



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

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 8217



Introduced by Representative Crispin Diego “Ping” D. Remulla

AN ACT
AMENDING REPUBLIC ACT NO. 11313 OTHERWISE KNOWN AS THE “SAFE
SPACES ACT” AND FOR OTHER PURPOSES

EXPLANATORY NOTE

As new technologies reshape our everyday lives, so too must our laws. The government must fortify existing measures to address the issues with the evolving nature of abuse and exploitation in society, especially those that target the most vulnerable among us. Republic Act 11313 was enacted to safeguard individuals, particularly women and vulnerable groups, from gender-based sexual harassment in various settings. However, gaps still remain.

This measure aims to address these gaps by strengthening the said law. This includes the recognition of grooming, which is a manipulative process by which a perpetrator builds trust with a child or someone who is believed to be a child to facilitate eventual sexual abuse or exploitation. In addition, this measure also reinforces online sexual harassment, especially with the growing use of Artificial Intelligence or AI. Finally, this measure suggests stricter penalties for individuals violating the law.

This is a collective duty of the government to ensure that every Filipino, especially the children and youth, can live, study, and work in environments free from abuse and exploitation.

In view of the foregoing, the approval of this measure is earnestly sought.

A handwritten signature in black ink, appearing to read 'C. Remulla', with a stylized flourish at the end.

CRISPIN DIEGO "PING" D. REMULLA



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AMENDING REPUBLIC ACT NO. 11313 OTHERWISE KNOWN AS THE “SAFE SPACES ACT” AND FOR OTHER PURPOSES

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

SECTION 1. Section 3 of Republic Act No. 11313 shall be amended to read as follows:

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

xxx

(g) *Public spaces* refer to streets and alleys **WHETHER IN URBAN OR RURAL AREAS**, public parks, schools, buildings, malls, bars, restaurants, **FIELDS AND FARMS, COASTAL AREAS**, transportation terminals, public markets, **MULTI-PURPOSE HALLS**, spaces used as evacuation centers, government offices, public utility vehicles as well as private vehicles covered by app-based transport network services, and other recreational spaces such as, but not limited to, cinema halls, theaters and spas; [and]

(h) *Stalking* xxx; **AND**

(i) **GROOMING REFERS TO PREDATORY CONDUCT, AN ACT, OR PATTERN OF ACTS OF ESTABLISHING A RELATIONSHIP OF TRUST OR EMOTIONAL CONNECTION BY A PERSON WITH A CHILD OR SOMEONE WHO IS BELIEVED TO A CHILD, AND/OR THE CHILD’S FAMILY, GUARDIAN, OR CAREGIVERS, WHETHER IN PERSON OR VIA ELECTRONIC AND OTHER SIMILAR DEVICES,**

1 **FOR THE PURPOSE OF PERPETRATING SEXUAL ABUSE OR**
2 **EXPLOITATION.”**

3 **SEC. 2.** Section 8 of Republic Act No. 11313 shall be amended to read as follows:

4 “Section 8. *Duties of Local Government Units (LGUs).* -local government
5 units (LGUs) shall bear primary responsibility in enforcing the provisions under
6 Article I of this Act. LGUs shall have the following duties:

7 (a) xxx

8 (b) xxx

9 (c) xxx

10 (d) xxx

11 (e) Create an anti-sexual harassment hotline; ~~{and}~~

12 **(F) MAINTAIN A DIRECTORY OF ACCREDITED**
13 **COUNSELLING, LEGAL AND SUPPORT-SERVICE PROVIDERS**
14 **AND ENSURE THESE SERVICES ARE GENDER-SENSITIVE,**
15 **TRAUMA-INFORMED AND INCLUSIVE OF PERSONS WITH**
16 **DISABILITIES, LGBTQ+ PERSONS, SENIORS, INDIGENOUS**
17 **PERSONS AND OTHER VULNERABLE GROUPS;**

18 **(G) SUBMIT AN ANNUAL REPORT OF SERVICE USAGE AND**
19 **OUTCOMES, WHILE MAINTAINING CONFIDENTIALITY, TO**
20 **THE PCW AND DSWD; AND**

21 ~~{F}~~(H) Coordinate with the Department of the Interior and Local
22 Government (DILG) on the implementation of this Act.

