

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 8276



Introduced by: Representative Iris Marie D. Montes and Hon. Keith Micah "Atty.
Mike" D.L. Tan

AN ACT
STRENGTHENING THE POLICIES ON ONLINE SEXUAL ABUSE OR
EXPLOITATION OF CHILDREN (OSAEC) AND CHILD SEXUAL ABUSE OR
EXPLOITATION MATERIALS (CSAEM), PROVIDING PENALTIES FOR ITS
VIOLATIONS, APPROPRIATING FUNDS THEREFOR, AND REVISING FOR
THE PURPOSE REPUBLIC ACT NO. 11930 ENTITLED "AN ACT PUNISHING
ONLINE SEXUAL ABUSE OR EXPLOITATION OF CHILDREN, PENALIZING
THE PRODUCTION, DISTRIBUTION, POSSESSION AND ACCESS OF CHILD
SEXUAL ABUSE OR EXPLOITATION MATERIALS"

EXPLANATORY NOTE

This bill serves as a counterpart measure to Senate Bill No. 1819 (in substitution of Senate Bill No. 1588) prepared by the Committee on Women, Children, Family Relations and Gender Equality and Finance with Senator Risa Hontiveros as author.

Child sexual abuse is a grave violation of human rights, depriving children of their dignity, security, and the opportunity to grow and flourish in a safe environment. Article XV, Section 3 (2) of the 1987 Philippine Constitution mandates that the State shall defend the right of children to assistance, including proper care and nutrition, and special protection from all forms of neglect, abuse, cruelty, exploitation and other conditions prejudicial to their development. This constitutional duty ensures that the nation's future generations are safeguarded from harm and danger.

Consistent with this mandate, the Philippines has taken decisive steps to combat online crimes against minors, most notably through the enactment of Republic Act No. 11930, also known as the Anti-Online Sexual Abuse or Exploitation of Children (OSAEC) and Anti-Child Sexual Abuse or Exploitation Materials (CSAEM) Act. It was a significant legislative milestone in criminalizing and penalizing these grave offenses. At the time, it was among the strongest laws against online predators. But the world has changed. Online sexual abuse and exploitation of children have become a global concern.

According to a Commission on Human Rights (CHR) report, reported cases of online sexual abuse and exploitation of children in the Philippines has increased to around 2.7 million.¹ The report, published by CHR's Child Rights Center on 11 February 2025, documents a dramatic surge in OSAEC cases, particularly following the onset of the COVID-19 pandemic. In 2019, the National Center for Missing and Exploited Children (NCMEC) recorded 426,000 cyber tipline reports. This figure nearly tripled in 2020 to 1,297,000 cases, and continued to escalate in 2023, with 2,740,905 reported incidents.²

This proposed measure takes a stand against an offense concealed behind screens but one that inflicts real and lasting harm on Filipino children. It clearly defines and classifies specific acts and offenses against children, eliminating ambiguity and ensuring that harmful conduct is distinctly identified, penalized, and addressed under a more robust accountability framework.

Rapid technological advancements and evolving digital landscapes have exposed legal, operational, and enforcement gaps that necessitate further legislative refinement. Artificial intelligence now generates deepfakes in seconds. Technology has evolved — and so must our laws. This bill confronts that reality directly. It aims to make the State's response more effective, adaptive, forward-looking and aligns domestic policies with evolving international standards. Moreover, this bill enhances information-sharing among local agencies and enables stronger cooperation with foreign law enforcement.

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


IRIS MARIE D. MONTES
Kababaihan Kabalikatan para sa Kapakanan
at Kaunlaran ng Bayan (4K) Party-list


KEITH MICAH "ATTY. MIKE" D.L. TAN
4th District, Quezon

¹ Panti, L. T. (2025) Online sexual abuse of children increased to 2.7M —CHR report <https://www.gmanetwork.com/news/topstories/nation/943495/online-sexual-abuse-of-children-increased-to-2-7m-report/story/> accessed on March 2, 2026

² COMMISSION ON HUMAN RIGHTS press release (<https://chr.gov.ph/2025/statements/chr-releases-human-rights-situation-report-on-the-online-sexual-abuse-and-exploitation-of-children-in-the-philippines/>) accessed on March 2, 2026

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

Sec. 2. Declaration of Policy. - The State recognizes the vital role of the youth in nation-building and shall promote and protect their physical, moral, spiritual, intellectual, emotional, psychological and social well-being. Thus, it is the policy of the State to provide special protections to children from all forms of sexual violence, abuse and exploitation especially those committed with the use of information and communications technology (ICT), provide sanctions for their commission and carry out programs for the prevention, deterrence and intervention in all situations of online sexual abuse and exploitation of children in the digital and non-digital production, distribution or possession of child sexual abuse or exploitation material. Towards this end, the State shall:

- (a) Guarantee the fundamental rights of every child from all forms of neglect, cruelty and other conditions prejudicial to their development;

- (b) Protect every child from all forms of abuse or exploitation, whether committed with or without the use of ICT, such as when the abuse or exploitation involves:
 - (1) performances and materials through online or offline means or a combination of both; and
 - (2) the inducement or coercion of a child to engage or be involved in child sexual abuse or exploitation materials through whatever means.
- (c) Comply with international treaties concerning the rights of children to which the Philippines is a signatory or a State party which include, but is not limited to, the United Nations (UN) Convention on the Rights of the Child, the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography, the International Labour Organization (ILO) Convention No. 182 on the Elimination of the Worst Forms of Child Labour, and the Convention against Transnational Organized Crime;
- (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), UNITED NATIONS CONVENTION AGAINST CYBERCRIME AND THEIR 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 OFFLINE;**
- (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;
- (g) **RECOGNIZE THAT ONLINE SEXUAL ABUSE OR EXPLOITATION OF CHILDREN AND CHILD SEXUAL ABUSE OR EXPLOITATION MATERIALS ARE NOT ONLY VIOLATIONS OF CHILDREN'S RIGHTS BUT ALSO CONSTITUTE A SERIOUS THREAT TO NATIONAL SECURITY, SOCIAL COHESION, AND PUBLIC HEALTH, GIVEN THEIR LONG-TERM PSYCHOLOGICAL, EMOTIONAL, AND SOCIO-ECONOMIC IMPACT ON CHILDREN, FAMILIES, AND COMMUNITIES, AND THE TRANSNATIONAL, ORGANIZED, AND RECURRING NATURE OF THESE OFFENSES;**

- (h) **ENSURE THAT INTERNET INTERMEDIARIES, DEVICE MANUFACTURERS, TECHNOLOGY PLATFORMS, PAYMENT SYSTEM PROVIDERS, LEARNING INSTITUTIONS, AND OTHER COVERED ENTITIES EXERCISE A HEIGHTENED DUTY OF CARE TOWARDS CHILDREN BY ADOPTING CHILD-PROTECTION STANDARDS, SAFETY-BY-DESIGN PRINCIPLES, AGE-APPROPRIATE SAFEGUARDS, AND PROMPT MEASURES TO PREVENT, DETECT, REPORT, AND DISRUPT OSAEC AND CSAEM, WHILE ENABLING CHILDREN'S SAFE, MEANINGFUL, AND PRODUCTIVE USE OF DIGITAL TECHNOLOGIES; AND**
- (i) **INSTITUTIONALIZE A WHOLE-OF-GOVERNMENT AND WHOLE-OF-SOCIETY RESPONSE THROUGH A PERMANENT NATIONAL COORDINATION MECHANISM AGAINST OSAEC AND CSAEM, ENSURING CLEAR ROLES, EFFECTIVE INFORMATION-SHARING, JOINT OPERATIONS, AND DATA-INFORMED POLICYMAKING AMONG NATIONAL GOVERNMENT AGENCIES, LOCAL GOVERNMENT UNITS, LAW ENFORCEMENT, PROSECUTION OFFICES, REGULATORS, CIVIL SOCIETY, THE PRIVATE SECTOR, AND INTERNATIONAL PARTNERS.**

Sec. 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) **ANY COMPUTER-GENERATED, DIGITALLY OR MANUALLY CREATED, OR OTHERWISE SYNTHETIC IMAGE, REPRESENTATION, OR GRAPHIC WHICH DEPICTS, PURPORTS TO DEPICT, OR IS MADE TO APPEAR TO BE A CHILD, WHETHER REALISTIC, STYLIZED, OR CARICATURED, INCLUDING CONTENT CREATED, ENHANCED, OR SUBSTANTIALLY MODIFIED USING AUTOMATED TOOLS SUCH AS ARTIFICIAL INTELLIGENCE OR MACHINE-LEARNING SYSTEMS, INCLUDING SYNTHETIC MEDIA AND SO-CALLED 'DEEPFAKE' CONTENT, REGARDLESS OF WHETHER ANY REAL CHILD WAS INVOLVED IN ITS CREATION.**
- (B) *Child sexual abuse* refers to any form of communication through any platform or format, or any physical interaction between a child and any person when the child is being used for any act or activity inducing sexual stimulation or for the purpose of sexual gratification or in pursuit of the

desire to have carnal knowledge of the child, regardless of the gender of the perpetrator or the victim, or the consent of the victim;

(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 (CC) 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 SEXUALIZATION, WHETHER OR NOT NUDITY IS COMPLETE**. For purposes of this Act, CSAEM may interchangeably be referred to as **CHILD SEXUAL ABUSE MATERIAL (CSAM)**;

FOR CLARITY, CSAEM INCLUDES MATERIAL THAT IS COMPUTER-GENERATED, DIGITALLY OR MANUALLY CRAFTED, ALTERED, SYNTHESIZED, OR OTHERWISE TECHNOLOGY-DRIVEN, IN WHOLE OR IN PART, DEPICTING A CHILD AS DEFINED IN SECTION 3(A) OF THIS ACT, WHETHER OR NOT IT IS BASED ON THE IMAGE, LIKENESS, OR DATA OF AN ACTUAL CHILD.

