Intermediaries **AND TECHNOLOGY PLATFORMS** shall:

(1) Adopt in their terms of service or service agreements with third-party users or creators of **CONTENT**, products, and services the prohibition of any form of **OSAEC AND/OR CSAEM, OR THE CONDUCT OF ANY OF THE PROHIBITED ACTS IN SECTION 4 OF THIS ACT** in the use of their website, platform, server, facility, **OR INFRASTRUCTURE**,

(2) Preserve within **ONE (1) YEAR** from the date of the transaction, extendible for another **ONE (1) YEAR** or during the pendency of the case, all subscriberS' or registration information and traffic data in its control and possession: *Provided*, That in the case of content data, the same shall be Cree within one (1) year, and upon notice by the competent authority, the preservation shall be extendible for another six (6) months: *Provided*, however, That the competent authority shall expressly identify and specify such relevant evidence that needs preservation: *Provided*, further, That the integrity of all computer data such as subscriber's information, traffic data and content data relating to communication services provided by a service provider shall be protected for the purpose of investigation and prosecution of cases under this Act: *Provided*, finally, That the preservation period provided under the law governing foreign **ENTITIES** doing business in the Philippines **OR WHICH MAKES THEIR PLATFORMS OR SERVICES AVAILABLE IN OR INTO THE PHILIPPINES, WHETHER OR NOT IT HAS A PHYSICAL PRESENCE IN THE COUNTRY.**or the period provided under this Act, whichever is longer, shall prevail;

(3) Immediately block access to, remove, or take down the internet address, uniform resource locator (URL), websites, or any content thereof containing CSAEM or **WHERE ANY FORM OF OSAEC ARE BEING CONDUCTED**, within twenty-four (24) hours from:

- a. receipt of notice **CONTAINING SUFFICIENT INFORMATION TO IDENTIFY THE CONTENT AND ITS SOURCE FROM A COMPETENT AUTHORITY OR FROM ANY PERSON OR ENTITY, OR**
- b. **UPON KNOWLEDGE OF THE INTERNET INTERMEDIARY OR OF THE TECHNOLOGY PLATFORM OF THE EXISTENCE OF ANY CSAEM OR OSAEC ACTIVITY BEING COMMITTED IN THEIR PLATFORMS, SERVERS, OR FACILITIES.**

Provided, That this period may be extended to another twenty-four (24) hours upon submission of a written justification if the notice was made without sufficient information to identify the content and its source.

IF THE NOTICE CONTAINS SUFFICIENT INFORMATION TO IDENTIFY THE CONTENT AND THE SOURCE, THE FAILURE TO BLOCK, REMOVE, OR TAKE DOWN THE CSAEM OR THE OSAEC ACTIVITY WITHIN TWENTY-FOUR (24) HOURS FROM RECEIPT OF SAID NOTICE SHALL CONSTITUTE A VIOLATION OF THIS ACT.

Provided, however, The period **ON PRESERVATION OF SUBSCRIBERS' OR REGISTRATION INFORMATION, TRAFFIC DATA, OR CONTENT DATA PROVIDED IN THE PRECEDING PARAGRAPHS SHALL CONTINUE TO APPLY NOTWITHSTANDING BLOCKING, REMOVAL, OR TAKEDOWN.**

(4) ESTABLISH WITHIN ONE (1) YEAR FROM THE EFFECTIVITY OF THIS ACT, A PROCESS WHERE THE COMPETENT AUTHORITY OR ANY PERSON OR ENTITY CAN NOTIFY THEM OF ANY CSAEM CONTENT OR OSAEC ACTIVITY IN THEIR PLATFORM AND/OR REQUEST FOR THE REMOVAL OF THE SAME.

FOR THIS PURPOSE, THEY SHOULD PROVIDE ON THEIR PLATFORMS A CLEAR AND CONSPICUOUS NOTICE, WHICH MAY BE PROVIDED THROUGH A CLEAR AND CONSPICUOUS LINK TO ANOTHER WEB PAGE OR DISCLOSURE, OF THE NOTICE AND REMOVAL PROCESS THAT IS:

- a. EASY TO READ AND IN PLAIN LANGUAGE; AND**
- b. PROVIDE INFORMATION REGARDING THEIR RESPONSIBILITIES UNDER THIS SECTION, INCLUDING A DESCRIPTION OF HOW A PERSON OR ENTITY CAN SUBMIT A NOTIFICATION AND REQUEST FOR REMOVAL.**

(5) Report to the Department of Justice (DOJ), within three (3) days, the internet address or websites blocked, removed or taken down IN ACCORDANCE WITH THIS PROVISION. *Provided*, That in cases when a foreign internet intermediary **OR TECHNOLOGY PLATFORM** is prohibited by its country to share data, the reports filed by such foreign internet intermediary **OR TECHNOLOGY PLATFORM** to the corresponding entity tasked by its government to receive cybercrime reports shall be deemed in compliance with this provision: *Provided*, however, That the said foreign internet intermediary **OR TECHNOLOGY PLATFORM** shall inform the DOJ of such reporting: *Provided*, further, That whatever relevant evidence otherwise not prohibited by law to be shared shall nevertheless be reported to the DOJ;

(6) DEVELOP AND ADOPT A SET OF SYSTEMS DESIGNS, AND

PROCEDURES FOR PREVENTING, BLOCKING, DETECTING, AND REPORTING OF OSAEC AND CSAEM COMMITTED WITHIN THEIR PLATFORMS, SERVERS, OR FACILITIES;

(7) NOTIFY ANY LAW ENFORCEMENT AGENCY OR COMPETENT AUTHORITY WITHIN FORTY-EIGHT (48) HOURS FROM RECEIPT OF INFORMATION THAT ANY FORM OF CHILD SEXUAL ABUSE OR EXPLOITATION IS BEING COMMITTED USING ITS PLATFORM, SERVER, OR FACILITY, OR IS LIKELY BEING COMMITTED USING ITS PLATFORM, SERVER OR FACILITY BASED ON, AMONG OTHERS, TRAFFIC ANALYSIS AND OBSERVED SUDDEN SURGES IN USAGE;

(8) UPON WRITTEN REQUEST and notwithstanding the provisions of Republic Act No. 10175 or the 'Cybercrime Prevention Act of 2012' and in accordance with Republic Act No. 10173, or the 'Data Privacy Act of 2012,' **PROVIDE LAW ENFORCEMENT AGENCIES AND GOVERNMENT PROSECUTORS** the subscriber's or registration information and/or traffic data of any person who:

- (i) Gained or attempted to gain access to an internet site, internet asset or internet application which contains any form of CSAEM; or
- (ii) Facilitated the violations of this Act; or
- (iii) Conducted the streaming or live-streaming of child sexual exploitation.

The **WRITTEN REQUEST** must particularly describe the information asked for and indicate the relevancy of such information to the **OSAEC and/or CSAEM** case.

The **WRITTEN REQUEST** must particularly describe the information asked for and indicate the relevancy of such information on violations of this Act.

(8) ESTABLISH, WITHIN SIX (6) MONTHS FROM EFFECTIVITY OF THIS ACT, A SECURE ELECTRONIC SERVICE PORTAL ("PORTAL") FOR THE RECEIPT AND PROCESSING OF LAW-ENFORCEMENT, PROSECUTORIAL, AND COURT PROCESSES, INCLUDING BUT NOT LIMITED TO: EMERGENCY AND STANDARD PRESERVATION REQUESTS, REQUESTS FOR SUBSCRIBERS' INFORMATION AND TRAFFIC DATA, SUBPOENAS, ORDERS FOR PRODUCTION OR DISCLOSURE, CYBERCRIME OR SEARCH WARRANTS, TAKE-DOWN/DISABLEMENT DIRECTIVES, AND FREEZING/BLOCKING ORDERS RELATED TO OSAEC AND CSAEM;

(9) Develop, establish and install mechanisms or measures designed to prevent, detect, **BLOCK**, respond, or report violations of this Act within their websites, platforms, applications, servers or facilities, compatible with the products and services they offer that may be in accordance with the global best practices and guidelines to counter violations of this Act which may include the installation of available technology, program, or software to ensure that access to or streaming of violations of this Act will be removed, blocked or filtered;

(10) Coordinate with **THE NATIONAL TELECOMMUNICATIONS COMMISSION** to define the standard upon which an internet intermediary is measured, in order to fairly assess if an internet intermediary **OR TECHNOLOGY PLATFORM** has reasonably complied with its duties under this Act; and

(11) **INCLUDE IN THEIR TERMS OF SERVICE OR SERVICE AGREEMENTS WITH THIRD-PARTY USERS OR CREATORS OF CONTENT, PRODUCTS, AND SERVICES THAT THEY HAVE A POLICY** of dispensing with notification, **DIRECTLY OR INDIRECTLY**, to an account holder, subscriber or customer, **OR ASSOCIATED USER WHO IS IDENTIFIED, LINKED, OR REASONABLY SUSPECTED IN AN OSAEC OR CSAEM INVESTIGATION OF THE EXISTENCE, CONTENTS, OR STATUS OF ANY PRESERVATION REQUEST, SUBPOENA, ORDER FOR DISCLOSURE OR PRODUCTION, CYBERCRIME WARRANT, COURT ORDER, TAKEDOWN/DISABLEMENT DIRECTIVE, ORR ANY OTHER LAWFUL GOVERNMENTAL REQUEST SERVED UNDER THIS ACT**, directing the internet intermediary or the technology platform to disclose information about the said account holder, subscriber, customer, **OR ASSOCIATED USER** for the purposes of the criminal investigation.