23 **SEC. 3.** Section 12 of Republic Act No. 11313 shall be amended to read as follows:

24 “Sec. 12. *Gender-Based Online Sexual Harassment.* – Gender-based
25 online sexual harassment includes acts, **REGARDLESS OF LANGUAGE OR**
26 **DIALECT**, that use information and communications technology, **INCLUDING**
27 **ARTIFICIAL INTELLIGENCE AND OTHER EMERGING**
28 **TECHNOLOGIES**, in terrorizing and intimidating victims through physical,
29 psychological, and emotional threats, unwanted sexual misogynistic, transphobic,
30 homophobic and sexist remarks and comments online whether publicly or through
31 direct and private messages, invasion of victim’s privacy through cyberstalking
32 and incessant messaging, uploading and sharing without the consent of the victim,
33 any form of media that contains photos, voice, or video with sexual content, any
34 unauthorized recording and sharing of any of the victim’s photos, videos, or any

1 information online, impersonating identities of victims online or posting lies about
2 victims to harm their reputation, or filing, false abuse reports to online platforms
3 to silence victims.”

4 **SEC. 4.** Section 14 of Republic Act No. 11313 shall be amended to read
5 as follows:

6 “Sec. 14. *Penalties for Gender-Based Online Sexual Harassment.* –

7 xxx

8 Any record, photo [øf], video, or copy thereof of any person that is in
9 violation of the preceding sections shall not be admissible in evidence in any
10 judicial, quasi-judicial, legislative, or administrative hearing or investigation.

11 **INTERNET INTERMEDIARIES SHALL IMMEDIATELY BLOCK**
12 **ACCESS TO, REMOVE OR TAKE DOWN THE INTERNET ADDRESS,**
13 **UNIFORM RESOURCE LOCATOR (URL), WEBSITE, OR ANY**
14 **CONTENT THEREOF WHICH VIOLATE THIS ACT, WITHIN**
15 **TWENTY-FOUR (24) HOURS FROM RECEIPT OF NOTICE FROM A**
16 **COMPETENT AUTHORITY: *PROVIDED*, THE INTERMEDIARIES**
17 **SHALL PRESERVE ALL SUBSCRIBERS OR REGISTRATION**
18 **INFORMATION AND TRAFFIC DATA IN ITS CONTROL AND**
19 **POSSESSION FOR A PERIOD OF SIX (6) MONTHS FROM THE DATE**
20 **OF THE TRANSACTION, EXTENDIBLE FOR ANOTHER SIX (6)**
21 **MONTHS OR DURING THE PENDENCY OF THE CASE: *PROVIDED*,**
22 ***FURTHER*, THAT CONTENT DATA SHALL BE PRESERVED FOR A**
23 **PERIOD OF ONE (1) YEAR, EXTENDIBLE FOR ANOTHER SIX (6)**
24 **MONTHS, UPON NOTICE BY COMPETENT AUTHORITY: *PROVIDED*,**
25 ***FINALLY*, THAT THE COMPETENT AUTHORITY SHALL, AS FAR AS**
26 **PRACTICABLE, EXPRESSLY IDENTIFY AND SPECIFY THE**
27 **EVIDENCE THAT NEEDS PRESERVATION.”**

28 **SEC. 5.** Section 16 of Republic Act No. 11313 shall be amended to read as follows:

29 “Sec. 16. *Gender-Based Sexual Harassment in the Workplace.* – xxx

30 (a) xxx

31 (b) xxx

32 (c) xxx

33 (d) xxx

1 **ANY PERSON WHO VIOLATES THE PROVISIONS OF THIS**
2 **SECTION SHALL, UPON CONVICTION, BE PENALIZED BY**
3 **IMPRISONMENT OF NOT LESS THAN ONE (1) MONTH NOR MORE**
4 **THAN SIX (6) MONTHS, OR A FINE OF NOT LESS THAN TWENTY**
5 **THOUSAND PESOS (P20,00.00) NOR MORE THAN ONE HUNDRED**
6 **THOUSAND PESOS (P100,000.00), OR BOTH, AT THE DISCRETION OF**
7 **THE COURT.”**

8 **SEC. 6.** Section 19 of Republic Act No. 11313 shall be amended to read as follows:

9 “Sec. 19. *Liability of Employers.* – In addition to liabilities for committing
10 acts of gender-based sexual harassment, employers may also be held responsible
11 for:

12 (a) Non-implementation of their duties under Section 17 of this Act,
13 as provided in the penal provisions: or

14 (b) Not taking action on reported acts of gender-based sexual
15 harassment committed in the workplace.