(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 non-monetary 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, REGULATORS**, or the National **COORDINATING COUNCIL** against OSAEC and CSAEM (NCC-OSAEC-CSAEM) **SECRETARIAT**;

(F) *Computer* refers to an electronic, magnetic, optical, electrochemical, or other data processing or communications device, or grouping of such devices, capable of performing logical, arithmetic, routing, or storage functions and which includes any storage facility or equipment or communications facility or equipment directly related to or operating in conjunction with such device. It covers any type of computer device including devices with data processing capabilities like mobile phones,

smartphones, computer networks and other devices connected to the internet;

- (G) *Computer data* refers to any representation of facts, information, or concepts in a form suitable for processing in a computer system, including a suitable program that can enable a computer system to perform a function, and electronic documents or electronic data messages whether stored in local computer systems or online;
- (H) *Content data* refers to the content of the communication, the meaning or purport of the communication, or the message or information being conveyed by the communication, other than traffic data, or subscriber's information/registration information;
- (I) **DEVICE MANUFACTURER REFERS TO ANY PERSON OR ENTITY THAT DESIGNS OR ASSEMBLES CONSUMER ELECTRONIC DEVICES SUCH AS MOBILE PHONES, TABLETS, LAPTOPS THAT ARE CAMERA-ENABLED OR HAVE DIGITAL STORAGE IN THE CAPABILITIES;**
- (J) **FIRST-PERSON PRODUCED CSAEM (PREVIOUSLY CALLED SELF-GENERATED CSAEM) REFERS TO ANY CSAEM THAT IS CREATED, PRODUCED, CAPTURED, OR RECORDED WITH THE PARTICIPATION OR APPARENT INITIATIVE OF A CHILD, WHETHER MADE USING THE CHILD'S OWN DEVICE, ACCOUNT, OR ANY OTHER MEANS, INCLUDING WHERE SUCH PARTICIPATION RESULTS FROM GROOMING, LURING, MANIPULATION, COERCION, INTIMIDATION, DECEPTION, INDUCEMENT, PERSUASION, ABUSE OF AUTHORITY, MISUSE OF ICT, OR SEXUAL EXTORTION. THE USE OF THIS TERM DOES NOT IMPLY THAT THE CHILD CONSENTED TO, OR IS RESPONSIBLE FOR, THE ABUSE OR EXPLOITATION;**
- (K) *Grooming* refers to **ANY DELIBERATE ACT, REPEATED ACT, SERIES OF ACTS, OR ANY FORM OF COMMUNICATION, WHETHER DONE IN PERSON OR THROUGH INFORMATION AND COMMUNICATIONS TECHNOLOGY, DIRECTED AT A CHILD OR A SOMEONE WHO IS BELIEVED TO BE A CHILD; OR THE CHILD'S PARENT, GUARDIAN, OR CAREGIVER, AND INTENDED TO BUILD TRUST, GAIN ACCESS, EXERT INFLUENCE, OR ESTABLISH CONTROL OVER THE CHILD AND/OR SUCH PARENT, GUARDIAN, OR CAREGIVER FOR ANY OF THE FOLLOWING PURPOSES, WHETHER OR NOT SUCH PURPOSE IS EXPLICITLY STATED IN THE ACTS OR COMMUNICATIONS:**
 - (1) **PERPETRATING OR FACILITATING CHILD SEXUAL ABUSE OR EXPLOITATION;**
 - (2) **PRODUCING, CREATING, DISSEMINATING, OR TRANSMITTING ANY FORM OF CSAEM;**
 - (3) **NORMALIZING SEXUAL CONVERSATIONS, CONDUCT, OR CONTENT INVOLVING OR DIRECTED AT THE CHILD, OR**
 - (4) **ARRANGING, ATTEMPTING TO ARRANGE, OR FACILITATING IN-PERSON OR REAL-TIME CONTACT, MEETINGS, OR ENCOUNTERS WITH THE CHILD, WHERE,**

HAVING REGARD TO THE ACTS OR COMMUNICATIONS AND THE CIRCUMSTANCES IN WHICH THEY OCCUR, THERE IS REASONABLE CAUSE TO BELIEVE THAT SUCH CONTACT IS INTENDED FOR ANY OF THE FOREGOING PURPOSES.

FOR PURPOSES OF THIS ACT, GROOMING IS DEEMED COMMITTED UPON THE PERFORMANCE OF ANY SUCH ACT, EVEN IF NONE OF THE FOREGOING PURPOSES IS ACHIEVED, NO SEXUAL ACTIVITY OCCURS, AND NO SUBSEQUENT ABUSE OR EXPLOITATION TAKES PLACE;

- (L) *Image-based sexual abuse OF A CHILD (ISA)* refers to a form of technology-facilitated sexual violence **AGAINST A CHILD, WHETHER COMMITTED AS A SINGLE ACT OR AS PART OF A PATTERN OF CONDUCT, THAT INVOLVES THE RECORDING, CAPTURING, creation, USE, SHARING, TRANSMISSION, PUBLICATION, OR distribution OF, or threats to SHARE, TRANSMIT, distribute, OR PUBLISH, ANY nude or sexual TEXT, AUDIO, IMAGE, VISUAL REPRESENTATION, OR VIDEO OF A CHILD AS DEFINED IN SECTION 3(A) OF THIS ACT.**

ISA INCLUDES, BUT IS NOT LIMITED TO, SEXUAL EXTORTION AND the use of artificial intelligence, MACHINE-LEARNING SYSTEMS, OR OTHER TECHNOLOGIES TO PRODUCE, construct, MANIPULATE, SYNTHESIZE, OR OTHERWISE GENERATE CSAEM, INCLUDING DIGITALLY MANIPULATED, AI-GENERATED, deepfake, LIVE-SYNTHETIC, OR OTHER SIMILAR TECHNOLOGY-DRIVEN CSAEM, WHETHER OR NOT BASED ON THE IMAGE, LIKENESS, OR DATA OF AN ACTUAL CHILD.

- (M) *Information and communications technology (ICT)* refers to the totality of electronic means to access, create, collect, store, process, receive, transmit, present and disseminate information;
- (N) *Internet address* refers to the uniform resource locator or internet protocol address of an internet site;
- (O) *Internet asset* **REFERS TO ANY IDENTIFIABLE DIGITAL RESOURCE THAT IS ACCESSIBLE ON OR THROUGH THE INTERNET OR AN INTERNET-CONNECTED NETWORK, INCLUDING, BUT NOT LIMITED TO, AN INTERNET SITE, DOMAIN NAME, UNIFORM RESOURCE LOCATOR (URL), INTERNET PROTOCOL (IP) ADDRESS OR RANGE, SERVER, ACCOUNT, APPLICATION, PAGE, PROFILE, CHANNEL, GROUP, LISTING, STORAGE LOCATION, OR DEVICE OR NODE PARTICIPATING IN A PEER-TO-PEER OR OTHER DISTRIBUTED NETWORK.**

FOR PURPOSES OF THIS ACT, THE TERM COVERS ANY SUCH INTERNET ASSET THAT IS USED, OR REASONABLY SUSPECTED OF BEING USED, TO COMMIT, FACILITATE, OR TRANSMIT VIOLATIONS OF THIS ACT.

- (P) *Internet cafe or kiosk* refers to an establishment or any place or venue that offers or proposes to offer the use of its computer/s or computer system for

the purpose of accessing the internet, computer games or related activities: *Provided*, That for purposes of this Act, non-formal business establishments that provide internet services shall also be considered as internet cafe or kiosk;

(Q) *Internet hotspot* refers to an establishment or any place or venue that offers access to the internet. It includes hotels or motels, malls, restaurants, internet cafes or kiosks, public spaces or other related/similar places;

(R) *Internet intermediaries* refers to **ANY NATURAL OR JURIDICAL PERSON THAT PROVIDES INFRASTRUCTURE OR SERVICES WHICH ENABLE USERS TO ACCESS, TRANSMIT, ROUTE, CACHE, HOST, STORE, SHARE, DISSEMINATE, INDEX, SEARCH FOR, OR OTHERWISE MAKE AVAILABLE THIRD-PARTY CONTENT, PRODUCTS, SERVICES, OR APPLICATIONS ON OR THROUGH THE INTERNET.**

THE TERM INCLUDES, AMONG OTHERS:

- (1) Internet service providers **AND OTHER INTERNET ACCESS PROVIDERS;**
- (2) Web hosting providers, including domain name registrars, **CLOUD STORAGE AND FILE-SHARING SERVICES, AND CONTENT-DELIVERY NETWORK (CDN) SERVICES;**
- (3) Internet search engines and **WEB** portals;
- (4) E-commerce intermediaries, **INCLUDING ONLINE MARKETPLACES AND PLATFORMS THAT FACILITATE THE OFFER, LISTING, OR SALE OF THIRD-PARTY GOODS OR SERVICES;**
- (5) Internet payment system providers and **OTHER ONLINE PAYMENT INTERMEDIARIES THAT PROCESS OR ROUTE PAYMENT INSTRUCTIONS RELATING TO THIRD-PARTY TRANSACTIONS, WITHOUT PREJUDICE TO THEIR CLASSIFICATION AND OBLIGATIONS AS PAYMENT SYSTEM PROVIDERS (PSPs) UNDER THIS ACT;**
- (6) Participative network platform providers, including social media **AND OTHER CONTENT-SHARING PLATFORMS, VIDEO-SHARING SERVICES ONLINE FORUMS, RATING OR REVIEW PLATFORMS MESSAGING OR COMMUNITY SERVICES THAT SUPPORT USER-GENERATED CONTENT, AND ONLINE GAMES OR VIRTUAL WORLDS WITH USER-GENERATED CONTENT OR COMMUNICATIONS BETWEEN USERS;**
- (7) **APPLICATION STORES AND DIGITAL APPLICATION MARKETPLACES THROUGH WHICH USERS ACCESS OR OBTAIN INTERNET-CONNECTED APPLICATIONS OR SERVICES; AND**
- (8) **OTHER ENTITIES PERFORMING MATERIALLY SIMILAR FUNCTIONS.**

"INTERNET INTERMEDIARY" COVERS ANY NATURAL OR JURIDICAL PERSON THAT DESIGNS, DEVELOPS, OPERATES,

CONTROLS, PROVIDES, OR MAKES SUCH SERVICES OR FACILITIES AVAILABLE IN OR INTO THE PHILIPPINES, WHETHER OR NOT IT HAS A PHYSICAL PRESENCE IN THE COUNTRY.

- (S) *Internet service provider (ISP)* refers to a public telecommunication entity (PTE) or value-added service (VAS) provider duly authorized by or registered with the National Telecommunications Commission (NTC) that provides users or other entities with data connection allowing access to the internet through physical transport infrastructure, and such access is necessary for internet users to access content and services on the internet, and for content providers to publish or distribute materials online;
- (T) *Internet site* refers to a website, bulletin board service, internet chat room, newsgroup, or any other internet or shared network protocol address;
- (U) *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;
- (V) *Online sexual abuse or exploitation of children (OSAEC)* refers to **ANY CONDUCT IN WHICH IS 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, TRANSMITTING, BROADCASTING, DISPLAYING, OR possession OF CSAEM;**
 - (2) Grooming **AND LURING OF A CHILD AS DEFINED IN SECTIONS 3(K) AND 3(U) OF THIS ACT;**
 - (3) **SEXUAL EXTORTION OF A CHILD AS DEFINED IN SECTION 3(EE) OF THIS ACT;**
 - (4) **PANDERING AS DEFINED IN SECTION 3(W) OF THIS ACT;**
 - (5) **PROSTITUTION OF A CHILD; AND**
 - (6) **SEXUALIZATION OF A CHILD.**
- (W) *Pandering* refers to the act of offering, advertising, promoting, representing or distributing through any means any child sexual abuse or exploitation material, or any material that purports to contain any form of child sexual abuse or exploitation material, regardless of its actual content;
- (X) *Participative network platform provider* refers to any person or entity, including a social media intermediary, that facilitates social communication and information exchanges which is based on online technologies such as web, instant messaging, or mobile technologies, that enable users to contribute to developing, rating, collaborating and distributing internet content and developing and customizing internet applications or to conduct social networking. It may also refer to a person or an entity that provides a

platform or site for blogging, video-sharing, picture-sharing, file-sharing sites, online gaming or instant messaging, among others;

(Y) *Payment system provider (PSP)* refers to **ANY NATURAL OR JURIDICAL PERSON THAT OWNS, OPERATES, MANAGES, OR PROVIDES A PAYMENT SYSTEM OR PAYMENT SERVICE, WHICH ENABLES 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:

- (1) BANKS, NON-BANK FINANCIAL INSTITUTIONS {NBFI};**
- (2) ELECTRONIC MONEY ISSUERS {EMIS}, DIGITAL MONEY SERVICE BUSINESSES, E-WALLET OPERATORS, REMITTANCE AND TRANSFER AGENTS;**
- (3) MERCHANT ACQUIRERS, PAYMENT GATEWAYS AND PROCESSORS, CARD ISSUERS, CARD NETWORKS, AND CLEARING OR SWITCH OPERATORS;**
- (4) OPERATORS OF PAYMENT SYSTEMS {OPS}, AND VIRTUAL ASSET SERVICE PROVIDERS {VASPS} WHEN PERFORMING PAYMENT OR TRANSFER FUNCTIONS;**
- (5) ANY OTHER ENTITY THAT, BY THE NATURE OF ITS ACTIVITIES, PERFORMS EQUIVALENT PAYMENT, CLEARING, OR SETTLEMENT FUNCTIONS.**

AN ENTITY THAT OFFERS, MARKETS, 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;

(Z) *Person* refers to any natural or juridical entity;

(AA) **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.