(12) **MAINTAIN LOGS OF EACH AND EVERY SUBSCRIBER AND THE IP ADDRESS ASSIGNED TO EACH AND EVERY SUBSCRIBER AT A GIVEN DATE AND TIME.**

(13) **ADOPT AND INTEGRATE CHILD PROTECTION STANDARDS AND POLICIES IN THEIR CORPORATE GOVERNANCE PRACTICE AND PROCESSES.**

(14) **ADOPT AGE-VERIFICATION CONTROLS AND PROTOCOLS TO RESTRICT THEIR ACCESS TO MATERIALS WITHIN THE PURVIEW OF SECTION 3 (C) (IV) OF PRESIDENTIAL DECREE NO. 1986, ENTITLED AS "CREATING THE MOVIE AND TELEVISION REVIEW AND CLASSIFICATION BOARD."**

(15) **FOREIGN INTERNET INTERMEDIARIES AND TECHNOLOGY PLATFORM DOING BUSINESS IN THE PHILIPPINES OR THAT MAKE THEIR PLATFORMS OR SERVICES AVAILABLE IN OR INTO THE PHILIPPINES, WHETHER OR NOT IT HAS A PHYSICAL**

PRESENCE IN THE COUNTRY, SHALL DESIGNATE IN WRITING A LEGAL OR NATURAL PERSON TO ACT AS THEIR LEGAL REPRESENTATIVE OR AGENT. SUCH A LEGAL REPRESENTATIVE OR AGENT SHOULD RECEIVE, RESPOND TO, AND COMPLY, ON BEHALF OF FOREIGN INTERNET INTERMEDIARIES, WITH PHILIPPINE GOVERNMENT DIRECTIVES, NOTICES, AND ENFORCEMENT ACTIONS;

(16) IMPLEMENTING RULES AND TECHNICAL STANDARDS. — WITHIN ONE HUNDRED TWENTY (120) DAYS FROM THE EFFECTIVITY OF THIS ACT, THE NCC-OSAEC-CSAEM SECRETARIAT SHALL, IN COORDINATION WITH THE DICT, CICC, DOJ–OOC, PNP, NBI, AMLC, AND BSP, PROMULGATE THE IMPLEMENTING RULES AND REGULATIONS (IRR) FOR THIS SECTION, INCLUDING TECHNICAL AND OPERATIONAL STANDARDS COVERING: NOTICE-AND-ACTION AND TAKEDOWN PROCEDURES; PRESERVATION, LAND OGGING; THE SECURE ELECTRONIC SERVICE PORTAL AND ACCREDITATION OF COMPETENT AUTHORITIES; REPORTING AND AUDIT OBLIGATIONS; CHILD-PROTECTION SAFEGUARDS, AGE-ASSURANCE AND ACCESS CONTROLS; AND COORDINATION/MEASURING STANDARDS FOR REASONABLE COMPLIANCE. THE IRR SHALL BE TECHNOLOGY-NEUTRAL AND SHALL PROVIDE FOR PERIODIC REVIEW AND UPDATES TO ADDRESS EMERGING AND FORESEEABLE TRENDS, AFTER MULTI-STAKEHOLDER CONSULTATION WITH RELEVANT REGULATORS, INDUSTRY, AND CHILD-PROTECTION ORGANIZATIONS.

(b) Duties of Internet Service Providers (ISPs). — In addition to the above duties and responsibilities, all ISPs shall MAINTAIN and MANAGE an updated list of URLs containing CSAEM OR WHERE OSAEC ACTIVITIES WERE CONDUCTED by partnering with organizations that maintain the most comprehensive list of URLs with CSAEM or WHERE OSAEC ACTIVITIES ARE CONDUCTED, and those with hashes of the same.

(c) Duties of PSPs. In addition to the duties specified for internet intermediaries as applicable to PSPs, ANY PSP, OR PERSON WORKING FOR A PSP shall:

(1) FILE WITH THE ANTI-MONEY LAUNDERING COUNCIL (AMLC) A SUSPICIOUS TRANSACTION REPORT WITHIN FIVE (5) DAYS FROM DISCOVERY OF A SUSPECTED OSAEC and CSAEM-RELATED ACTIVITY, REGARDLESS OF THE AMOUNT INVOLVED IN THE TRANSACTION;

(2) require individuals transacting with them to present valid government identification cards; AND

- (3) ESTABLISH AND MAINTAIN REAL-TIME TRANSACTION MONITORING SYSTEMS CAPABLE OF FLAGGING OR TEMPORARILY BLOCKING TRANSACTIONS THAT MEET OR EXCEED BEHAVIORAL PATTERNS INDICATIVE OF OSAEC/CSAEM ACTIVITY, AS MAY BE SET OR UPDATED BY THE BANGKO SENTRAL NG PILIPINAS AND THE ANTI-MONEY LAUNDERING COUNCIL IN COORDINATION WITH THE NCC-OSAEC-CSAEM SECRETARIAT. SUBJECT TO PERIODIC REVIEW AND ADJUSTMENT BASED ON RISK ASSESSMENTS.**
- (4) RECORD-KEEPING AND TRACEABILITY OF TRANSACTIONS AMONG PAYMENT SYSTEM PROVIDERS (PSPS). WHEN TRANSACTIONS OF INDIVIDUALS OR ENTITIES ARE FACILITATED THROUGH, BY, OR BETWEEN PAYMENT SYSTEM PROVIDERS (PSPS), INCLUDING NON-BANK FINANCIAL INSTITUTIONS (NBFIS), OPERATORS OF PAYMENT SYSTEMS (OPS), AND OTHER PAYMENT INTERMEDIARIES, EACH PSP INVOLVED SHALL MAINTAIN AND PRESERVE COMPLETE RECORDS OF THE DETAILS OF EVERY UNDERLYING INDIVIDUAL TRANSACTION COURSED THROUGH ITS SYSTEM OR PLATFORM, WHETHER PROCESSED INDIVIDUALLY OR COMBINED FOR BATCH OR NET SETTLEMENT.**

EACH PSP SHALL LIKEWISE MAINTAIN AND MAKE READILY AVAILABLE THE CUSTOMER IDENTIFICATION DOCUMENTS AND KYC INFORMATION OF THE TRANSACTING INDIVIDUALS OR ENTITIES UNDER ITS PLATFORM AND, WHERE APPLICABLE, SHALL OBTAIN OR VERIFY THE CUSTOMER IDENTIFICATION INFORMATION OF COUNTERPART PSPS FOR CROSS-PLATFORM TRANSACTIONS.

THE DETAILS OF SUCH INDIVIDUAL TRANSACTIONS, INCLUDING THEIR AMOUNTS, ORIGINATORS, AND BENEFICIARIES, SHALL BE MADE ACCESSIBLE TO COMPETENT AUTHORITIES AND SUPERVISORY BODIES UPON LAWFUL REQUEST AND SHALL FORM PART OF THE DETERMINATION OF WHETHER AN INDIVIDUAL TRANSACTION OR SERIES OF TRANSACTIONS CONSTITUTES A SUSPICIOUS TRANSACTION UNDER THE ANTI-MONEY LAUNDERING ACT (RA 9160, AS AMENDED) AND ITS IMPLEMENTING RULES.

PAYMENT SYSTEM PROVIDERS SHALL ESTABLISH INTEROPERABLE, SECURE, AND AUDITABLE DATA-SHARING MECHANISMS AMONG THEMSELVES AND WITH OPERATORS OF PAYMENT SYSTEMS TO ENABLE REAL-TIME TRACING OF CROSS-PLATFORM FUND FLOWS, SUBJECT TO APPLICABLE

DATA PRIVACY AND BANKING SECRECY LAWS.

Law enforcement agencies investigating violations of this Act may require financial intermediaries, PSPs, and other financial facilitators to provide financial documents and information upon order of any competent court when it has been established that there is reasonable ground to believe that the transactions to be examined involve prohibited activities under this Act.

Notwithstanding the provisions of Republic Act No. 1405, entitled "An Act Prohibiting Disclosure of or Inquiry into Deposits with any Banking Institution and Providing Penalty Therefor," as amended, Republic Act No. 6426, otherwise known as the "Foreign Currency Deposit Act of the Philippines," as amended, Republic Act No. 8791, otherwise known as "The General Banking Law of 2000," as amended, and other pertinent laws, the law enforcement agencies investigating cases under this Act may inquire into or examine any particular deposit or investment, including related accounts, with any banking institution or any non-bank financial institution upon order of any competent court when it has been established that there is reasonable ground to believe that the deposit or investments, including related accounts involved, are related to violations of this Act.

Violations under Section 4 of this Act shall be considered as "unlawful activity" under Section 3 (i) of Republic Act No. 9160, otherwise known as the "Anti-Money Laundering Act of 2001," as amended.

The Department of the Interior and Local Government (DILG) and the AMLC shall promulgate, within ninety (90) days from the effectivity of this Act, the necessary rules and regulations for the implementation of this provision.