16 Any person who violates subsection (a) of this section, shall upon
17 conviction, be penalized with a fine of not less than [~~Five~~] **ONE HUNDRED**
18 thousand pesos [~~(P5,000.00)~~] **(P100,000.00)** nor more than [~~Ten~~] **THREE**
19 **HUNDRED** thousand pesos [~~(P10,000.00)~~] **(P300,000.00)**.

20 Any person who violates subsection (b) of this section, shall upon
21 conviction, be penalized with a fine of not less than [~~Ten~~] **THREE HUNDRED**
22 thousand pesos [~~(P10,000.00)~~] **(P300,000.00)** nor more than [~~Fifteen~~] **FIVE**
23 **HUNDRED** thousand pesos [~~(P15,000.00)~~] **(P500,000.00)**.

24 **ANY PERSON WHO VIOLATES SUBSECTION (A) OR (B) OF**
25 **THIS SECTION SHALL, UPON CONVICTION, BE LIABLE FOR**
26 **EXEMPLARY DAMAGES IN THE AMOUNT OF THREE HUNDRED**
27 **THOUSAND PESOS (P300,000.00).”**

28 **SEC. 7.** The title of Section 21 of Republic Act No. 11313 shall be amended to as
29 follows:

30 “Sec. 21. [~~*Gender-Based Sexual Harassment in Educational and Training*~~
31 ~~*Institutions*~~]. **ADMINISTRATIVE REMEDIES AGAINST GENDER-BASED**
32 **SEXUAL HARASSMENT IN SCHOOLS AND EDUCATIONAL**
33 **INSTITUTIONS.** – xxx”

34 **SEC. 8.** A new Section 21-A shall be inserted as follows:

1 **“SEC. 21-A. GENDER-BASED SEXUAL HARASSMENT IN**
2 **EDUCATIONAL AND TRAINING INSTITUTIONS; PENALTIES; PRE-**
3 **HIRING SAFETY CLEARANCE; AND OTHER PROTECTION**
4 **MECHANISMS. – THE CRIME OF GENDER-BASED SEXUAL**
5 **HARASSMENT IN EDUCATIONAL AND TRAINING INSTITUTIONS**
6 **SHALL INCLUDE:**

7 **(A) AN ACT OR SERIES OF ACTS INVOLVING ANY**
8 **UNWELCOME SEXUAL ADVANCES, REQUESTS, OR DEMANDS FOR**
9 **SEXUAL FAVORS OR ANY ACT OF SEXUAL NATURE, WHETHER**
10 **DONE VERBALLY, PHYSICALLY, OR THROUGH THE USE OF**
11 **TECHNOLOGY SUCH AS TEXT MESSAGING, ELECTRONIC MAIL,**
12 **OR THROUGH ANY OTHER FORM OF INFORMATION AND**
13 **COMMUNICATION SYSTEMS;**

14 **(B) CONDUCT OF SEXUAL NATURE AFFECTING THE**
15 **DIGNITY OF A PERSON, WHICH IS UNWELCOME, UNREASONABLE,**
16 **AND OFFENSIVE TO THE RECIPIENT, WHETHER DONE**
17 **VERBALLY, PHYSICALLY, OR THROUGH THE USE OF**
18 **TECHNOLOGY SUCH AS TEXT MESSAGING, ELECTRONIC MAIL,**
19 **OR THROUGH ANY OTHER FORM OF INFORMATION AND**
20 **COMMUNICATION SYSTEMS, INCLUDING ARTIFICIAL**
21 **INTELLIGENCE TECHNOLOGIES;**