(BB) **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.

(CC) Sexual activity includes the following acts, whether actually performed or simulated:

- (1) Sexual intercourse or lascivious act, including contact involving the genitalia, oral stimulation of the genitals or oral stimulation of the

anus, whether between persons of the same or opposite sex;

- (2) Masturbation;
- (3) Sadistic or masochistic abuse;
- (4) Lascivious exhibition of the genitals, buttocks, breasts, pubic area and anus;
- (5) Bestiality;
- (6) Use of any object or instrument for lascivious acts; or
- (7) Any other analogous circumstance.

(DD) *Sexualization of a child* refers to **ANY ACT, WHETHER COMMITTED OFFLINE OR THROUGH ICT, BY WHICH A PERSON USES, PORTRAYS, REPRESENTS, DIRECTS, OR CAUSES A CHILD TO BE USED, PORTRAYED, OR REPRESENTED, IN A MANNER THAT A REASONABLE PERSON, HAVING REGARD TO THE CONTEXT AND CIRCUMSTANCES, WOULD REGARD AS PRIMARILY SEXUAL IN NATURE, FOR THE SEXUAL AROUSAL, GRATIFICATION, OR SEXUALIZED ENTERTAINMENT OF ANY PERSON**, even if there is no PHYSICAL CONTACT, ACTUAL SEXUAL INTERCOURSE, OR DISPLAY OF NUDITY OR PRIVATE PARTS.

THIS DEFINITION DOES NOT INCLUDE LEGITIMATE MEDICAL, EDUCATIONAL, THERAPEUTIC, OR LAW-ENFORCEMENT ACTIVITIES THAT ARE REASONABLY NECESSARY, PROPORTIONATE, AND CONDUCTED IN AN APPROPRIATE AND PROFESSIONAL MANNER, AND NOT UNDERTAKEN FOR THE SEXUAL AROUSAL, GRATIFICATION, OR SEXUALIZED ENTERTAINMENT OF ANY PERSON.

(EE) **SEXUAL EXTORTION** (PREVIOUSLY REFERRED TO AS "SEXTORTION") **OF A CHILD** REFERS TO ANY ACT WHEREBY A PERSON, THROUGH DECEIT, GROOMING, MANIPULATION, INDUCEMENT, ENTICEMENT, PERSUASION, SOLICITATION, COERCION, INTIMIDATION, THREAT, ABUSE OF AUTHORITY, MISUSE OF IMAGES OR PERSONAL DATA, OR MISUSE OF INFORMATION AND COMMUNICATIONS TECHNOLOGIES, KNOWINGLY DEMANDS, OBTAINS, OR ATTEMPTS TO DEMAND OR OBTAIN FROM A CHILD OR ANY MEMBER OF THE CHILD'S FAMILY, ANY OF THE FOLLOWING:

- (1) ANY CHILD SEXUAL ABUSE OR EXPLOITATION MATERIAL (CSAEM), INCLUDING SELF-GENERATED CSAEM BY THE CHILD;
- (2) THE PERFORMANCE BY THE CHILD OF ANY SEXUAL ACT OR SEXUAL ACTIVITY WHETHER LIVE, STREAMED, RECORDED, OR IN PERSON;
- (3) ANY MONETARY, PROPRIETARY, OR OTHER BENEFIT; OR
- (4) ANY OTHER ACT OF COMPLIANCE DEMANDED OR IMPOSED BY THE OFFENDER,

BY THREATENING TO PRODUCE, CREATE, ALTER, SYNTHESIZE, SHARE, TRANSMIT, PUBLISH, OR OTHERWISE DISSEMINATE ANY NUDE OR SEXUAL TEXT, CONVERSATION, AUDIO, IMAGE, VISUAL REPRESENTATION, VIDEO, LIVESTREAM, OR OTHER CSAEM, WHETHER AUTHENTIC, ALTERED, OR WHOLLY FABRICATED, INVOLVING OR PURPORTING TO INVOLVE A CHILD AS DEFINED IN SECTION 3(A) OF THIS ACT, WHETHER OR NOT SUCH MATERIAL IN FACT EXISTS AT THE TIME OF THE THREAT.

FOR THE AVOIDANCE OF DOUBT, SEXUAL EXTORTION OF A CHILD INCLUDES THREATS TO DISCLOSE OR DISSEMINATE TECHNOLOGY-GENERATED CSAEM, INCLUDING DIGITALLY MANIPULATED, AI-GENERATED, DEEPFAKE, OR LIVE-SYNTHETIC CSAEM, BY WHATEVER NAME OR FORM IT MAY HEREAFTER BE KNOWN, WHETHER OR NOT SUCH MATERIAL IS BASED ON THE IMAGE, LIKENESS, OR DATA OF AN ACTUAL CHILD.

SEXUAL EXTORTION OF A CHILD IS LIKEWISE COMMITTED WHERE THE PERSON FROM WHOM ANY CSAEM, SEXUAL ACT, MONETARY OR OTHER BENEFIT, OR ACT OF COMPLIANCE IS DEMANDED IS ALREADY OF LEGAL AGE AT THE TIME OF THE EXTORTION, IF THE CSAEM OR MATERIAL USED OR THREATENED TO BE USED FOR SUCH EXTORTION WAS PRODUCED, CREATED, OR OBTAINED WHEN SUCH PERSON WAS A CHILD AS DEFINED IN SECTION 3(A) OF THIS ACT.

FOR PURPOSES OF THIS PROVISION, "FAMILY" REFERS TO THE CHILD'S RELATIVES BY CONSANGUINITY OR AFFINITY UP TO THE SECOND DEGREE.

(FF) 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.

(GG) *Streaming* refers to the broadcasting or viewing through the use of ICT, whether the viewer is passively watching or actively directing the content. It is considered live-streaming when the broadcasting or viewing occurs in real-time;

(HH) *Subscriber's information or Registration information* refers to any information contained in the form of computer data or any other form that is held by a service provider or internet intermediary, relating to subscribers or registrants of its services other than traffic or content data and by which identity can be established:

(1) The type of communication service used, the technical provisions

taken thereto and the period of service;

- (2) The identity, postal or geographic address, telephone and other access numbers, assigned network address, billing and payment information of the subscriber that is available on the basis of the service agreement or arrangement; and
- (3) Any other available information on the site of the installation of communication equipment, available on the basis of the service agreement or arrangement.

(II) **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.

(JJ) **TECHNOLOGY PLATFORMS** REFER TO ANY SOFTWARE APPLICATION, DIGITAL SERVICE, OR INTEGRATED HARDWARE-SOFTWARE SYSTEM WHICH IS DESIGNED AND MADE AVAILABLE TO USERS TO ENABLE THEM TO CREATE, GENERATE, CAPTURE, EDIT, STORE, PROCESS, TRANSMIT, SHARE, PUBLISH, DISTRIBUTE, RECOMMEND, ORGANIZE, OR OTHERWISE INTERACT WITH DIGITAL CONTENT, COMMUNICATIONS, OR DATA, WHETHER OPERATING ONLINE OR OFFLINE AND WHETHER NETWORK-CONNECTED OR STAND-ALONE. FOR PURPOSES OF THIS ACT, THE TERM INCLUDES, AMONG OTHERS:

- (1) OPERATING SYSTEMS AND DEVICE ENVIRONMENTS, AND APPLICATION STORES OR DIGITAL MARKETPLACES THROUGH WHICH USERS OBTAIN OR UPDATE APPLICATIONS AND DIGITAL SERVICES;
- (2) USER-FACING APPLICATIONS AND SERVICES THAT SUPPORT USER-GENERATED CONTENT OR COMMUNICATIONS, INCLUDING SOCIAL MEDIA AND CONTENT-SHARING SERVICES, MESSAGING AND FILE-TRANSFER APPLICATIONS, ONLINE FORUMS, AND GAMES

OR VIRTUAL WORLDS WITH USER-GENERATED CONTENT OR COMMUNICATIONS BETWEEN USERS;

- (3) CONTENT-GENERATION AND EDITING TOOLS, INCLUDING IMAGE, AUDIO, AND VIDEO EDITING SOFTWARE, GENERATIVE ARTIFICIAL INTELLIGENCE (AI) MODELS AND SYSTEMS, AND OTHER TOOLS CAPABLE OF PRODUCING OR MANIPULATING REALISTIC VISUAL, AUDIO, OR TEXTUAL REPRESENTATIONS OF A CHILD; AND**
- (4) CLOUD HOSTING SERVICES, CONTENT-DELIVERY NETWORKS, AND SOFTWARE DEVELOPMENT KITS OR APPLICATION PROGRAMMING INTERFACES (SDKs/APIs) THAT PROVIDE MATERIALLY SIMILAR FUNCTIONALITY TO THE FOREGOING OR EMBED SUCH FUNCTIONALITY INTO THIRD-PARTY SERVICES.**

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

- (KK) *Traffic data or non-content data* refers to any computer data other than the content of the communication including the origin, destination, route, time, date, size, duration, or type of communication of the underlying service; and
- (LL) *Web hosting provider* refers to a person that provides infrastructure for hosting, supplies web server space and internet connectivity that enables a user to post, upload, download and share user-generated content, or a content provider who supplies content to the internet. It shall also refer to a person that provides specialized hosting services such as streaming services or application hosting, domain name registration services, or services that enable users to create and manage their websites.