(d) Responsibility of All Internet Hotspots, Cafés or Kiosks. — Internet hotspots, cafés or kiosks shall:

(1) Notify the **LAW ENFORCEMENT AGENCIES**, within twenty-four (24) hours from obtaining facts and circumstances, of any violation of this Act that are being committed within their premises: Provided, That there is a prima facie knowledge that a violation of this Act is being committed if such acts or omission has been committed within the premises of such internet hotspot, café or kiosk;

(2) Install and update programs and software designed to detect sexually explicit activities involving children and ensure that access to or transmittal of such materials will be blocked or filtered; and

(3) Promote awareness against OSAEC and CSAEM through clear and visible signages in both English and the local dialect, with local and national hotlines posted within their facilities.

LGUs SHALL ENSURE COMPLIANCE WITH THIS SECTION WITHIN THEIR JURISDICTIONS BY:

(A) CONDITIONING THE ISSUANCE AND RENEWAL OF BUSINESS PERMITS FOR INTERNET HOTSPOTS, CAFÉS, AND KIOSKS ON PROOF OF COMPLIANCE WITH PARAGRAPHS (1) TO (3);

(B) CONDUCTING REGULAR AND SPOT INSPECTIONS, IN COORDINATION WITH LOCAL PNP UNITS, TO VERIFY THE PRESENCE AND PROPER CONFIGURATION OF BLOCKING/FILTERING SOFTWARE AND THE POSTING OF REQUIRED SIGNAGES AND HOTLINES;

(C) DESIGNATING A CHILD-PROTECTION FOCAL OFFICE/OFFICER TO RECEIVE REPORTS, ASSIST ESTABLISHMENTS IN COMPLYING WITH STANDARDS, AND ESCALATE VIOLATIONS TO THE NCC-OSAEC-CSAEM SECRETARIAT AND LAW-ENFORCEMENT;

(D) PROVIDING OR FACILITATING ORIENTATION AND MATERIALS FOR OPERATORS AND STAFF BASED ON TEMPLATES FROM THE NCC-OSAEC-CSAEM SECRETARIAT; AND

(E) SUBMITTING QUARTERLY COMPLIANCE REPORTS TO THE NCC-OSAEC-CSAEM SECRETARIAT. LGUS MAY IMPOSE ADMINISTRATIVE SANCTIONS, INCLUDING WARNING, FINE, SUSPENSION OR REVOCATION OF PERMITS, AFTER DUE PROCESS, WITHOUT PREJUDICE TO CRIMINAL OR CIVIL LIABILITIES UNDER THIS ACT."

Section 7. A new Section 10 is hereby inserted into Republic Act No. 11930 to read as follows:

"SECTION 10. *DESIGNATED PHILIPPINE LEGAL REPRESENTATIVE FOR FOREIGN INTERNET INTERMEDIARIES AND TECHNOLOGY PLATFORMS.* —

(A) COVERAGE. — ANY FOREIGN INTERNET INTERMEDIARY OR TECHNOLOGY PLATFORM THAT OFFERS, PROVIDES, OR MAKES ITS SERVICES AVAILABLE IN OR INTO THE PHILIPPINES, WHETHER OR NOT IT HAS A PHYSICAL PRESENCE IN THE COUNTRY, SHALL COMPLY WITH THIS SECTION.

(B) APPOINTMENT AND DEADLINE. — WITHIN ONE (1) YEAR FROM THE EFFECTIVITY OF THIS ACT—OR PRIOR TO COMMENCING AVAILABILITY OF SERVICES IN OR INTO THE PHILIPPINES, WHICHEVER IS EARLIER—EVERY COVERED

ENTITY SHALL DESIGNATE, IN WRITING, A DULY AUTHORIZED LEGAL REPRESENTATIVE IN THE PHILIPPINES.

(C) QUALIFICATIONS AND REGISTRATION. — THE LEGAL REPRESENTATIVE SHALL BE A NATURAL PERSON RESIDENT IN THE PHILIPPINES OR A JURIDICAL PERSON ORGANIZED OR DULY LICENSED TO DO BUSINESS IN THE PHILIPPINES, WITH A PRINCIPAL OFFICE ADDRESS IN THE COUNTRY. THE DESIGNATION SHALL BE REGISTERED WITH THE DOJ (THROUGH THE NCC-OSAEC-CSAEM SECRETARIAT) AND THE SEC OR DTI, AS APPLICABLE, AND SHALL INCLUDE THE REPRESENTATIVE'S NAME, ADDRESS, EMAIL, PHONE, AND 24/7 EMERGENCY CONTACT.

(D) SCOPE OF AUTHORITY. — THE LEGAL REPRESENTATIVE IS EXPRESSLY AUTHORIZED TO:

RECEIVE, ACKNOWLEDGE, AND RESPOND TO LAWFUL PRESERVATION REQUESTS, SUBPOENAS, ORDERS FOR PRODUCTION OR DISCLOSURE, CYBERCRIME/SEARCH WARRANTS, TAKEDOWN/DISABLEMENT DIRECTIVES, FREEZING/BLOCKING ORDERS, AND OTHER LAW-ENFORCEMENT, PROSECUTORIAL, OR COURT PROCESSES ISSUED UNDER PHILIPPINE LAW;

REPRESENT THE FOREIGN ENTITY IN ANY ADMINISTRATIVE, REGULATORY, LEGAL, OR JUDICIAL PROCEEDING IN THE PHILIPPINES RELATED TO THIS ACT AND ALLIED LAWS;

EXECUTE UNDERTAKINGS, SUBMIT REPORTS, AND FACILITATE COMPLIANCE WITH THIS ACT, ITS IRR, AND DIRECTIVES OF COMPETENT AUTHORITIES; AND

ACCEPT SERVICE OF PROCESS, INCLUDING ELECTRONIC SERVICE VIA THE OFFICIAL CONTACT DETAILS ON FILE, WHICH SHALL CONSTITUTE VALID AND EFFECTIVE SERVICE UPON THE FOREIGN ENTITY.

(E) EVIDENTIARY INSTRUMENT. — THE DESIGNATION SHALL BE ACCOMPANIED BY A NOTARIZED/APOSTILLED INSTRUMENT (OR EQUIVALENT CORPORATE AUTHORIZATION) CONFERRING AUTHORITY TO THE REPRESENTATIVE AND BINDING THE FOREIGN ENTITY. ANY LIMITATION OF AUTHORITY SHALL NOT DEFEAT THE EFFECTIVENESS OF SERVICE OR COMPLIANCE OBLIGATIONS UNDER THIS ACT.

(F) CONTINUITY; UPDATES. — COVERED ENTITIES SHALL ENSURE CONTINUITY OF REPRESENTATION. CHANGES TO THE

REPRESENTATIVE OR CONTACT DETAILS SHALL BE FILED WITHIN FIFTEEN (15) DAYS WITH THE DOJ/NCC-OSAEC-CSAEM AND REFLECTED ON THE ENTITY'S WEBSITE OR APP. VACANCIES SHALL BE FILLED WITHIN THIRTY (30) DAYS.

(G) RECORDS AND COOPERATION. — THE REPRESENTATIVE SHALL MAINTAIN TAMPER-EVIDENT LOGS OF PROCESSES RECEIVED AND ACTIONS TAKEN FOR FIVE (5) YEARS, ENSURE CONFIDENTIAL HANDLING OF CHILD-VICTIM DATA, AND COOPERATE WITH COMPETENT AUTHORITIES SUBJECT TO DUE PROCESS, DATA-PRIVACY, AND LAWFUL DISCLOSURE STANDARDS.

(H) NON-COMPLIANCE. — FAILURE TO DESIGNATE OR MAINTAIN A COMPLIANT LEGAL REPRESENTATIVE, OR TO ACCEPT OR ACT UPON VALID SERVICE, CONSTITUTES A VIOLATION SUBJECT TO ADMINISTRATIVE FINES, REMEDIAL DIRECTIVES, AND, WHERE WARRANTED, ANCILLARY MEASURES INCLUDING TEMPORARY RESTRICTION OF ACCESS TO SERVICES UNDER PROCEDURES SET IN THE IRR, WITHOUT PREJUDICE TO CIVIL OR CRIMINAL LIABILITY.

(I) IRR. — THE DOJ (THROUGH THE NCC-OSAEC-CSAEM SECRETARIAT), IN COORDINATION WITH DICT, CICC, SEC, DTI, NTC, NPC, BSP, AMLC, PNP, AND NBI, SHALL ISSUE IMPLEMENTING RULES WITHIN ONE-HUNDRED TWENTY (120) DAYS FROM THE EFFECTIVITY OF THIS ACT, PRESCRIBING REGISTRATION PROCEDURES, STANDARD AUTHORIZATION TEMPLATES, ACCEPTED CHANNELS FOR ELECTRONIC SERVICE, REPORTING FORMATS, AND SAFEGUARDS FOR CHILD-DATA CONFIDENTIALITY."

Section 8. A new Section 11 is hereby inserted into Republic Act No. 11930 to read as follows:

"SECTION 11. DUTIES OF EDUCATIONAL INSTITUTIONS (PUBLIC AND PRIVATE). —

(A) COVERAGE. — THIS SECTION APPLIES TO ALL PUBLIC AND PRIVATE BASIC EDUCATION SCHOOLS, HIGHER EDUCATION INSTITUTIONS (HEI), AND TECHNICAL-VOCATIONAL INSTITUTIONS (COLLECTIVELY, "EDUCATIONAL INSTITUTIONS"), INCLUDING THOSE OPERATING ONLINE, HYBRID, OR DISTANCE-LEARNING PROGRAMS.