22 **(C) CONDUCT THAT IS UNWELCOME, PERVASIVE, AND**
23 **CREATES AN INTIMIDATING, HOSTILE, OR HUMILIATING**
24 **ENVIRONMENT FOR THE RECIPIENT: *PROVIDED*, THAT THE**
25 **CRIME OF GENDER-BASED SEXUAL HARASSMENT MAY ALSO BE**
26 **COMMITTED BETWEEN PEERS, BY A SUBORDINATE TO A**
27 **SUPERIOR OFFICER, BY A STUDENT TO A TEACHER, OR BY A**
28 **TRAINEE TO A TRAINER; AND**

29 **(D) CONDUCT THAT CONSTITUTES GROOMING AS**
30 **DEFINED IN SECTION 3 OF THIS ACT.**

31 **INFORMATION AND COMMUNICATION SYSTEM REFERS TO**
32 **A SYSTEM FOR GENERATING, SENDING, RECEIVING, STORING,**
33 **OR OTHERWISE PROCESSING ELECTRONIC DATA MESSAGES OR**
34 **DOCUMENTS, INCLUDING THE COMPUTER SYSTEM OR OTHER**

1 SIMILAR DEVICES BY OR IN WHICH DATA IS RECORDED OR
2 STORED AND ANY PROCEDURE RELATED TO SUCH RECORDING
3 OR STORAGE.

4 ANY PERSON WHO VIOLATES THE PROVISIONS OF THIS
5 ACT SHALL, UPON CONVICTION, BE PENALIZED BY
6 IMPRISONMENT OF NOT LESS THAN ONE (1) MONTH NOR MORE
7 THAN SIX (6) MONTHS, OR A FINE OF NOT LESS THAN TEN
8 THOUSAND PESOS (P10,000.00) NOR MORE THAN ONE HUNDRED
9 THOUSAND PESOS (P100,000.00), OR BOTH, AT THE DISCRETION OF
10 THE COURT: *PROVIDED*, THAT IF THE PERPETRATOR IS AN
11 ADULT AND THE VICTIM IS A CHILD, THE PENALTY OF
12 IMPRISONMENT SHALL BE MANDATORY.

13 WITHIN SIX (6) MONTHS FROM THE PASSAGE OF THIS ACT,
14 THE DEPARTMENT OF JUSTICE (DOJ), THE DEPARTMENT OF
15 EDUCATION (DEPED), THE COMMISSION ON HIGHER EDUCATION
16 (CHED), AND THE CHILD WELFARE COUNCIL (CWC) SHALL
17 FORMULATE RULES TO INSTITUTIONALIZE A PRE-HIRING
18 SAFETY CLEARANCE MECHANISM TO ENSURE THAT ADULTS
19 REGULARLY WORKING IN CLOSE PROXIMITY TO MINORS, SUCH
20 AS TEACHERS AND OTHER SCHOOL PERSONNEL, HAVE NO
21 HISTORY OF ABUSIVE OR PREDATORY BEHAVIOR. THIS PRE-
22 HIRING SAFETY CLEARANCE SHALL NOT BE UNDULY
23 BURDENSOME TO APPLICANTS, AND SHALL BALANCE THE
24 INTERESTS OF DUE PROCESS AND CHILD SAFETY.

25 GENDER SENSITIVITY AND CHILD PROTECTION
26 TRAININGS SHALL BE MANDATORY FOR ALL STAFF MEMBERS.”
27 SEC. 9. Section 22 of Republic Act No. 11313 shall be amended to read as
28 follows:

29 “Section 22. *Duties of School Heads*. School heads shall have the
30 following duties:

31 (a) Disseminate or post a copy of this Act in a conspicuous place,
32 INCLUDING ~~[the]~~ BUT NOT LIMITED TO, EVERY GUIDANCE
33 COUNSELOR OFFICE OF THE EDUCATIONAL INSTITUTION AND
34 BULLETIN BOARDS, like information campaigns;

SEC. 10. Section 23 of Republic Act No. 11313 shall be amended to read as follows:

“Sec. 23. *Liability of School Heads.* – In addition to liability for committing acts of gender-based sexual harassment, principals, school heads, teachers, instructors, professors, coaches, trainers, or any other person who has authority, influence, or moral ascendancy over another in an educational or training institution, may also be held responsible for:

(a) Non-implementation of their duties under Section 22 of this Act, as provided in the penal provisions; ~~[or]~~

(b) Failure to act on reported acts of gender-based sexual harassment committed in the educational institution~~[-]~~; **OR**

(C) VIOLATING THE RIGHTS OF THE VICTIM AGAINST RETRIBUTION AND TO CONFIDENTIALITY.