Sec. 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, **MAINTAIN**, or coerce a child to perform or participate in **ANY MANNER** in the creation, production, **OR PERFORMANCE** of any form of CSAEM;
- (b) To produce, direct, manufacture, facilitate, or create any form of CSAEM, or participate in the production, direction, manufacture, facilitation or creation of the same;
- (c) To offer, sell, distribute, advertise, promote, export, or import, by any means, any form of CSAEM;

- (d) To knowingly publish, transmit, **DISPLAY** and broadcast, by any means, any form of CSAEM;
- (e) To permit or influence the child to engage, participate or assist in any form of CSAEM;
- (f) To produce, direct, create, hire, employ or pay a facilitator to stream or livestream acts of child sexual abuse or exploitation;
- (g) To stream or live-stream acts of, or any form of, child sexual abuse and exploitation;
- (h) To recruit, transport, transfer, harbor, provide, or receive a child or to induce or influence the same, for the purpose of violating this Act;
- (i) To introduce or match a child to a foreign national or to any person for the purpose of committing any of the offenses under this Act;
- (j) For film distributors, theaters and ICT services by themselves or in cooperation with other entities, to distribute any form of CSAEM or to facilitate the commission of any of the offenses under this Act;
- (k) **TO OFFER, ADVERTISE, OR MAKE AVAILABLE ANY CHILD FOR PROSTITUTION TO ANOTHER PERSON BY, THROUGH, OR WITH THE USE OF ICT.**

THE CHILD BEING OFFERED FOR PROSTITUTION BY, THROUGH, OR WITH 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.

FOR PURPOSES OF THIS PARAGRAPH, THE OFFENSE IS LIKEWISE COMMITTED WHERE THE PERSON REPRESENTED, ADVERTISED, OR MADE AVAILABLE AS A CHILD IS IN FACT AN ADULT OR WHERE NO ACTUAL CHILD EXISTS, PROVIDED THAT THE OFFENDER REPRESENTS, PRESENTS, OR OTHERWISE HOLDS OUT SUCH PERSON OR PURPORTED PERSON AS A CHILD, AS DEFINED IN THIS ACT, FOR PURPOSES OF PROSTITUTION.

PROVIDED, THAT NOTHING IN THIS PARAGRAPH SHALL PREVENT THE APPLICATION OF THE NON-PUNISHMENT OR NON-PENALIZATION PRINCIPLE IN FAVOR OF A PERSON WHO, AT THE TIME OF THE ACT, IS A VICTIM OF TRAFFICKING IN PERSONS OR OTHER FORMS OF EXPLOITATION, AS RECOGNIZED UNDER APPLICABLE LAW, AND SUCH PERSON MAY AVAIL OF THE APPROPRIATE RECOVERY, REINTEGRATION, AND PROTECTION

PROGRAMS AND SERVICES UNDER APPLICABLE LAW AND ITS IMPLEMENTING RULES AND REGULATIONS.

- (I) 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 OR APPARENT 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 OFFENSE UNDER THIS PARAGRAPH IS LIKEWISE COMMITTED WHERE THE PERSON OFFERED, ADVERTISED, OR MADE AVAILABLE AS A CHILD IS IN FACT A LAW ENFORCEMENT OFFICER OR ANOTHER ADULT POSING AS A CHILD, OR WHERE NO ACTUAL CHILD EXISTS, PROVIDED THAT THE OFFENDER BELIEVES OR HAS REASON TO BELIEVE THAT A CHILD, AS DEFINED IN THIS ACT, IS BEING OFFERED OR MADE AVAILABLE FOR PROSTITUTION.

- (m) TO SOLICIT OR ATTEMPT TO SOLICIT, AS DEFINED IN SECTION 3{FF), ANY PERSON - INCLUDING A LAW ENFORCEMENT OFFICER POSING AS A CHILD OR AS A PARENT OR GUARDIAN OF A CHILD -TO:**

(1) CREATE, PRODUCE, OR OTHERWISE ENGAGE IN ANY ACT OF PRODUCTION OF CSAEM-AS DEFINED IN THIS ACT;

(2) DISSEMINATE, TRANSMIT, DISTRIBUTE, PUBLISH, BROADCAST, SELL, OFFER FOR SALE, STREAM, OR LIVESTREAM CSAEM; OR

(3) COMMIT ANY ACT OF OSAEC PUNISHABLE UNDER THIS ACT.

THE OFFENSE UNDER THIS PARAGRAPH SHALL BE CONSUMMATED BY THE ACT OF SOLICITATION OR ATTEMPTED SOLICITATION, WHETHER MADE IN PERSON OR THROUGH ANY MEANS OF INFORMATION AND COMMUNICATIONS TECHNOLOGY, AND WHETHER OR NOT THE UNDERLYING CSAEM OR OSAEC OFFENSE IS IN FACT CARRIED OUT OR COMPLETED.

- (n) TO COMMIT SEXUAL EXTORTION OF A CHILD AS DEFINED IN SECTION 3{EE).**

- (o) To knowingly benefit from, financial or otherwise, the commission of any of the offenses of this Act;
- (p) **FOR ANY OWNER, LESSOR, OPERATOR, MANAGER, OR PERSON WHO HAS CONTROL OVER ANY PLACE, BUILDING, STRUCTURE, VEHICLE, OR OTHER VENUE, TO KNOWINGLY, INCLUDING THROUGH WILLFUL BLINDNESS, OR BY GROSS NEGLIGENCE, ALLOW, PERMIT, OR MAKE AVAILABLE SUCH VENUE FOR THE COMMISSION OF ANY OF THE PROHIBITED ACTS UNDER THIS SECTION, SUCH AS, BUT NOT LIMITED TO, DENS, PRIVATE ROOMS, CUBICLES, CINEMAS, HOUSES, PRIVATE HOMES, OR OTHER ESTABLISHMENTS;**

FOR PURPOSES OF THIS PARAGRAPH, "GROSS NEGLIGENCE" EXISTS WHERE SUCH PERSON, HAVING REASON TO SUSPECT THAT VIOLATIONS OF THIS ACT ARE BEING COMMITTED OR ARE LIKELY TO BE COMMITTED THEREIN, FAILS TO TAKE REASONABLE MEASURES TO VERIFY, PREVENT, OR REPORT SUCH USE.

- (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 ENGAGE IN THE SEXUALIZATION OF A CHILD AS DEFINED IN SECTION 3(DD) OF THIS ACT;**
- (s) To engage in pandering as defined under this Act;
- (t) To subscribe to, join, donate to, or support an internet site, **PLATFORM, SERVICE, CHANNEL, GROUP, ACCOUNT, OR INDIVIDUAL FOR THE PURPOSE OF OBTAINING ACCESS TO, ENABLING, OR FUNDING OSAEC** or live-streaming of child sexual abuse and exploitation, **OR TO ANY SITE, PLATFORM, SERVICE, CHANNEL, GROUP OR INDIVIDUAL THAT THE PERSON KNOWS, OR SHOULD HAVE REASONABLY KNOWN, IS PRIMARILY DEDICATED TO HOSTING, OFFERING, MARKETING, OR FACILITATING OSAEC OR CSAEM;**
- (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;

PROVIDED FURTHER, THAT WHEN FINANCIAL SUPPORT OR COMPENSATION IN VIOLATION OF THIS ACT IS CHanneled THROUGH A FINANCIAL ACCOUNT -WHETHER THROUGH DIRECT PAYMENT, ELECTRONIC TRANSFER, OR THE USE OF A THIRD-PARTY ACCOUNT (MONEY MULING) - IT SHALL BE CONSIDERED A VIOLATION OF BOTH THIS ACT AND REPUBLIC ACT 12010;

PROVIDED FINALLY, THAT NOTHING IN THIS SECTION SHALL BE CONSTRUED TO PENALIZE ACTS LAWFULLY UNDERTAKEN PURSUANT TO A COURT ORDER, LAWFUL LAW ENFORCEMENT OPERATION OR INVESTIGATIONS, INVESTIGATIONS BY OTHER AGENCIES AUTHORIZED TO ASSIST LAW ENFORCEMENT, LEGISLATIVE HEARINGS, OR OTHER AUTHORITY EXPRESSLY GRANTED BY LAW.

Sec. 5. *Effect of Consent of the Victim.* - The consent of the victim is not material or relevant and shall not be available as a defense in the prosecution of the unlawful acts prohibited under this Act.

Sec. 6. *Syndicated and Large-Scale Violations of this Act.* - Any violation of this Act shall be deemed to have been committed by a syndicate if carried out by a group of three (3) or more persons conspiring or confederating with one another. If the crime was committed against three (3) or more persons, it shall be considered as large-scale violation of this Act.

Sec. 7. *Protection of a Good Samaritan.* — Any person who has the responsibility of reporting cases under this Act, blocking an internet address, removing a website or domain, taking down of shared videos, pictures, or messages for the services provided by an internet intermediary, and providing information for the purpose of an investigation or prosecution of a case involving acts of OSAEC shall not be held civilly, criminally or administratively liable: *Provided*, That the action was:

- (1) done in good faith;
- (2) necessary to prevent access or dissemination of CSAEMs; and
- (3) reported within twenty-four (24) hours from the act of blocking an internet address, removing a website or domain, or taking down of shared video, picture or messages.

Sec. 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; reporting to government authorities; legitimate investigation and administration of the criminal justice system; and legitimate policy, scholarly and academic purposes with requisite ethical clearance **FROM A**

REPUTABLE EDUCATIONAL INSTITUTION OR THE NCC-OSAEC-CSAEM SECRETARIAT, shall not be subject to any civil, criminal, or administrative liability.

ACCESS AND POSSESSION OF CSAEM SHALL ALSO NOT BE SUBJECT TO CIVIL, CRIMINAL OR ADMINISTRATIVE LIABILITY IN CASE OF PROVIDERS OF ELECTRONIC COMMUNICATION OR REMOTE COMPUTING SERVICES FOR ACTIVITIES INVOLVING THE TRAINING AND DEPLOYMENT OF ARTIFICIAL INTELLIGENCE OR MACHINE LEARNING TECHNOLOGIES SPECIFICALLY INTENDED TO IDENTIFY, FLAG AND SUPPRESS CHILD SEXUAL ABUSE MATERIAL, PROVIDED THAT IN NO CASE SHALL CSAEM IMAGES OF LIVE CHILDREN BE USED FOR THE PURPOSE DESCRIBED IN THIS PARAGRAPH."

Sec. 9. *Duties and Responsibilities of COVERED ENTITIES.* — THE FOLLOWING COVERED ENTITIES SHALL HAVE THE CORRESPONDING DUTIES AND RESPONSIBILITIES TO PREVENT, DETECT, REPORT, AND DISRUPT OSAEC AND CSAEM, WITHOUT PREJUDICE TO THEIR OBLIGATIONS UNDER EXISTING LAWS AND REGULATIONS.

EXCEPT AS OTHERWISE PROVIDED IN THIS ACT, THE DUTIES AND RESPONSIBILITIES UNDER THIS SECTION SHALL APPLY TO ALL COVERED INTERNET INTERMEDIARIES, INTERNET SERVICE PROVIDERS (ISPS), ONLINE TECHNOLOGY PLATFORMS, PAYMENT SYSTEM PROVIDERS (PSPS), INTERNET HOTSPOTS, CAFÉS OR KIOSKS, LEARNING INSTITUTIONS, AND SUPPLEMENTARY LEARNING AND YOUTH ACTIVITY CENTERS, WHETHER PUBLIC OR PRIVATE, INCLUDING THOSE OWNED, OPERATED, OR CONTROLLED BY THE GOVERNMENT, GOVERNMENT-OWNED OR - CONTROLLED CORPORATIONS (GOCCS), OR LOCAL GOVERNMENT UNITS (LGUS), TO THE EXTENT THAT THEY PERFORM THE CORRESPONDING FUNCTIONS DEFINED IN THIS ACT.