(B) PREVENTION AND CURRICULUM INTEGRATION. — EDUCATIONAL INSTITUTIONS SHALL INTEGRATE AGE-APPROPRIATE ONLINE SAFETY AND ANTI-OSAEC/CSAEM EDUCATION INTO CURRICULA, ADVISORIES, HOMEROOM

GUIDANCE, AND ORIENTATION PROGRAMS, CONSISTENT WITH STANDARDS SET BY DEPED, CHED, AND TESDA, IN COORDINATION WITH THE NCC-OSAEC-CSAEM SECRETARIAT.

(C) MANDATORY REPORTING AND REFERRAL. — SCHOOL HEADS AND PERSONNEL WHO, IN THEIR PROFESSIONAL CAPACITY, KNOW OR REASONABLY SUSPECT THAT OSAEC/CSAEM IS BEING PREPARED, ATTEMPTED, OR COMMITTED ON- OR OFF-CAMPUS SHALL IMMEDIATELY REPORT TO THE NCC-OSAEC-CSAEM SECRETARIAT OR PNP/NBI, AND TO THE BARANGAY COUNCIL FOR THE PROTECTION OF CHILDREN (BCPC) AS APPLICABLE, USING STANDARDIZED FORMS AND WITHIN TWENTY-FOUR (24) HOURS OF KNOWLEDGE OR SUSPICION. SCHOOLS SHALL MAINTAIN A CONFIDENTIAL LOG AND DOCUMENT CHAIN FOR REFERRALS AND PRESERVE RELEVANT ELECTRONIC EVIDENCE CONSISTENT WITH LAW.

(D) CHILD PROTECTION STRUCTURES. — EACH SCHOOL SHALL DESIGNATE OR STRENGTHEN A CHILD PROTECTION COMMITTEE (CPC) AND A CHILD PROTECTION FOCAL PERSON TRAINED ON OSAEC/CSAEM IDENTIFICATION, FIRST-LINE RESPONSE, SAFE DISCLOSURE, EVIDENCE PRESERVATION, AND REFERRAL PATHWAYS. EXISTING CHILD-PROTECTION POLICIES SHALL BE UPDATED TO REFLECT THIS ACT.

(E) ICT ENVIRONMENT AND TECHNICAL MEASURES. — SCHOOLS SHALL IMPLEMENT NETWORK- AND DEVICE-LEVEL SAFEGUARDS (E.G., FILTERS, SAFE-SEARCH DEFAULTS, APPLICATION WHITELISTING, LOGGING, AND ACCESS CONTROLS) ON SCHOOL-MANAGED DEVICES, LABORATORIES, AND NETWORKS TO PREVENT, DETECT, AND BLOCK ACCESS TO OR TRANSMISSION OF CSAEM AND OSAEC ACTIVITIES, WITHOUT PREJUDICE TO LAWFUL INVESTIGATIONS. SCHOOLS SHALL ADOPT ACCEPTABLE-USE POLICIES FOR LEARNERS AND STAFF AND PROVIDE DIGITAL CITIZENSHIP GUIDANCE TO PARENTS/GUARDIANS.

(F) TRAINING OF PERSONNEL. — ALL TEACHING AND NON-TEACHING PERSONNEL SHALL UNDERGO ANNUAL TRAINING ON: RECOGNIZING GROOMING AND SEXTORTION; SAFE AND TRAUMA-INFORMED RESPONSE; DOCUMENTATION AND MANDATORY REPORTING; ONLINE SAFETY PEDAGOGY; AND CONFIDENTIALITY/DATA-PROTECTION RESPONSIBILITIES UNDER THE DATA PRIVACY ACT.

(G) SURVIVOR SUPPORT AND AFTERCARE. — SCHOOLS SHALL ENSURE SAFE SPACES AND NON-RETALIATION FOR REPORTING; PROVIDE PSYCHOSOCIAL FIRST AID AND TIMELY

REFERRALS TO LGU SOCIAL WELFARE OFFICES/DSWD, TIP/OSAEC ONE-STOP CENTERS, AND ACCREDITED SERVICE PROVIDERS; AND COORDINATE WITH THE CPC, PARENTS/GUARDIANS, AND AUTHORITIES WHILE MINIMIZING RE-TRAUMATIZATION (E.G., AVOIDING REPETITIVE INTERVIEWS).

(H) COORDINATION AND DATA SHARING. — EDUCATIONAL INSTITUTIONS SHALL COOPERATE WITH NCC-OSAEC-CSAEM, PNP/NBI, LGUS/BCPCS, AND RELEVANT REGULATORS. INFORMATION SHARING SHALL BE LAWFUL, NECESSARY, AND PROPORTIONATE, WITH MINIMIZATION AND ACCESS CONTROLS, AND SHALL NOT IMPEDE URGENT CHILD-PROTECTION ACTION.

(I) MONITORING AND COMPLIANCE. — DEPED, CHED, AND TESDA, IN COORDINATION WITH THE NCC-OSAEC-CSAEM SECRETARIAT, SHALL MONITOR COMPLIANCE THROUGH PERIODIC REPORTING, AUDITS, AND SCHOOL RECOGNITION/ACCREDITATION PROCESSES. ADMINISTRATIVE SANCTIONS (INCLUDING WARNING, MANDATORY CORRECTIVE ACTION, AND, FOR PRIVATE SCHOOLS, SUSPENSION OF PERMITS) MAY BE IMPOSED AFTER DUE PROCESS, WITHOUT PREJUDICE TO CIVIL OR CRIMINAL LIABILITY UNDER THIS ACT AND OTHER LAWS.

(J) IMPLEMENTING RULES. — WITHIN NINETY (90) DAYS FROM EFFECTIVITY, DEPED, CHED, AND TESDA, IN COORDINATION WITH THE NCC-OSAEC-CSAEM SECRETARIAT, DICT, CICC, PNP, NBI, DSWD, AND NPC, SHALL ISSUE JOINT IRR AND TEMPLATES COVERING: REPORTING/REFERRAL FORMS; CPC FUNCTIONS; TRAINING STANDARDS; ICT SAFEGUARDS; EVIDENCE-PRESERVATION CHECKLISTS; CONFIDENTIALITY PROTOCOLS; AND INDICATORS FOR SCHOOL COMPLIANCE.

(K) NON-INTERFERENCE WITH INVESTIGATIONS. — NOTHING IN THIS SECTION SHALL BE CONSTRUED TO DELAY OR PREVENT IMMEDIATE REPORTING TO LAW ENFORCEMENT OR THE NCC-OSAEC-CSAEM SECRETARIAT WHEN A CHILD IS AT RISK OR EVIDENCE MAY BE LOST.

Section 9. Section 10 of Republic Act No. 11930 is hereby renumbered and amended to read as follows:

"SECTION 12. *CRIMINAL SANCTIONS*— The following penalties shall be imposed on the following offenses:

(a) Any person who violates Section 4, paragraphs (a), (b), (c), (d), (e), (f), (g), (h), (i), (j), **(K), (M), and (N)** of this Act shall suffer the penalty of life imprisonment and a fine of not less than Two million pesos (P2,000,000.00).

(b) ANY PERSON WHO VIOLATES SECTION (L) OF THIS ACT SHALL SUFFER THE PENALTY OF RECLUSIÓN TEMPORAL AND A FINE OF NOT LESS THAN P500,000 BUT NOT MORE THAN P2,000,000, PROVIDED THAT IF THE SEXUAL ACT DOES NOT OCCUR, THE PENALTY SHALL BE PRISIÓN MAYOR AND A FINE OF NOT LESS THAN P200,000 BUT NOT MORE THAN P1,000,000.

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(G) Any person who violates Section 4, paragraph (r) of this Act shall suffer the penalty of reclusion temporal and a fine of not less than Three hundred thousand pesos (P300,000.00); ***PROVIDED, HOWEVER, THAT IN CASES OF POSSESSION OF THREE (3) OR MORE CSAEMS, THE PENALTY SHALL BE ONE DEGREE HIGHER;***

(H) Any person xxx

(I) Any person xxx

(J) Any person xxx

xxx xxx xxx

IF THE OFFENDER IS A JURIDICAL PERSON, THE PENALTY SHALL BE IMPOSED UPON THE OWNER, MANAGER, PARTNER, MEMBER OF THE BOARD OF DIRECTORS AND/OR ANY RESPONSIBLE OFFICER OF AN ENTERPRISE WHO PARTICIPATED IN THE COMMISSION OF THE CRIME OR SHALL HAVE KNOWINGLY PERMITTED OR FAILED TO PREVENT ITS COMMISSION. IN ADDITION, THE ENTITY SHALL BE FINED A MINIMUM OF TEN PERCENT (10%) BUT NOT MORE THAN THIRTY PERCENT (30%) OF ITS NET WORTH AND ITS RESPECTIVE LICENSE OR PERMIT TO OPERATE MAY BE REVOKED."

Section 10. Section 11 of Republic Act No. 11930 is hereby subsumed in the abovementioned section on Criminal Sanctions.