Any person who violates subsection (a) of this section, shall upon conviction, be penalized with a fine of not less than ~~[Five]~~ **ONE HUNDRED** thousand pesos ~~[(P5,000.00)]~~ **(P100,000.00)** nor more than ~~[Ten]~~ **THREE HUNDRED** thousand pesos ~~[(P10,000.00)]~~ **(P300,000.00).**

Any person who violates subsection (b) **OR (C)** of this section, shall upon conviction, be penalized with a fine of not less than ~~[Ten]~~ **THREE HUNDRED** thousand pesos ~~[(P10,000.00)]~~ **(P300,000.00)** nor more than ~~[Fifteen]~~ **FIVE HUNDRED** thousand pesos ~~[(P15,000.00)]~~ **(P500,000.00).**

ANY PERSON WHO VIOLATES SUBSECTION (A), (B), OR (C) OF THIS SECTION SHALL, UPON CONVICTION, BE LIABLE FOR EXEMPLARY DAMAGES IN THE AMOUNT OF THREE HUNDRED FIFTY THOUSAND PESOS (P350,000.00).”

SEC. 11. A new Section 32-A shall be inserted after Section 32 of Republic Act No. 11313, to read as follows:

“SEC. 32-A. PROTECTION ORDERS. – IN ADDITION TO THE RELIEFS PROVIDED HEREIN, VICTIMS SHALL ALSO BE ENTITLED TO APPLY FOR A PROTECTION ORDER TO PREVENT FURTHER VIOLATIONS OF THIS ACT.

APPLICATIONS FOR BARANGAY PROTECTION ORDERS SHALL FOLLOW THE RULES ON VENUE UNDER SECTION 409 OF THE LOCAL GOVERNMENT CODE OF 1991. AN APPLICATION FOR

1 **TEMPORARY OR PERMANENT PROTECTION ORDER MAY BE**
2 **FILED IN THE TRIAL COURT WHICH HAS JURISDICTION OVER**
3 **THE APPLICANT/VICTIM.**

4 **WITHIN SIX (6) MONTHS FROM THE PASSAGE OF THIS ACT,**
5 **THE DOJ, THE DEPARTMENT OF SOCIAL WELFARE AND**
6 **DEVELOPMENT (DSWD), AND THE PHILIPPINE COMMISSION ON**
7 **WOMEN (PCW), SHALL FORMULATE RULES FOR THE**
8 **IMPLEMENTATION OF THIS PROVISION. THE RELEVANT**
9 **PROVISIONS OF REPUBLIC ACT NO. 9262 SHALL APPLY IN A**
10 **SUPPLEMENTARY MANNER.”**

11 **SEC. 12.** Section 36 of Republic Act No. 11313 shall be amended to read as follows:

12 *“Sec. 36. Prescriptive Period. – Any action arising from the violation of*
13 *any of the provisions of this Act shall prescribe as follows:*

14 (a) xxx

15 (b) xxx

16 (c) xxx

17 (d) xxx

18 (e) Offenses committed under Sections 16 and 21 of this Act shall
19 *prescribe in [five (5)] TEN (10) years.”*

20 **SEC. 13. *Separability Clause.*** – If any provision of this Act is held unconstitutional or
21 invalid, the other provisions not otherwise affected shall remain in full force and effect.

22 **SEC. 14. *Repealing Clause.*** – All laws, decrees, orders, issuances, and rules and
23 regulations or parts thereof inconsistent with the provisions of this Act are hereby repealed or
24 modified accordingly.

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

Approved,