(A) Duties of Internet Intermediaries AND ONLINE TECHNOLOGY PLATFORMS - THE DUTIES UNDER THIS SUBSECTION SHALL APPLY TO INTERNET INTERMEDIARIES AND TO TECHNOLOGY PLATFORMS THAT PROVIDE ONLINE SERVICES TO THE PUBLIC AND HOST, TRANSMIT, OR MEDIATE USER-GENERATED CONTENT OR COMMUNICATIONS, INCLUDING, AS APPLICABLE, SOCIAL MEDIA AND CONTENT-SHARING SERVICES, MESSAGING AND COMMUNICATION SERVICES, ONLINE GAMES OR VIRTUAL WORLDS WITH USER-GENERATED CONTENT OR COMMUNICATIONS, CLOUD STORAGE AND FILE-SHARING SERVICES, APPLICATION STORES AND DIGITAL MARKETPLACES, AND SIMILAR ONLINE SERVICES.

FOR INTERNET SERVICE PROVIDERS (ISPS) THAT ONLY PROVIDE NETWORK CONNECTIVITY AND DO NOT OPERATE USER-FACING CONTENT OR APPLICATION SERVICES, THE

DUTIES UNDER THIS SUBSECTION SHALL BE DISCHARGED THROUGH NETWORK-LAYER MEASURES WITHIN THEIR TECHNICAL ROLE, INCLUDING, AT A MINIMUM:

- (1) THE PRESERVATION OF SUBSCRIBER AND TRAFFIC DATA AND IP ADDRESS LOGS AS REQUIRED UNDER THIS ACT;**
- (2) MAINTAINING AND APPLYING UPDATED LISTS OF INTERNET ADDRESSES, DOMAINS, OR OTHER INTERNET ASSETS IDENTIFIED BY COMPETENT AUTHORITIES AS HOSTING OR FACILITATING OSAEC OR CSAEM, FOR PURPOSES OF BLOCKING OR RESTRICTING ACCESS; AND**
- (3) MONITORING FOR AND NOTIFYING COMPETENT AUTHORITIES OF UNUSUAL TRAFFIC PATTERNS OR SURGES REASONABLY INDICATIVE OF OSAEC OR CSAEM ACTIVITY. THIS PARAGRAPH SHALL NOT BE CONSTRUED TO REQUIRE SUCH ISPS TO MONITOR, EDIT, OR REMOVE SPECIFIC CONTENT HOSTED ON THIRD-PARTY WEBSITES, PLATFORMS, OR APPLICATIONS THAT THEY DO NOT OPERATE OR CONTROL.**

FOREIGN INTERNET INTERMEDIARIES AND ONLINE TECHNOLOGY PLATFORMS COVERED BY THIS SUBSECTION SHALL, IN ADDITION TO THE DUTIES HEREIN, COMPLY WITH SECTION 10 OF THIS ACT ON THE DESIGNATED PHILIPPINE LEGAL REPRESENTATIVE.

Internet intermediaries AND ONLINE TECHNOLOGY PLATFORMS SHALL:

- (1) TERM OF SERVICE PROHIBITIONS** - 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) PRESERVATION OF DATA** - 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 preserved within one (1) year, and upon notice by the competent authority, the preservation shall be extendible for another **ONE (1) YEAR: 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) BLOCKING, REMOVAL, OR TAKEDOWN. - Immediately block access to, remove, or take down the internet address, uniform resource locator (URL), website, **ACCOUNT, APPLICATION**, or any content thereof containing CSAEM or **THROUGH WHICH ANY FORM OF OSAEC IS BEING CONDUCTED**, within twenty-four (24) hours from:

(i) receipt of notice **CONTAINING SUFFICIENT INFORMATION TO IDENTIFY THE CONTENT AND ITS SOURCE FROM A COMPETENT AUTHORITY OR FROM ANY PERSON OR ENTITY; OR**

(ii) **UPON KNOWLEDGE OF THE INTERNET INTERMEDIARY OR OF THE ONLINE TECHNOLOGY PLATFORM OF THE EXISTENCE OF ANY CSAEM CONTENT OR OSAEC ACTIVITY BEING COMMITTED IN OR THROUGH ITS PLATFORMS, SERVICES, 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; **PROVIDED, FURTHER, THAT WHERE THE NOTICE CONTAINS SUFFICIENT INFORMATION TO IDENTIFY THE CONTENT AND ITS 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, FINALLY, THAT 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.

FOR INTERNET SERVICE PROVIDERS (ISPS) THAT ONLY PROVIDE NETWORK CONNECTIVITY AND DO NOT OPERATE USER-FACING CONTENT OR APPLICATION SERVICES, THE DUTIES UNDER THIS SUBSECTION SHALL BE DISCHARGED THROUGH NETWORK-LAYER MEASURES WITHIN THEIR TECHNICAL ROLE, INCLUDING AT A MINIMUM: (A) THE PRESERVATION OF SUBSCRIBER AND TRAFFIC DATA; (B) IP ADDRESS LOGGING AS REQUIRED UNDER THIS ACT; AND (C) THE BLOCKING OR DISABLING OF ACCESS TO IDENTIFIED INTERNET ADDRESSES, DOMAINS, OR URLS CONTAINING CSAEM OR USED FOR OSAEC. THIS SHALL NOT BE CONSTRUED TO REQUIRE SUCH ISPS TO MONITOR, EDIT, OR REMOVE SPECIFIC CONTENT HOSTED ON THIRD-PARTY WEBSITES, PLATFORMS, OR APPLICATIONS THAT THEY DO NOT OPERATE OR CONTROL. THESE MINIMUM DUTIES SHALL BE IMMEDIATELY APPLICABLE AND ENFORCEABLE UPON THE EFFECTIVITY OF THIS ACT, REGARDLESS OF THE ISSUANCE OF THE IMPLEMENTING RULES AND REGULATIONS (IRR) PURSUANT TO PARAGRAPH (15) OF THIS SUBSECTION. THE IRR SHALL FURTHER SPECIFY THE TECHNICAL PARAMETERS, THRESHOLDS, AND ADDITIONAL STANDARDS FOR SUCH NETWORK-LAYER MEASURES, IN A RISK-BASED AND PROPORTIONATE MANNER.

- (4) REPORTING OF BLOCKED OR REMOVED CONTENT. - Report to the DOJ-OOC, AS THE CENTRAL AUTHORITY UNDER REPUBLIC ACT NO. 10175, within three (3) days, the internet addresses, URLs, websites, ACCOUNTS, or CONTENT blocked, removed or taken down IN ACCORDANCE WITH THIS PROVISION, SPECIFYING THAT THE BASIS FOR SUCH ACTION IS OSAEC AND/OR CSAEM UNDER THIS ACT.**

In cases when a foreign internet intermediary OR ONLINE TECHNOLOGY PLATFORM is, BY VIRTUE OF ITS DOMESTIC LAWS OR BINDING GOVERNMENT POLICY, PROHIBITED TO SHARE DATA DIRECTLY WITH PHILIPPINE AUTHORITIES, SUCH INTERMEDIARY OR PLATFORM SHALL BE DEEMED TO HAVE COMPLIED WITH ITS REPORTING OBLIGATION UNDER THIS PARAGRAPH IF:

- (i) IT FILES THE CORRESPONDING REPORT WITH THE AUTHORITY OR BODY DESIGNATED IN ITS**

JURISDICTION TO RECEIVE CYBERCRIME OR CHILD-PROTECTION REPORTS, AND SUCH AUTHORITY OR BODY IS MANDATED OR EXPECTED UNDER THOSE FRAMEWORKS TO TRANSMIT THE REPORT OR ITS SUBSTANCE TO THE DOJ-OOC OR TO THE GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES; AND

- (ii) IT NOTIFIED THE DOJ-OOC, WITHIN A REASONABLE PERIOD THE AUTHORITY OR BODY TO WHICH IT WAS SUBMITTED, AND ANY AVAILABLE REFERENCE NUMBER OR IDENTIFIER.**

IN ALL CASES, ANY DATA, INFORMATION, OR EVIDENCE THAT IS NOT PROHIBITED BY THE FOREIGN JURISDICTION'S LAWS OR POLICIES FROM BEING DISCLOSED DIRECTLY TO PHILIPPINE AUTHORITIES SHALL NEVERTHELESS BE REPORTED OR MADE AVAILABLE BY THE FOREIGN INTERNET INTERMEDIARY OR ONLINE TECHNOLOGY PLATFORM TO THE DOJ-OOC IN ACCORDANCE WITH THIS ACT.

THE DOJ-OOC SHALL, WITHIN TWENTY-FOUR (24) HOURS FROM RECEIPT AND IN A MANNER CONSISTENT WITH APPLICABLE CONFIDENTIALITY AND DATA-PRIVACY RULES, TRANSMIT TO AND SHARE WITH THE NCC-OSAEC-CSAEM SECRETARIAT ALL REPORTS AND INFORMATION IT RECEIVES UNDER THIS PARAGRAPH THAT RELATE TO OSAEC AND/OR CSAEM, FOR PURPOSES OF COORDINATION, MONITORING OF COMPLIANCE, AND POLICY FORMULATION UNDER THIS ACT.

- (5) SYSTEMS, DESIGNS, AND PROCEDURES. - DEVELOP, IMPLEMENT, AND MAINTAIN APPROPRIATE TECHNICAL AND ORGANIZATIONAL SYSTEMS, DESIGNS, AND PROCEDURES FOR PREVENTING, DETECTING, BLOCKING, RESTRICTING, AND REPORTING OSAEC AND CSAEM COMMITTED OR ATTEMPTED WITHIN THEIR PLATFORMS, SERVICES, SERVERS, OR FACILITIES, INCLUDING PUBLIC-FACING CONTENT AND PRIVATE OR GROUP MESSAGING, LIVE-STREAMING, FILE-SHARING, AND OTHER COMMUNICATION CHANNELS MADE AVAILABLE TO USERS. SUCH SYSTEMS, DESIGNS, AND PROCEDURES MAY INCLUDE, AS APPROPRIATE, THE USE OF AUTOMATED TOOLS, INCLUDING HASH-MATCHING, DIGITAL**

FINGERPRINTING, PATTERN-RECOGNITION, OR OTHER ALGORITHMIC OR AI-BASED CLASSIFIERS, DESIGNED TO IDENTIFY KNOWN OR SUSPECTED OSAEC OR CSAEM OR RELATED HIGH-RISK ACTIVITY WITHOUT REQUIRING GENERALIZED HUMAN REVIEW OF ALL USER COMMUNICATIONS.

DEVICE MANUFACTURERS, TECHNOLOGY PLATFORMS, DEVELOPERS FOR DEVICE ENVIRONMENTS MUST PRODUCE BUILT-IN, TAMPER-PROOF TECHNICAL MEASURES TO DETECT AND BLOCK THE CREATION OR RECORDING OF NEW CSAEM.