Section 11. — A new Section 13 is hereby inserted into Republic Act No. 11930, to read as follows:

"SECTION 13. ADMINISTRATIVE SANCTIONS — AFTER INVESTIGATION, AND WITHOUT PREJUDICE TO THE CRIMINAL SANCTIONS PROVIDED UNDER THIS ACT, THE CONCERNED REGULATORS MAY IMPOSE ONE OR MORE OF THE FOLLOWING

ADMINISTRATIVE SANCTIONS AGAINST ANY PERSON OR ENTITY WHO VIOLATES ANY PROVISION OF THIS ACT:

- a. ISSUANCE OF A CEASE AND DESIST ORDER; PROVIDED, HOWEVER, THAT SUCH ORDER SHALL SPECIFY THE ACTS THAT RESPONDENT SHALL CEASE AND DESIST FROM AND SHALL REQUIRE RESPONDENT TO SUBMIT A REPORT OF COMPLIANCE THEREWITH WITHIN A REASONABLE TIME;**
- b. IMPOSITION OF AN ADMINISTRATIVE FINE OF NO LESS THAN FIFTY THOUSAND PESOS (P50,000.00) BUT NOT MORE THAN ONE MILLION PESOS (P1,000,000.00) PER VIOLATION, AND TAKING INTO CONSIDERATION THE ATTENDANT CIRCUMSTANCES, SUCH AS THE NATURE AND GRAVITY OF THE VIOLATION, DURATION AND FREQUENCY OF THE VIOLATION, DEGREE OF COOPERATION DURING INVESTIGATION, PREVIOUS ADMINISTRATIVE OR CRIMINAL LIABILITY AND OTHER ANALOGOUS CIRCUMSTANCES;**
- c. CENSURE;**
- d. INCLUSION OF RESPONDENT IN THE CHILD SEX OFFENDERS REGISTRY AND BLACKLISTED ALIENS REGISTRY, AS APPLICABLE; AND**
- e. OTHER ANALOGOUS SANCTIONS."**

Section 12. All succeeding sections are hereby renumbered accordingly.

Section 13. Section 14 of Republic Act No. 11930 is hereby renumbered and amended to read as follows:

"SECTION 16. *Extra-Territorial Jurisdiction.* — The State shall exercise jurisdiction over any act defined and penalized under this Act, even if committed outside the Philippines and whether or not such act or acts constitute an offense at the place of commission, if the offense, being a continuing offense, was either commenced in the Philippines; or committed in another country:

Provided, That in the case of the latter, the suspect or accused:

- (a)** is a Filipino citizen, a permanent resident of the Philippines, **OR**
- (b) is a permanent resident of the Philippines; OR**
- (c)** Has committed the act against a citizen of the Philippines."

Section 14. All succeeding sections are hereby renumbered accordingly.

Section 15. — Section 17 of Republic Act No. 11930 is hereby renumbered and amended to read as follows:

"SECTION 19. *AUTHORITY OF LAW ENFORCEMENT AGENCIES TO RETAIN AND SHARE EVIDENCE IN OSAEC/CSAEM CASES.* —

(A) RETENTION. NOTWITHSTANDING SECTIONS 15 AND 16 OF REPUBLIC ACT NO. 10175, WHENEVER A WARRANT IS ISSUED IN CONNECTION WITH OSAEC/CSAEM CASES, LAW ENFORCEMENT AUTHORITIES MAY SECURELY RETAIN COPIES OF:

- (I) COMPUTER DATA ACQUIRED OR SEIZED;**
- (II) RESULTS OF DIGITAL FORENSIC EXAMINATIONS;**
- AND**
- (III) OTHER EVIDENCE LAWFULLY OBTAINED (INCLUDING MATERIALS PRODUCED UNDER WARRANT OR SUBPOENA, VOLUNTARY CONSENT, OR OTHER LAWFUL PROCESSES), FOR THE PURPOSES STATED IN PARAGRAPH (B) HEREOF.**

(B) PERMISSIBLE USES. RETAINED EVIDENCE MAY BE USED TO:

- (I) IDENTIFY AND SAFEGUARD ADDITIONAL VICTIMS;**
- (II) IDENTIFY SUSPECTS AND CO-CONSPIRATORS;**
- (III) CONDUCT FURTHER INVESTIGATION AND CASE BUILD-UP; AND**
- (IV) SUPPORT PROSECUTION.**

(C) CROSS-BORDER SHARING FOR EVIDENTIARY USE. LAW ENFORCEMENT AUTHORITIES SHALL PROACTIVELY DETERMINE WHETHER A CASE SUBJECT OF INVESTIGATION HAS A FOREIGN NEXUS. WHERE THE FACTS INDICATE A FOREIGN NEXUS, LAW ENFORCEMENT AUTHORITIES MAY SHARE RETAINED EVIDENCE— INCLUDING CERTIFIED COPIES AND ACCOMPANYING CERTIFICATIONS— WITH COMPETENT FOREIGN LAW-ENFORCEMENT AUTHORITIES OR DESIGNATED 24/7 POINTS OF CONTACT FOR USE AS EVIDENCE IN INVESTIGATIONS OR JUDICIAL PROCEEDINGS ABROAD, SUBJECT TO THE FOLLOWING:

I. ONLY EVIDENCE LAWFULLY OBTAINED AND WITHIN THE SCOPE OF THE AUTHORIZING PROCESS MAY BE SHARED.

II. SHARING SHALL UTILIZE APPLICABLE INTERNATIONAL INSTRUMENTS AND ARRANGEMENTS, EXECUTIVE AGREEMENTS, OR AGENCY-TO-AGENCY CHANNELS, AND SHALL RESPECT ANY TREATY OR DOMESTIC-LAW REQUIREMENTS OF THE RECEIVING STATE.

III. PHILIPPINE AUTHORITIES SHALL PRESERVE CHAIN-OF-CUSTODY RECORDS AND MAY PROVIDE CERTIFICATIONS OR ATTESTATIONS NECESSARY FOR ADMISSIBILITY AND AUTHENTICITY IN THE RECEIVING

JURISDICTION.

IV. THE RECEIVING AUTHORITY SHALL BE ADVISED THAT MATERIALS ARE FURNISHED FOR THE SPECIFIC INVESTIGATION OR PROCEEDING IDENTIFIED, SUBJECT TO USE-LIMITATIONS, DATA-MINIMIZATION, CONFIDENTIALITY UNDERTAKINGS, AND CHILD-PROTECTION SAFEGUARDS.

V. PERSONALLY IDENTIFIABLE INFORMATION OF CHILDREN AND SENSITIVE VICTIM DATA SHALL BE PROTECTED; REDACTIONS OR PROTECTIVE MEASURES SHALL BE APPLIED WHERE CONSISTENT WITH INVESTIGATIVE NEEDS AND DUE PROCESS.

(D) RELATIONSHIP WITH MUTUAL LEGAL ASSISTANCE. USE OF EXPEDITED OR DIRECT LAW-ENFORCEMENT CHANNELS UNDER PARAGRAPH (C) DOES NOT PRECLUDE RECOURSE TO MUTUAL LEGAL ASSISTANCE WHERE REQUIRED BY THE DOMESTIC LAW OF THE RECEIVING STATE; MATERIALS SHARED MAY BE REGULARIZED THROUGH MLA UPON REQUEST.

(E) RETENTION PERIOD AND DISPOSITION. EVIDENCE RETAINED UNDER THIS SECTION SHALL BE KEPT ONLY AS LONG AS REASONABLY NECESSARY FOR THE PURPOSES IN PARAGRAPH (B), OR AS OTHERWISE REQUIRED BY LAW OR COURT ORDER, AFTER WHICH SECURE DELETION OR LAWFUL DISPOSITION SHALL BE UNDERTAKEN, WITH DUE REGARD TO PRESERVATION OBLIGATIONS.

(F) IMPLEMENTING RULES. WITHIN NINETY (90) DAYS FROM EFFECTIVITY, THE DEPARTMENT OF JUSTICE NCC-OSAEC-CSAEM SECRETARIAT, IN COORDINATION WITH THE NATIONAL BUREAU OF INVESTIGATION AND THE PHILIPPINE NATIONAL POLICE AND OTHER INVESTIGATIVE BODIES, SHALL ISSUE RULES TO IMPLEMENT THIS SECTION, INCLUDING STANDARD TEMPLATES FOR CERTIFICATIONS, USE-LIMITATIONS, AND PROTECTIVE MEASURES."

Section 16. — Section 19 of Republic Act No. 11930 is hereby renumbered and amended to read as follows:

SECTION 21. *Jurisdiction.* — Jurisdiction over **CRIMINAL** cases for the violation of this Act shall be vested in the Family Court which has territorial jurisdiction over the place where the offense or any of its essential elements was committed pursuant to Republic Act No. 8369, otherwise known as the "Family Courts Act of 1997,"; Provided, That the court shall not require the presence of a child victim during the trial and

that the child shall testify in accordance with "Rule on Examination of a Child Witness," as may be provided by the Supreme Court and the Rules of Court.

JURISDICTION OVER ADMINISTRATIVE ACTIONS FOR VIOLATION OF THIS ACT, HOWEVER, SHALL BE VESTED WITH THE CONCERNED REGULATORS.

Section 17. — Section 21 of Republic Act No. 11930 is hereby renumbered and amended to read as follows:

"SECTION 23. Confidentiality. — The right to privacy of the child shall be ensured at any stage of the investigation, prosecution and trial of an offense under this Act. Towards this end, the following rules shall be observed:

xxxx

(c) Any record regarding a child shall be confidential and kept under seal except upon written request and order of the court, a record shall be released only to the following:

- (1) Members of the court staff for administrative use;
- (2) The prosecuting attorney;
- (3) Defense counsel;
- (4) The guardian ad litem;
- (5) Agents of investigating law enforcement agencies; and
- (6) Other persons as determined by the court.

THE RECORDED INTERVIEW OF A CHILD MAY BE VIEWED FOR ACADEMIC OR RESEARCH PURPOSES, PROVIDED THAT WRITTEN INFORMED CONSENT IS OBTAINED FROM BOTH THE CHILD, WHEN DEVELOPMENTALLY APPROPRIATE, AND THE CHILD'S PARENT OR LEGAL GUARDIAN. THE VIEWING OF RECORDED INTERVIEWS IS USED SOLELY FOR EDUCATIONAL OR SCHOLARLY PURPOSES AND IS NOT REPRODUCED, PUBLISHED, OR DISTRIBUTED WITHOUT PRIOR WRITTEN AUTHORIZATION FROM THE CHILD AND PARENT OR GUARDIAN.

Section 18. — Section 30 of Republic Act No. 11930 is hereby renumbered and amended to read as follows:

"SECTION 32. National Coordination Center against OSAEC and

THE NCC-OSAEC-CSAEM SHALL ALSO HAVE THE FOLLOWING POWERS AND FUNCTIONS:

- (a) PRESCRIBE, ADOPT, ISSUE AND PROMULGATE RULES, REGULATIONS, MEASURES AND ISSUANCES NECESSARY TO CARRY OUT THE PURPOSES OF THIS ACT, SUBJECT TO THE REVIEW AND APPROVAL OF THE IACAT;**
- (b) PRESCRIBE, ADOPT, ISSUE AND ENACT SUCH INTERNAL RULES, RESOLUTIONS AND ISSUANCES NECESSARY FOR THE EFFECTIVE PERFORMANCE OF ITS MANDATES AND EFFICIENT ADMINISTRATION OF ITS AFFAIRS;**
- (c) DELEGATE ANY OF ITS POWERS TO THE NCC-OSAEC-CSAEM SECRETARIAT EXECUTIVE DIRECTOR AND/OR OTHER OFFICERS AS IT MAY DEEM APPROPRIATE SO AS TO EXPEDITE THE ADMINISTRATION OF ITS AFFAIRS; AND**
- (d) EXERCISE ALL THE POWERS AND PERFORM SUCH OTHER FUNCTIONS NECESSARY TO ATTAIN THE PURPOSES AND OBJECTIVES OF THIS ACT."**

Section 19. — Section 31 of Republic Act No. 11930 is hereby renumbered and amended to read as follows:

"SECTION 33. *THE SECRETARIAT.* — THE NCC-OSAEC-CSAEM SHALL HAVE ITS OWN SECRETARIAT TO PROVIDE SUPPORT FOR THE FUNCTIONS, PROGRAMS AND PROJECTS OF THE NCC-OSAEC-CSAEM AND SHALL HAVE THE FOLLOWING FUNCTIONS:

- (a) ENSURE EFFECTIVE AND EFFICIENT PERFORMANCE OF FUNCTIONS AND PROMPT IMPLEMENTATION OF OBJECTIVES, POLICIES, PLANS AND PROGRAMS OF THE NCC-OSAEC-CSAEM;**
- (b) COORDINATE AND MONITOR THE IMPLEMENTATION OF THE PROGRAMS, POLICIES, AND GUIDELINES PROMULGATED BY THE IACAT THROUGH THE NCC-OSAEC-CSAEM;**
- (c) MAINTAIN AND MANAGE THE DATABASE OF OSAEC AND CSAEM CASES, AND DESIGNATE A DATA PROTECTION OFFICER (DPO) TO ENSURE COMPLIANCE WITH THE DATA PRIVACY ACT OF 2012;**
- (d) ENSURE THE SECURITY OF THE DATABASE OF OSAEC AND CSAEM CASES;**
- (e) PROVIDE SECRETARIAT, RECORDS KEEPING, AND OTHER SERVICES TO THE NCC-OSAEC-CSAEM;**
- (f) OVERSEE THE REFERRAL PATHWAY PROTOCOLS;**
- (g) PROVIDE ASSISTANCE TO LAW ENFORCEMENT AGENCIES**

- IN THE INVESTIGATION AND PROSECUTION OF OSAEC AND CSAEM CASES, WITH THE POWER TO ISSUE PRESERVATION ORDERS TO SERVICE PROVIDERS;
- (h) SUBMIT PERIODIC REPORTS TO THE IACAT ON THE PROGRESS OF OBJECTIVES, POLICIES, PLANS AND PROGRAMS;
 - (i) COORDINATE WITH THE DOJ-OOC TO MONITOR COMPLIANCE OF INTERNET INTERMEDIARIES PURSUANT TO THE LATTER'S OBLIGATIONS UNDER THIS ACT;
 - (j) PROPOSE EFFECTIVE ALLOCATIONS OF RESOURCES FOR IMPLEMENTING OBJECTIVES, POLICIES, PLANS AND PROGRAMS;
 - (k) PERFORM SUCH OTHER FUNCTIONS NECESSARY OR INHERENT TO THE FOREGOING, OR AS MAY BE DIRECTED BY THE IACAT, THROUGH THE NCC-OSAEC-CSAEM."

Section 20. — A new Section 34 is hereby inserted into Republic Act No. 11930, to read as follows:

"SECTION 34. HEAD OF THE SECRETARIAT. THE NCC-OSAEC-CSAEM SECRETARIAT SHALL BE HEADED BY AN EXECUTIVE DIRECTOR WHO SHALL BE APPOINTED BY THE SECRETARY OF JUSTICE. THE EXECUTIVE DIRECTOR MUST HAVE ADEQUATE KNOWLEDGE OF, TRAINING AND EXPERIENCE IN THE PHENOMENON OF AND ISSUES INVOLVED IN OSAEC, CSAEM AND IN THE FIELD OF LAW, LAW ENFORCEMENT, ICT, SOCIAL WORK, AND CHILD PROTECTION.

THE EXECUTIVE DIRECTOR SHALL BE UNDER THE SUPERVISION OF THE IACAT, THROUGH THE SECRETARY OF JUSTICE, AND SHALL PERFORM THE FOLLOWING FUNCTIONS:

- (a) ACT AS THE ADMINISTRATIVE OFFICER THE SECRETARIAT;
- (b) DIRECT AND MANAGE THE AFFAIRS AND PERSONNEL OF THE SECRETARIAT;
- (c) ADVISE AND ASSIST THE IACAT CHAIRPERSONS IN FORMULATING AND IMPLEMENTING THE OBJECTIVES, POLICIES, PLANS AND PROGRAMS OF THE NCC-OSAEC-CSAEM, INCLUDING THOSE INVOLVING MOBILIZATION OF GOVERNMENT OFFICES AS WELL AS OTHER RELEVANT GOVERNMENT OFFICES, TASK FORCES, AND MECHANISMS;
- (d) OVERSEE ALL OPERATIONAL ACTIVITIES OF THE SECRETARIAT; AND
- (e) PERFORM SUCH OTHER FUNCTIONS AS THE IACAT CHAIRS MAY ASSIGN, OR THOSE WHICH ARE NECESSARY OR INCIDENTAL TO THE FOREGOING."

Section 21. A new Section 35 is hereby inserted into Republic Act No. 11930, to read as follows:

"SECTION 35. *REGIONAL PRESENCE.* – THE NCC-OSAEC-CSAEM SHALL ESTABLISH REGIONAL OFFICES UNDER THE SECRETARIAT TO STRENGTHEN THE IMPLEMENTATION OF THIS ACT, ENSURE RESPONSIVE COORDINATION AT ALL LEVELS, AND FACILITATE INTER-AGENCY COORDINATION AT THE REGIONAL AND LOCAL LEVELS.

THE SECRETARY OF JUSTICE AS CHAIR OF THE IACAT, SHALL DETERMINE THE ORGANIZATIONAL STRUCTURE AND STAFFING PATTERN, AND APPOINT THE ORGANIC PERSONNEL OF THE REGIONAL OFFICES UNDER THE SECRETARIAT. SUCH ORGANIZATIONAL STRUCTURE AND STAFFING PATTERN SHALL BE SUBMITTED TO THE DEPARTMENT OF BUDGET AND MANAGEMENT (DBM) FOR ITS APPROVAL."

Section 22. All succeeding sections are hereby renumbered accordingly.

Section 23. — Section 34 of Republic Act No. 11930 is hereby renumbered and amended to read as follows:

"SECTION 38. *Blacklisting of Alien OSAEC Offenders.* — In coordination with the Department of Foreign Affairs (DFA), the Bureau of Immigration (BI) and the DOJ shall ensure that all convicted offenders of **OSAEC, CSAEM, AND OTHER SEXUAL OFFENSES AGAINST CHILDREN or similar or equivalent crimes in other jurisdictions, or those aliens reported to or being monitored by Philippine law enforcement authorities for conducting OSAEC, CSAEM **OR OTHER SEXUAL ACTIVITIES AGAINST CHILDREN** shall not be allowed entry in the Philippines. In addition to its data system collection and database functions under Section 32, the NCC-OSAEC-CSAEM shall create and maintain an updated registry of blacklisted aliens based on the information from the DFA, BI and the DOJ."**

Section 24. — Section 35 of Republic Act No. 11930 is hereby renumbered and amended to read as follows:

"SECTION 39. *AGE VERIFICATION AND ACCESS CONTROL PROTOCOLS.* –

(A) THIS SECTION APPLIES TO ALL INTERNET INTERMEDIARIES AND TECHNOLOGY PLATFORMS THAT MAKE AVAILABLE, HOST, TRANSMIT, DISTRIBUTE, RECOMMEND, OR PROVIDE ACCESS TO SEXUALLY EXPLICIT MATERIALS, WHETHER SUCH AVAILABILITY IS PRIMARY, INCIDENTAL,

USER-GENERATED, OR OCCURS INADVERTENTLY THROUGH THE NORMAL OPERATION OF THE SERVICE, AND WHETHER OR NOT SUCH MATERIALS CONSTITUTE THE ENTITY'S PRINCIPAL BUSINESS OR FUNCTION.