THESE MEASURES SHALL, AT A MINIMUM, MEET THE BASELINE STANDARDS TO BE PRESCRIBED IN THE IMPLEMENTING RULES AND REGULATIONS OF THIS ACT, SHALL BE LIMITED TO WHAT IS REASONABLY NECESSARY TO DETECT, BLOCK, AND REPORT OSAEC AND CSAEM, AND SHALL AT ALL TIMES COMPLY WITH REPUBLIC ACT NO. 10173 OR THE "DATA PRIVACY ACT OF 2012" AND OTHER APPLICABLE CONFIDENTIALITY AND DATA-PROTECTION LAWS, INCLUDING THE PRINCIPLES OF NECESSITY, PROPORTIONALITY, AND DATA MINIMIZATION.

NO COVERED ENTITY MAY REFUSE OR FAIL TO ADOPT SUCH MEASURES SOLELY ON THE GROUND THAT OSAEC OR CSAEM OCCURS THROUGH PRIVATE OR DIRECT MESSAGING, GROUP CHATS, OR OTHER NON-PUBLIC FEATURES OF ITS SERVICE. PROVIDED, THAT ANY TECHNICAL MEASURES APPLIED TO SUCH CHANNELS SHALL BE DESIGNED AND IMPLEMENTED IN A PRIVACY-PROTECTIVE MANNER AND SHALL NOT IMPOSE GENERALIZED OR INDISCRIMINATE MONITORING BEYOND WHAT IS REASONABLY REQUIRED FOR THE DETECTION, BLOCKING, AND REPORTING OF OSAEC AND CSAEM IN ACCORDANCE WITH THIS ACT AND ITS IMPLEMENTING RULES AND REGULATIONS.

FOR INTERNET SERVICE PROVIDERS (ISPS) THAT ONLY PROVIDE NETWORK CONNECTIVITY AND DO NOT OPERATE USER-FACING CONTENT OR APPLICATION SERVICES, COMPLIANCE WITH THIS PARAGRAPH SHALL RELATE TO NETWORK-LAYER SYSTEMS, DESIGNS, AND PROCEDURES WITHIN THEIR TECHNICAL CONTROL, INCLUDING, AT A MINIMUM: (A) MAINTAINING AND APPLYING UPDATED LISTS OF INTERNET ADDRESSES, DOMAINS, OR OTHER

INTERNET ASSETS IDENTIFIED BY COMPETENT AUTHORITIES AS HOSTING OR FACILITATING OSAEC OR CSAEM, FOR PURPOSES OF BLOCKING OR RESTRICTING ACCESS; (B) PRESERVING SUBSCRIBER AND TRAFFIC DATA AND IP ADDRESS LOGS AS REQUIRED UNDER THIS ACT; AND (C) MONITORING FOR AND NOTIFYING COMPETENT AUTHORITIES OF UNUSUAL TRAFFIC PATTERNS OR SURGES REASONABLY INDICATIVE OF OSAEC OR CSAEM ACTIVITY.

- (6) NOTIFICATION TO LAW ENFORCEMENT OR COMPETENT AUTHORITY. - NOTIFY THE DOJ-OOC, THE NCC-OSAEC-CSAEM SECRETARIAT, OR ANY OTHER COMPETENT LAW-ENFORCEMENT AGENCY DESIGNATED IN THE IMPLEMENTING RULES AND REGULATIONS, WITHIN FORTY-EIGHT (48) HOURS FROM RECEIPT OF INFORMATION, OR FROM ACQUIRING ACTUAL KNOWLEDGE, THAT ANY FORM OF CHILD SEXUAL ABUSE OR EXPLOITATION IS BEING COMMITTED USING ITS PLATFORM, SERVICE, SERVER, OR FACILITY, OR IS LIKELY BEING COMMITTED USING ITS PLATFORM, SERVICE, SERVER, OR FACILITY, OR IS LIKELY BEING COMMITTED USING ITS PLATFORM, SERVICE, SERVER. OR FACILITY BASED ON, AMONG OTHERS, TRAFFIC ANALYSIS AND OBSERVED SUDDEN SURGES IN USAGE.**

FOR FOREIGN INTERNET INTERMEDIARIES AND ONLINE TECHNOLOGY PLATFORMS THAT, BY VIRTUE OF THEIR DOMESTIC LAWS OR BINDING GOVERNMENT POLICIES, ARE PROHIBITED FROM DIRECTLY DISCLOSING CERTAIN DATA TO PHILIPPINE AUTHORITIES, THE OBLIGATION TO NOTIFY AND REPORT UNDER THIS PARAGRAPH SHALL BE FULFILLED IN ACCORDANCE WITH SECTION 20 OF THIS ACT ON FOREIGN REFERRALS, CYBERTIPLINE REPORTS, AND INTERNATIONAL HOTLINES. ANY DATA, INFORMATION, OR EVIDENCE NOT SO PROHIBITED SHALL NEVERTHELESS BE NOTIFIED OR MADE DIRECTLY AVAILABLE TO THE DOJ-OOC IN ACCORDANCE WITH THIS ACT.

- (7) PROVISION OF SUBSCRIBER AND TRAFFIC DATA UPON WRITTEN REQUEST. - UPON REQUEST and notwithstanding the provisions of Republic Act No. 10175 or the 'Cybercrime Prevention Act of 2012 PROVIDE LAW ENFORCEMENT AGENCIES, GOVERNMENT PROSECUTORS, LEGISLATIVE BODIES, OR GOVERNMENT OFFICES GIVEN A MANDATE BY**

LAW TO INVESTIGATE OR ASSIST IN THE INVESTIGATION OF OSAEC AND/OR CSAEM CASES, 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 **REQUEST** must particularly describe the information asked for and indicate the relevancy of such information to the **OSAEC and/or CSAEM** case.

- (8) ESTABLISHMENT OF A PORTAL. – 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/REMOVAL/DISABLEMENT DIRECTIVES, AND FREEZING/BLOCKING ORDERS RELATED TO OSAEC AND CSAEM.**

THE TECHNICAL AND OPERATIONAL STANDARDS FOR SUCH PORTALS OR CHANNELS, INCLUDING ANY TIERED REQUIREMENTS BASED ON THE SIZE, NATURE, AND RISK PROFILE OF THE SERVICE, SHALL BE FURTHER SPECIFIED IN THE IMPLEMENTING RULES AND REGULATIONS (IRR); PROVIDED, THAT ALL COVERED ENTITIES SHALL MAINTAIN AT LEAST ONE RELIABLE, SECURE, AND CONTINUOUSLY MONITORED ELECTRONIC MEANS BY WHICH DULY AUTHORIZED PHILIPPINE AUTHORITIES CAN TRANSMIT AND RECEIVE SUCH PROCESSES AND REQUESTS UNDER THIS ACT.

- (9)** Coordinate with Department of Justice - Office of Cybercrime (DOJ-OOC) to define the standard upon which an internet intermediary is measured, in order to fairly assess if an internet intermediary **OR ONLINE TECHNOLOGY PLATFORM** has reasonably complied with its duties under this Act; and

- (10) NON-NOTIFICATION POLICY - 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, OR 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.
- (11) MAINTAIN LOGS OF EACH AND EVERY SUBSCRIBER AND THE IP ADDRESS ASSIGNED TO EACH AND EVERY SUBSCRIBER AT A GIVEN DATE AND TIME.**
- (12) ADOPT AND INTEGRATE CHILD PROTECTION STANDARDS AND POLICIES IN THEIR CORPORATE GOVERNANCE PRACTICE AND PROCESSES.**
- (13) AGE-VERIFICATION AND ACCESS CONTROLS. - ADOPT AGE-VERIFICATION OR AGE-ASSURANCE CONTROLS AND PROTOCOLS TO RESTRICT CHILDREN'S ACCESS TO MATERIALS WITHIN THE PURVIEW OF SECTION 3(C)(IV) OF PRESIDENTIAL DECREE NO. 1986, ENTITLED "CREATING THE MOVIE AND TELEVISION REVIEW AND CLASSIFICATION BOARD," AND TO OTHER SEXUALLY EXPLICIT OR AGE-INAPPROPRIATE CONTENT IDENTIFIED IN THE IMPLEMENTING RULES AND REGULATIONS (IRR).**

THE SPECIFIC STANDARDS, INCLUDING GRADUATED OBLIGATIONS FOR SERVICES PRIMARILY ENGAGED IN ADULT-CONTENT DISTRIBUTION AND FOR PLATFORMS WHERE EXPOSURE IS INCIDENTAL OR USER-GENERATED, SHALL BE FURTHER PRESCRIBED UNDER THE IRR TO BE ISSUED PURSUANT TO PARAGRAPH (15) OF THIS SUBSECTION, IN CONSULTATION WITH THE NATIONAL TELECOMMUNICATIONS COMMISSION (NTC), THE DEPARTMENT OF INFORMATION AND COMMUNICATION TECHNOLOGY (DICT), THE MOVIE AND TELEVISION REVIEW AND CLASSIFICATION BOARD (MTRCB), AND THE NATIONAL PRIVACY COMMISSION (NPC).

- (14) 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 DOJ-OOC, DICT, CICC, PNP, NBI, AMLC, BSP, MTRCB, AND NTC PROMULGATE THE IMPLEMENTING RULES AND REGULATIONS (IRR) FOR THIS SECTION AND SECTION 9(A), INCLUDING TECHNICAL AND OPERATIONAL STANDARDS COVERING: NOTICE-AND-ACTION AND TAKEDOWN PROCEDURES; PRESERVATION, LOGGING; 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, AS WELL AS REGISTRATION PROCEDURES, AUTHORIZATION TEMPLATES, ELECTRONIC SERVICE CHANNELS, AND REPORTING REQUIREMENTS FOR DESIGNATED LEGAL REPRESENTATIVES UNDER SECTION 9(A).**
- (15) AUTOMATED SAFEGUARDS NOT, BY THEMSELVES, A REPORTING TRIGGER. - THE REPORTING OBLIGATIONS UNDER THIS ACT, INCLUDING THOSE IN SECTION 9(A), SHALL NOT, BY THEMSELVES, BE DEEMED TRIGGERED SOLELY BY THE DEPLOYMENT OR USE OF AUTOMATED OR TECHNICAL MEASURES DESIGNED TO PREVENT, FILTER, OR BLOCK CSAEM OR OSAEC-RELATED CONTENT, WHERE THE OPERATION OF SUCH MEASURES DOES NOT RESULT IN THE INTERNET INTERMEDIARY OR ONLINE TECHNOLOGY PLATFORM RECEIVING, ACCESSING, OR RETAINING IDENTIFIABLE INFORMATION ABOUT THE UNDERLYING CONTENT, USER, OR TRANSACTION. HOWEVER, FOR ANY INFORMATION THAT AN INTERNET INTERMEDIARY OR ONLINE TECHNOLOGY PLATFORM ACTUALLY RECEIVES, ACCESSES, OR REVIEWS THROUGH SUCH MEASURES OR THROUGH OTHER CHANNELS SHALL REMAIN SUBJECT TO ITS REPORTING DUTIES UNDER THIS ACT.**