(B) OBLIGATION. — COVERED ENTITIES SHALL IMPLEMENT EFFECTIVE, PRIVACY-PRESERVING AGE-VERIFICATION OR AGE-ASSURANCE PROTOCOLS TO PREVENT CHILDREN FROM ACCESSING SEXUALLY EXPLICIT MATERIALS, CONSISTENT WITH STANDARDS TO BE PRESCRIBED BY THE NATIONAL TELECOMMUNICATIONS COMMISSION (NTC), IN COORDINATION WITH THE DEPARTMENT OF INFORMATION AND COMMUNICATIONS TECHNOLOGY (DICT), THE MOVIE AND TELEVISION REVIEW AND CLASSIFICATION BOARD (MTRCB), AND THE NCC-OSAEC-CSAEM SECRETARIAT.

(C) POLICY STUDY AND RULE-MAKING. — WITHIN ONE (1) YEAR FROM THE EFFECTIVITY OF THIS ACT, THE NTC SHALL COMPLETE A POLICY STUDY ON FEASIBLE AND PRIVACY-PROTECTIVE AGE-ASSURANCE CONTROLS APPLICABLE TO INTERNET INTERMEDIARIES AND TECHNOLOGY PLATFORMS. NOT LATER THAN EIGHTEEN (18) MONTHS FROM THE EFFECTIVITY OF THIS ACT, THE NTC, IN COORDINATION WITH THE ABOVE AGENCIES, SHALL PROMULGATE RULES AND TECHNICAL STANDARDS GOVERNING THE DESIGN, OPERATION, AND CERTIFICATION OF SUCH SYSTEMS.

(D) PROPORTIONAL APPLICATION. — THE RULES SHALL PROVIDE FOR GRADUATED OBLIGATIONS DEPENDING ON THE PLATFORM'S FUNCTION AND RISK LEVEL, ENSURING THAT PLATFORMS PRIMARILY ENGAGED IN ADULT-CONTENT DISTRIBUTION ADOPT STRICTER, VERIFIED AGE-ASSURANCE SYSTEMS, WHILE OTHER PLATFORMS WITH INCIDENTAL OR USER-GENERATED EXPOSURE MAINTAIN REASONABLE PREVENTIVE AND REACTIVE CONTROLS (E.G., CONTENT FILTERS, AGE-GATING, ACCOUNT-BASED RESTRICTIONS).

(E) PRIVACY SAFEGUARDS. — NOTHING IN THIS SECTION SHALL BE CONSTRUED TO EXEMPT OR DIMINISH COMPLIANCE WITH THE DATA PRIVACY ACT OF 2012 AND RELATED REGULATIONS. AGE-VERIFICATION MEASURES SHALL USE ANONYMOUS OR PRIVACY-PRESERVING METHODS, SHALL NOT RETAIN PERSONAL DATA LONGER THAN NECESSARY, AND SHALL BE SUBJECT TO REGULAR AUDIT BY THE NATIONAL PRIVACY COMMISSION (NPC).

(F) SAFE HARBOR — AN ENTITY THAT IN GOOD FAITH IMPLEMENTS CERTIFIED AGE-ASSURANCE CONTROLS CONSISTENT WITH THE RULES ISSUED UNDER THIS SECTION

AND THAT ACTS EXPEDITIOUSLY TO RESTRICT ACCESS UPON DISCOVERY OR NOTICE SHALL NOT INCUR LIABILITY SOLELY BY REASON OF THE INADVERTENT APPEARANCE OF SEXUALLY EXPLICIT MATERIALS ON ITS SERVICE, WITHOUT PREJUDICE TO OTHER APPLICABLE OBLIGATIONS UNDER THIS ACT."

Section 25. — Section 36 of Republic Act No. 11930 is hereby renumbered and amended to read as follows:

"SECTION 40. *AUTHORIZED SHARING OF INFORMATION.* —

(A) PURPOSE AND PRIMARY CHANNEL. — TO STRENGTHEN FINANCIAL-INTELLIGENCE COOPERATION AGAINST OSAEC/CSAEM, THE ANTI-MONEY LAUNDERING COUNCIL (AMLC) AND THE NCC-OSAEC-CSAEM SECRETARIAT MAY LAWFULLY EXCHANGE INFORMATION, INTELLIGENCE, AND ANALYTICAL REPORTS RELATING TO ACTIVITIES PROHIBITED UNDER THIS ACT, THE AMLA, AND RELATED LAWS.

(B) CONTROLLED ONWARD SHARING. — INFORMATION RECEIVED UNDER THIS SECTION MAY BE SHARED FURTHER, ON A NEED-TO-KNOW BASIS, BY THE AMLC AND/OR THE NCC-OSAEC-CSAEM SECRETARIAT WITH DESIGNATED LAW-ENFORCEMENT AGENCIES AND PROSECUTORS DIRECTLY INVOLVED IN THE CORRESPONDING INVESTIGATION OR PROCEEDING—INCLUDING PNP-ACG, PNP-WCPC, NBI-HTRAD, NBI-VAWCD, DOJ-OOC, DICT-CICC—SOLELY FOR CHILD PROTECTION, INVESTIGATION, ASSET RESTRAINT/FORFEITURE, OR PROSECUTION PURPOSES.

(C) PLATFORM AND GOVERNANCE. — INFORMATION EXCHANGES UNDER THIS SECTION MAY BE EFFECTED THROUGH THE CHILD PROTECTION FINANCIAL INTELLIGENCE PLATFORM (CPFIP), WHICH SHALL BE ESTABLISHED WITHIN OR UNDER THE CONTROL OF THE AMLC. OPERATIONAL PROTOCOLS, DATA INPUTS, AND ACCESS TIERS FOR THE CPFIP SHALL BE SET BY THE FINANCIAL INTELLIGENCE JOINT TASK FORCE ON OSAEC AND CSAEM (FIJTF).

(D) INTRA-INDUSTRY SHARING AND SAFE HARBOR. — TO FACILITATE DETECTION AND REPORTING, AMLA-COVERED PERSONS MAY SHARE RELEVANT INDICATORS, TYPOLOGIES, AND TRANSACTIONAL DATA AMONG THEMSELVES AND WITH THEIR INDUSTRY ASSOCIATIONS EXCLUSIVELY FOR COMPLIANCE WITH REPORTING OBLIGATIONS UNDER THIS ACT AND THE AMLA, SUBJECT TO AMLC RULES. GOOD-FAITH SHARING IN ACCORDANCE WITH SUCH RULES SHALL NOT, BY ITSELF, CONSTITUTE A VIOLATION OF BANK SECRECY, DATA PRIVACY, OR CONTRACT. NOTHING HEREIN AUTHORIZES

TIPPING-OFF CONTRARY TO THE AMLA.

(E) SAFEGUARDS. — ALL EXCHANGES SHALL OBSERVE THE DATA PRIVACY ACT OF 2012, AMLA SECRECY/CONFIDENTIALITY, AND OTHER APPLICABLE LAWS; USE MINIMIZATION, ROLE-BASED ACCESS, CHAIN-OF-CUSTODY LOGGING, AND RETENTION LIMITS (NOT LESS THAN FIVE (5) YEARS, OR LONGER IF REQUIRED FOR AN ONGOING CASE); AND BE SUBJECT TO AUDIT BY THE AMLC AND THE NPC WITHIN THEIR RESPECTIVE MANDATES.

(F) IMPLEMENTING RULES. — WITHIN NINETY (90) DAYS FROM EFFECTIVITY, THE AMLC AND THE NCC-OSAEC-CSAEM SECRETARIAT, IN COORDINATION WITH THE BSP, DICT, AND NPC, SHALL ISSUE JOINT RULES SPECIFYING: PERMISSIBLE DATA CATEGORIES AND FORMATS; REQUEST/RESPONSE AND ESCALATION TIMELINES; AUTHORIZED RECIPIENT UNITS; PRIVACY/SECURITY STANDARDS; AND PROCEDURES FOR CROSS-BORDER COOPERATION CONSISTENT WITH EGMONT AND MLA FRAMEWORKS."