- (B) DUTIES OF INTERNET SERVICE PROVIDERS (ISPS).** — In addition to **ANY** duties **APPLICABLE TO THEM AS INTERNET INTERMEDIARIES UNDER THIS ACT**, all ISPs shall:
- (1) MAINTAIN AND MANAGE AN UPDATED LIST OF URLS AND OTHER INTERNET ASSETS, AS DEFINED IN SECTION 3(O), CONTAINING CSAEM OR HAVE BEEN IDENTIFIED BY COMPETENT AUTHORITIES OR RECOGNIZED CHILD-PROTECTION ORGANIZATIONS AS BEING USED TO COMMIT, FACILITATE, OR TRANSMIT OSAEC OR CSAEM, BY PARTNERING WITH ORGANIZATIONS THAT MAINTAIN COMPREHENSIVE LIST OF CSAEM-RELATED URLS AND HASH DATABASES;**
 - (2) INTEGRATE AND APPLY SUCH LISTS IN THEIR NETWORK-LAYER BLOCKING, FILTERING, OR OTHER TECHNICAL SAFEGUARDS REQUIRED UNDER THIS ACT, FOR THE PURPOSE OF PREVENTING OR RESTRICTING ACCESS, FROM WITHIN THEIR NETWORKS, TO INTERNET ASSETS KNOWN OR REASONABLY SUSPECTED TO HOST OR FACILITATE OSAEC OR CSAEM; AND**
 - (3) REGULARLY UPDATE SUCH LISTS AND THE ASSOCIATED SAFEGUARDS AT INTERVALS AND IN A MANNER TO BE FURTHER SPECIFIED IN THE IMPLEMENTING RULES AND REGULATIONS, IN COORDINATION WITH THE NCC-OSAEC-CSAEM SECRETARIAT, THE DICT, DOJ-OOC, AND OTHER COMPETENT AUTHORITIES, ENSURING THAT THESE MEASURES ARE IMPLEMENTED IN A MANNER CONSISTENT WITH REPUBLIC ACT NO. 10173 OR THE "DATA PRIVACY ACT OF 2012" AND OTHER APPLICABLE LAWS, AND ARE REASONABLY TAILORED SO AS NOT TO UNDULY BLOCK LAWFUL CONTENT OR SERVICES.**
- (C) Duties of PSPs.** In addition to the duties **APPLICABLE TO THEM** as Internet Intermediaries **UNDER THIS ACT**, **ALL PAYMENT SYSTEM PROVIDERS (PSPS), INCLUDING OPERATORS OF PAYMENT SYSTEMS (OPS), NON-BANK FINANCIAL INSTITUTIONS (NBFIS), VIRTUAL ASSET SERVICE PROVIDERS (VASPS), AND OTHER COVERED PERSONS UNDER THE ANTI-MONEY LAUNDERING ACT (AMLA) WHEN PERFORMING PAYMENT, TRANSFER, OR SETTLEMENT FUNCTIONS, SHALL ENSURE THE FOLLOWING:**
- (1) TRACEABILITY AND DATA-SHARING MECHANISMS. - ENSURE EFFECTIVE TRACEABILITY OF TRANSACTIONS BY MAINTAINING INTEROPERABLE, AUDITABLE, AND SECURE DATA-SHARING MECHANISMS WITH OTHER PSPS AND OPS, SO THAT, WHEN A CUSTOMER, ACCOUNT,**

PRODUCT, CHANNEL, OR TRANSACTION IS IDENTIFIED OR REASONABLY SUSPECTED AS BEING CONNECTED TO OSAEC OR CSAEM, CROSS-PLATFORM FUND FLOWS CAN BE TRACED WITHIN SUCH PERIODS AND IN ACCORDANCE WITH THE TECHNICAL AND OPERATIONAL STANDARDS AS MAY BE PRESCRIBED IN THE IRR, HAVING REGARD TO THE SIZE, NATURE, AND RISK PROFILE OF THE SERVICE.

(2) ACCESS TO FINANCIAL INFORMATION AND COOPERATION WITH AUTHORITIES. — PROVIDE, UPON SUBPOENA, AND NOTWITHSTANDING THE PROVISIONS OF REPUBLIC ACT NO. 1405, REPUBLIC ACT NO. 6426, AND REPUBLIC ACT NO. 8791, ACCESS TO SUCH FINANCIAL DOCUMENTS AND INFORMATION AS ARE REASONABLY NECESSARY WHEN THERE IS REASONABLE GROUND TO BELIEVE THAT TRANSACTIONS ARE RELATED TO OSAEC OR CSAEM OFFENSES. FOR PURPOSES OF THIS PARAGRAPH, "FINANCIAL DOCUMENTS AND INFORMATION" MAY INCLUDE, BUT ARE NOT LIMITED TO:

(i) BASIC CUSTOMER AND ACCOUNT IDENTIFICATION DATA RECORDED FOR FINANCIAL OR KYC PURPOSES, INCLUDING NAME, ADDRESS, DATE OF BIRTH, CONTACT DETAILS, CUSTOMER NUMBER, AND RELEVANT KNOWYOUR-CUSTOMER (KYC) OR CUSTOMER DUE DILIGENCE (CDD) RECORDS;

(ii) ACCOUNT, WALLET, OR CARD NUMBERS AND OTHER RELEVANT ACCOUNT OR PAYMENT INSTRUMENT IDENTIFIERS;

(iii) TRANSACTION RECORDS FOR SPECIFIED PERIODS, INCLUDING DATES, AMOUNTS, CURRENCY, CHANNELS USED, MERCHANT OR COUNTERPARTY DETAILS, ORIGINATOR AND BENEFICIARY INFORMATION, AND NARRATIVE OR PAYMENT-REFERENCE FIELDS;

(iv) RECORDS OF ATTEMPTED, DECLINED, REVERSED, REFUNDED, OR CHARGED-BACK TRANSACTIONS RELEVANT TO THE OSAEC OR CSAEM INVESTIGATION;

(v) INFORMATION ON LINKED OR ASSOCIATED ACCOUNTS, WALLETS, OR PAYMENT INSTRUMENTS, WHERE REASONABLY NECESSARY TO TRACE RELATED OSAEC OR CSAEM FLOWS; AND

(vi) INTERNAL RISK FLAGS, ALERTS, OR CASE/REFERENCE NUMBERS RELATING TO SUSPICIOUS TRANSACTION REPORTS (STRS) OR OTHER INTERNAL INVESTIGATIONS INVOLVING THE SAME CUSTOMER OR TRANSACTIONS.

NOTHING IN THIS PARAGRAPH SHALL BE CONSTRUED TO LIMIT OR REDUCE THE DUTIES OF INTERNET INTERMEDIARIES UNDER SECTION 9(A) OF THIS ACT TO PROVIDE SUBSCRIBER OR REGISTRATION INFORMATION AND TRAFFIC DATA. FOR ENTITIES THAT ARE BOTH PAYMENT SYSTEM PROVIDERS AND INTERNET INTERMEDIARIES, REQUESTS FOR SUBSCRIBER OR REGISTRATION INFORMATION AND TRAFFIC DATA SHALL BE GOVERNED BY SECTION 9(A), WHILE THIS PARAGRAPH SHALL APPLY TO ACCOUNT-LEVEL AND TRANSACTION-LEVEL FINANCIAL DOCUMENTS AND INFORMATION.

THE PROCESSING AND DISCLOSURE OF INFORMATION PURSUANT TO THIS PARAGRAPH SHALL CONSTITUTE LAWFUL PROCESSING UNDER REPUBLIC ACT NO. 10173, OR THE "DATA PRIVACY ACT OF 2012," AND SHALL BE DEEMED A SPECIFIC EXCEPTION TO, AND NOT A VIOLATION OF, REPUBLIC ACT NO. 1405, REPUBLIC ACT NO. 6426, REPUBLIC ACT NO. 8791, AND OTHER CONFIDENTIALITY PROVISIONS, PROVIDED THAT THE DISCLOSURE IS LIMITED TO INFORMATION REASONABLY NECESSARY FOR THE STATED PURPOSE AND THE REQUIREMENTS HEREIN ARE SUBSTANTIALLY OBSERVED.

IN ALL CASES, PAYMENT SYSTEM PROVIDERS SHALL TRANSMIT SUCH DATA ONLY THROUGH SECURE AND AUDITABLE CHANNELS AND SHALL MAINTAIN TAMPER-EVIDENT LOGS OF ALL REQUESTS AND DISCLOSURES UNDER THIS PARAGRAPH FOR AUDIT AND ACCOUNTABILITY PURPOSES WITHIN A PERIOD TO BE SPECIFIED IN THE IRR. PAYMENT SYSTEM PROVIDERS SHALL NOT BE HELD CIVILLY, CRIMINALLY, OR ADMINISTRATIVELY LIABLE UNDER BANK-SECRECY OR DATA-PRIVACY LAWS FOR GOOD-FAITH DISCLOSURES MADE IN COMPLIANCE WITH THIS PARAGRAPH.

NOTHING IN THIS PARAGRAPH SHALL BE CONSTRUED TO LIMIT OR MODIFY THE POWERS OF THE ANTI-MONEY LAUNDERING COUNCIL (AMLC) UNDER THE "ANTI-MONEY LAUNDERING ACT OF 2001" AND ITS IMPLEMENTING RULES AND REGULATIONS.

FOR PURPOSES OF THIS ACT, violations under Section 4 of this Act shall be considered "unlawful activity" under section 3(i) of Republic Act No. 9160, otherwise known as the "Anti-Money Laundering Act of 2001," as amended, and shall be punishable under the said Act.

(D) OSAEC/CSAEM-RELATED FINANCIAL INTELLIGENCE DISSEMINATION AND EMERGENCY NOTIFICATION. —

(1) DISSEMINATION OF OSAEC/CSAEM-RELATED REPORTS BY AMLC. — CONSISTENT WITH SECTION 41 ON AUTHORIZED SHARING OF INFORMATION AND THE AMLA, THE AMLC SHALL, UPON ITS INITIAL ASSESSMENT THAT A SUSPICIOUS TRANSACTION REPORT (STR), COVERED TRANSACTION REPORT (CTR), OR OTHER REPORT IT HAS RECEIVED MAY RELATE TO OSAEC AND/OR CSAEM, IMMEDIATELY DISSEMINATE RELEVANT FINANCIAL INTELLIGENCE TO THE DOJ OFFICE OF CYBERCRIME (DOJ-OOC), THE DOJ NCC-OSAEC-CSAEM SECRETARIAT, AND SUCH LAW-ENFORCEMENT AGENCIES AS MAY BE IDENTIFIED IN THE IRR FOR PURPOSES OF INVESTIGATION, RESCUE OPERATIONS, ASSET-TRACING, AND PROSECUTION UNDER THIS ACT AND THE AMLA.

SUCH DISSEMINATION SHALL CONSTITUTE LAWFUL PROCESSING UNDER REPUBLIC ACT NO. 10173 OR THE "DATA PRIVACY ACT OF 2012" AND SHALL BE DEEMED A SPECIFIC EXCEPTION TO, AND NOT A VIOLATION OF, REPUBLIC ACT NO. 1405, REPUBLIC ACT NO. 6426, REPUBLIC ACT NO. 8791, AND OTHER CONFIDENTIALITY PROVISIONS, TO THE EXTENT REASONABLY NECESSARY FOR THE PURPOSES STATED IN THIS PARAGRAPH.