Section 26. A new Section 41 is hereby inserted into Republic Act No. 11930, to read as follows:

"SECTION 41 - *ESTABLISHMENT OF THE PHILIPPINE CRIMES AGAINST CHILDREN.* — THE NCC-OSAEC SHALL FORM AN INTER-AGENCY BODY TO BE KNOWN AS THE PHILIPPINE INTERNET CRIMES AGAINST CHILDREN CENTER (PICACC), WHICH SHALL SERVE AS THE NATIONAL HUB FOR LAW ENFORCEMENT COORDINATION, INTELLIGENCE SHARING, JOINT INVESTIGATION, AND JOINT OPERATIONS AGAINST TIP-OSAEC AND ENSURE PERPETRATOR ACCOUNTABILITY IN BOTH DEMAND AND SOURCE SIDE COUNTRIES AND RESTITUTION FOR VICTIMS. THE PICACC SHALL OPERATE AS A CENTRALIZED UNIT FOR PROCESSING AND ANALYZING OF FOREIGN TIP-OSAEC REFERRALS FROM FOREIGN LAW ENFORCEMENT AGENCIES WITH A PHILIPPINE NEXUS AND SHALL ENSURE THE SHARING OF INTELLIGENCE BETWEEN PHILIPPINE LAW ENFORCEMENT AGENCIES AND FOREIGN LAW ENFORCEMENT AGENCIES FOR TIP-OSAEC CASES WITH A FOREIGN NEXUS. THE PICACC SHALL BE COMPOSED OF LAW ENFORCEMENT UNITS AND OTHER INVESTIGATORY BODIES MANDATED TO INVESTIGATE OSAEC-CSAEM CASES. THE NCC OSAEC CSAEM SECRETARIAT SHALL ACT AS THE SECRETARIAT OF THE PICACC.

WITHIN ONE HUNDRED TWENTY (120) DAYS FROM THE EFFECTIVITY OF THIS ACT, THE PNP, NBI AND NCC-OSAEC-CSAEM SECRETARIAT SHALL PROMULGATE THE

IMPLEMENTING RULES AND REGULATIONS (IRR) FOR THIS SECTION."

Section 27. A new Section 42 is hereby inserted into Republic Act No. 11930, to read as follows:

"SECTION 42. *FINANCIAL INTELLIGENCE JOINT TASK FORCE ON OSAEC AND CSAEM (FIJTF).* –

(A) CREATION. — THERE IS HEREBY CREATED A FINANCIAL INTELLIGENCE JOINT TASK FORCE ON ONLINE SEXUAL ABUSE OR EXPLOITATION OF CHILDREN AND CHILD SEXUAL ABUSE OR EXPLOITATION MATERIALS (FIJTF) TO STRENGTHEN COORDINATION AND INFORMATION SHARING BETWEEN FINANCIAL INTELLIGENCE, REGULATORY, AND LAW-ENFORCEMENT AUTHORITIES IN DETECTING, TRACING, FREEZING, AND PROSECUTING FINANCIAL TRANSACTIONS CONNECTED WITH OSAEC AND CSAEM.

(B) COMPOSITION. — THE FIJTF SHALL BE COMPOSED OF THE FOLLOWING:

- 1. THE ANTI-MONEY LAUNDERING COUNCIL (AMLC) — CHAIR;**
- 2. THE BANGKO SENTRAL NG PILIPINAS (BSP) — CO-CHAIR; AND**
- 3. THE NATIONAL COORDINATION CENTER AGAINST OSAEC AND CSAEM SECRETARIAT (NCC SECRETARIAT) — CO-VICE-CHAIR AND SECRETARIAT.**

MEMBERS SHALL INCLUDE DESIGNATED REPRESENTATIVES FROM THE PNP-WCPC, PNP-ACG, NBI-CCD, DOJ, AND SUCH OTHER AGENCIES OR REGULATORS AS THE FIJTF MAY INVITE.

(C) MANDATE AND FUNCTIONS. — THE FIJTF SHALL:

- 1. DEVELOP AND ISSUE RULES ON OSAEC/CSAEM-SPECIFIC SUSPICIOUS TRANSACTION REPORTING;**
- 2. FACILITATE JOINT FINANCIAL INTELLIGENCE ANALYSIS AND RAPID REFERRALS BETWEEN THE AMLC, BSP, AND NCC SECRETARIAT ;**
- 3. COORDINATE WITH LAW-ENFORCEMENT AGENCIES AND PROSECUTORS FOR THE IDENTIFICATION, RESTRAINT, AND FORFEITURE OF ASSETS DERIVED FROM OR USED IN OSAEC/CSAEM;**
- 4. RECOMMEND SUPERVISORY AND COMPLIANCE STANDARDS FOR BSP-SUPERVISED INSTITUTIONS AND OTHER PAYMENT SERVICE PROVIDERS; AND**
- 5. PREPARE PERIODIC REPORTS AND RISK ASSESSMENTS**

**TO GUIDE NATIONAL CHILD-PROTECTION POLICY AND
RESOURCE ALLOCATION.**

(D) SECRETARIAT AND TECHNICAL SUPPORT. — THE NCC SECRETARIAT SHALL PROVIDE ADMINISTRATIVE, TECHNICAL, AND LOGISTICAL SUPPORT TO THE FIJTF, INCLUDING THE DEVELOPMENT OF SECURE DATA-SHARING PROTOCOLS AND THE INTEGRATION OF THE CHILD PROTECTION FINANCIAL INTELLIGENCE PLATFORM (CPFIP).

(E) COORDINATION AND DATA SHARING. — THE FIJTF MAY LAWFULLY EXCHANGE FINANCIAL INTELLIGENCE, RED-FLAG INDICATORS, TYPOLOGIES, AND SANITIZED ANALYTICAL REPORTS AMONG ITS MEMBERS, AND WITH LAW-ENFORCEMENT AGENCIES, UNDER THE SAFEGUARDS AND CONDITIONS SET IN SECTION 36 (AUTHORIZED SHARING OF INFORMATION) AND THE AMLA.

(F) IMPLEMENTING RULES. — WITHIN NINETY (90) DAYS FROM EFFECTIVITY, THE FIJTF SHALL, IN CONSULTATION WITH THE NPC, DICT, AND RELEVANT FINANCIAL INDUSTRY ASSOCIATIONS, ISSUE JOINT GUIDELINES GOVERNING ITS STRUCTURE, DECISION-MAKING, INFORMATION-SHARING PROTOCOLS, AND CONFIDENTIALITY SAFEGUARDS. "

Section 28. A new Section 43 is hereby inserted into Republic Act No. 11930, to read as follows:

"SECTION 43. *CHILD PROTECTION FINANCIAL INTELLIGENCE PLATFORM (CPFIP)*. — A CPFIP IS HEREBY ESTABLISHED WITHIN OR UNDER THE CONTROL OF THE AMLC AS A SECURE ANALYTICS AND COORDINATION PLATFORM FOR OSAEC/CSAEM FINANCIAL INTELLIGENCE. THE CPFIP SHALL PROCESS DERIVED OR ANONYMIZED OUTPUTS FROM AMLC SYSTEMS AND DESIGNATED LAWFUL INPUTS, INCLUDING BUT NOT LIMITED TO:

- 1. STR/CTR METADATA AND ANALYTICS FROM AMLC;**
- 2. CYBERTIPLINE REFERRALS FROM NCMEC AND OTHER PARTNER FOREIGN CHILD-PROTECTION AGENCIES;**
- 3. IMAGE HASH OR VICTIM-IDENTIFICATION METADATA FROM INTERPOL'S ICSE OR EQUIVALENT REPOSITORIES;**
- 4. INTELLIGENCE OR REFERRAL PACKETS FROM FOREIGN LAW ENFORCEMENT AGENCIES (LEAS) TRANSMITTED VIA MUTUAL LEGAL ASSISTANCE, THE BUDAPEST CONVENTION, EGMONT CHANNELS, OR BILATERAL AGREEMENTS.**

THESE INPUTS SHALL BE USED TO GENERATE RISK

INDICATORS, ALERTS, TYPOLOGIES, AND OTHER ANALYTICAL OUTPUTS FOR AUTHORIZED USE BY NCC-OSAEC-CSAEM SECRETARIAT, PNP-ACG, PNP-WCPC, AND NBI-HTRAD, NBI-VAWCD ON A NEED-TO-KNOW BASIS. OPERATIONS SHALL COMPLY WITH THE AMLA, THE DATA PRIVACY ACT, AND APPLICABLE SECRECY LAWS."

Section 29. All succeeding sections are hereby renumbered accordingly.

Section 30. Section 47 of Republic Act 11930 is hereby renumbered and amended to read as follows:

"SECTION 47. Appropriations. — The amount necessary for the implementation of this Act shall be included in the annual General Appropriations Act. There is likewise established an Endowment Fund which shall be self-sustaining and shall consist of contributions, donations, grants, or loans from domestic and foreign sources. **A TRUST FUND, MANAGED BY THE NCC-OSAEC-CSAEM SECRETARIAT SHALL LIKEWISE BE ESTABLISHED WHICH SHALL BE SOURCED FROM ALL FINES IMPOSED UNDER THIS ACT TO BE USED EXCLUSIVELY FOR PROGRAMS THAT WILL PREVENT ANY FORM OF OSAEC AND CSAEM, AND FOR THE PROTECTIONS, HEALINGS, AND REINTEGRATION OF THE CHILD VICTIM-SURVIVOR INTO THE MAINSTREAM OF SOCIETY."**

Section 31. Implementing Rules and Regulations (IRR). — The NCC-OSAEC-CSAEM shall, in consultation with representatives from other relevant agencies such as the Bangko Sentral ng Pilipinas, the private sector such as the internet intermediaries and concerned non-governmental organizations, promulgate the necessary rules and regulations to implement this Act, within one hundred twenty (120) days after effectivity.

Section 32. Separability Clause. — If any part of this Act is declared unconstitutional or invalid, the other provisions not affected thereby shall continue to be in full force and effect.

Section 33. Repealing Clause. — All laws, decrees, executive orders, administrative orders, rules and regulations, and other issuances or parts thereof inconsistent herewith are hereby repealed, amended or modified accordingly.

Section 34. Effectivity. — This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.