(2) EMERGENCY NOTIFICATION BY PSPS AND OTHER COVERED PERSONS. - NOTHING IN THIS ACT SHALL PREVENT ANY PAYMENT SYSTEM PROVIDER OR OTHER COVERED PERSON UNDER THE AMLA FROM DIRECTLY NOTIFYING THE DOJ-OOC, THE PNP, THE NBI, OR OTHER COMPETENT LAW-ENFORCEMENT AGENCIES WHERE THERE IS A REASONABLE BELIEF THAT A CHILD IS IN IMMINENT DANGER OF ONGOING OR FUTURE SEXUAL ABUSE OR EXPLOITATION, PROVIDED, THAT SUCH NOTIFICATION SHALL BE WITHOUT PREJUDICE TO THE OBLIGATION TO FILE STRS WITH THE AMLC UNDER THE AMLA AND THIS ACT.

- (E) DUTIES OF TECHNOLOGY PLATFORMS ACCESSIBLE OFFLINE. - THIS SUBSECTION SHALL APPLY TO TECHNOLOGY PLATFORMS, AS DEFINED IN SECTION 3(JJ), THAT CAN BE INSTALLED, USED, OR OPERATED WITHOUT CONTINUOUS INTERNET CONNECTIVITY AND THAT ARE REASONABLY CAPABLE OF BEING USED TO CREATE, GENERATE, MANIPULATE, OR PROCESS VISUAL, AUDIO, AUDIOVISUAL, OR TEXTUAL REPRESENTATIONS OF HUMAN PERSONS OR COMMUNICATIONS WHICH MAY BE USED TO PRODUCE CHILD SEXUAL ABUSE OR EXPLOITATION MATERIAL (CSAEM), TO SEXUALIZE CHILDREN, OR TO FACILITATE OSAEC.**

WHERE A TECHNOLOGY PLATFORM ALSO PROVIDES ONLINE SERVICES COVERED BY SECTION 9(A), ITS OBLIGATIONS UNDER THIS SUBSECTION SHALL BE WITHOUT PREJUDICE TO ITS DUTIES UNDER SECTION 9(A).

PROVIDERS OF SUCH TECHNOLOGY PLATFORMS, WHETHER PUBLIC OR PRIVATE, SHALL:

- (1) TERMS OF USE AND LICENSING PROHIBITIONS. - INCORPORATE, IN END-USER LICENSE AGREEMENTS, TERMS OF USE, OR EQUIVALENT PRODUCT DOCUMENTATION, A CLEAR PROHIBITION AGAINST THE USE OF THE PLATFORM TO CREATE, GENERATE, MANIPULATE, DISTRIBUTE, OR OTHERWISE FACILITATE CSAEM, THE SEXUALIZATION OF CHILDREN, OR ANY FORM OF OSAEC, INCLUDING THE PRODUCTION OF AI-GENERATED OR DIGITALLY MANIPULATED IMAGES OR REPRESENTATIONS OF CHILDREN IN SEXUAL CONTEXTS.**
- (2) SAFETY-BY-DESIGN CONTROLS. - DESIGN, CONFIGURE, AND EQUIP THE PLATFORM WITH REASONABLE TECHNICAL AND ORGANIZATIONAL SAFEGUARDS AGAINST ITS USE FOR CSAEM OR THE SEXUALIZATION OF CHILDREN, HAVING REGARD TO THE NATURE, FUNCTIONALITY, AND RISK PROFILE OF THE PRODUCT. SUCH SAFEGUARDS MAY INCLUDE, WHERE TECHNICALLY FEASIBLE:**
 - (i) PROMPT FILTERING, CONTENT GUARDRAILS, OR OTHER IN-PRODUCT RESTRICTIONS THAT PREVENT OR DISCOURAGE THE GENERATION OR MANIPULATION OF SEXUAL CONTENT INVOLVING CHILDREN OR PERSONS DEPICTED OR MADE TO APPEAR TO BE CHILDREN;**
 - (ii) WARNINGS OR INTERRUPTIONS WHERE USER INPUTS OR SETTINGS INDICATE AN INTENT TO CREATE SEXUAL CONTENT INVOLVING CHILDREN; AND**
 - (iii) DEFAULT CONFIGURATIONS THAT DISABLE OR RESTRICT FEATURES WHICH PRESENT HEIGHTENED RISK OF**

CSAEM PRODUCTION OR CHILD SEXUALIZATION, UNLESS ADEQUATE SAFEGUARDS ARE IN PLACE.

(3) TRAINING DATA AND MODEL CONTROLS. — WHERE THE PLATFORM USES MACHINE-LEARNING SYSTEMS, ARTIFICIAL INTELLIGENCE, OR OTHER GENERATIVE OR TRANSFORMATIVE MODELS, ESTABLISH AND IMPLEMENT PROCESSES TO:

(i) EXCLUDE, REMOVE, OR EFFECTIVELY NEUTRALIZE CSAEM AND SEXUALLY EXPLOITATIVE DEPICTIONS OF CHILDREN FROM TRAINING, FINE-TUNING, OR EVALUATION DATASETS; AND

(ii) PREVENT THE MODEL FROM GENERATING OR FACILITATING CSAEM OR THE SEXUALIZATION OF CHILDREN, INCLUDING THROUGH POST-TRAINING SAFETY LAYERS OR GUARDRAILS.

(4) PRODUCT INFORMATION AND COOPERATION. - MAINTAIN AND, UPON REQUEST OF COMPETENT AUTHORITIES IDENTIFIED IN THE IMPLEMENTING RULES AND REGULATIONS (IRR), PROVIDE INFORMATION NECESSARY TO UNDERSTAND THE RELEVANT TECHNICAL FEATURES OF THE PLATFORM FOR PURPOSES OF OSAEC/CSAEM INVESTIGATION OR POLICY-MAKING, INCLUDING, AS APPROPRIATE, DOCUMENTATION ON SAFETY FEATURES, DEFAULT CONFIGURATIONS, AND CONTENT-GUARDRAIL MECHANISMS. SUCH COOPERATION SHALL NOT REQUIRE THE PROVIDER TO ACCESS OR DISCLOSE USER-GENERATED CONTENT STORED SOLELY ON AN END-USER'S DEVICE.

(5) USER AWARENESS AND DOCUMENTATION. — MAKE AVAILABLE, THROUGH PRODUCT DOCUMENTATION, HELP FILES, OR OTHER REASONABLY ACCESSIBLE MEANS, CLEAR INFORMATION ON:

(I) THE PROHIBITION ON USING THE PLATFORM FOR CSAEM OR THE SEXUALIZATION OF CHILDREN; AND

(II) ANY BUILT-IN SAFETY FEATURES DESIGNED TO PREVENT SUCH MISUSE.

(6) VULNERABILITY REPORTING AND REMEDIATION. - ESTABLISH A CHANNEL THROUGH WHICH USERS, CIVIL-SOCIETY ORGANIZATIONS, OR COMPETENT AUTHORITIES MAY REPORT REASONABLE CONCERNS THAT THE PLATFORM, IN ITS CURRENT DESIGN OR CONFIGURATION, IS BEING SYSTEMATICALLY MISUSED FOR CSAEM OR OSAEC. WHERE SUCH MISUSE IS CREDIBLY ESTABLISHED AND ATTRIBUTABLE TO FEATURES OR DESIGN CHOICES OF THE

PLATFORM, THE PROVIDER SHALL, WITHIN A REASONABLE PERIOD AND HAVING REGARD TO THE NATURE AND SCALE OF THE RISK, IMPLEMENT PROPORTIONATE MITIGATING MEASURES THROUGH UPDATES, PATCHES, CONFIGURATION CHANGES, OR OTHER TECHNICAL OR ORGANIZATIONAL CONTROLS.

- (7) PRIVACY SAFEGUARDS. - NOTHING IN THIS SUBSECTION SHALL BE CONSTRUED TO REQUIRE PROVIDERS TO CONDUCT GENERALIZED OR INDISCRIMINATE SCANNING OF ALL OFFLINE USER CONTENT, OR TO MONITOR, ACCESS, OR COLLECT USER-GENERATED CONTENT STORED SOLELY ON AN END-USER'S DEVICE, BEYOND WHAT IS REASONABLY NECESSARY TO OPERATE IN-PRODUCT SAFETY FEATURES AT THE POINT OF CONTENT CREATION, EXPORT, OR RENDERING, OR TO COMPLY WITH A SPECIFIC, LAWFUL REQUEST OR ORDER UNDER APPLICABLE LAW. SAFETY MEASURES IMPLEMENTED UNDER THIS SUBSECTION SHALL AT ALL TIMES COMPLY WITH REPUBLIC ACT NO. 10173, OR THE "DATA PRIVACY ACT OF 2012," AND OTHER APPLICABLE CONFIDENTIALITY AND DATA-PROTECTION LAWS.**

THE SPECIFIC TECHNICAL AND OPERATIONAL STANDARDS, INCLUDING ANY TIERED REQUIREMENTS HAVING REGARD TO THE SIZE, NATURE, AND RISK PROFILE OF THE PLATFORM, SHALL BE FURTHER SPECIFIED IN THE IMPLEMENTING RULES AND REGULATIONS (IRR) TO BE ISSUED BY THE NCC-OSAEC-CSAEM SECRETARIAT, IN COORDINATION WITH THE DICT, CICC, NTC, DOJ-OOC AND OTHER RELEVANT AGENCIES. HOWEVER, THE DUTIES SET OUT IN THIS SUBSECTION SHALL BE IMMEDIATELY APPLICABLE UPON THE EFFECTIVITY OF THIS ACT AND SHALL NOT DEPEND ON THE PRIOR ISSUANCE OF SUCH IRR.

- (F) 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, MAINTAIN, AND REGULARLY UPDATE APPROPRIATE CONTENT-FILTERING, WEBSITE-BLOCKING, OR NETWORK-LEVEL SAFEGUARDS CERTIFIED OR PRESCRIBED BY THE DEPARTMENT OF INFORMATION AND COMMUNICATIONS TECHNOLOGY (DICT), IN COORDINATION WITH THE NCC-OSAEC-CSAEM**

SECRETARIAT, TO PREVENT ACCESS TO OR TRANSMISSION OF ONLINE SEXUAL ABUSE OR EXPLOITATION OF CHILDREN AND CHILD SEXUAL ABUSE OR EXPLOITATION MATERIALS (OSAEC/CSAEM). SUCH SAFEGUARDS SHALL NOT INTRUDE INTO USERS' PRIVATE COMMUNICATIONS AND SHALL COMPLY WITH DATA-PRIVACY AND CYBERSECURITY STANDARDS; 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:

- (1) **PROMOTING** 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;
- (2) **CONDITIONING THE ISSUANCE AND RENEWAL OF BUSINESS PERMITS FOR INTERNET HOTSPOTS, CAFÉS, AND KIOSKS ON PROOF OF COMPLIANCE WITH SECTION 9(F), PARAGRAPHS (1) TO (3) OF THIS ACT;**
- (3) **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;**
- (4) **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;**
- (5) **PROVIDING OR FACILITATING ORIENTATION AND MATERIALS FOR OPERATORS AND STAFF BASED ON TEMPLATES FROM THE NCC-OSAEC-CSAEM SECRETARIAT; AND**
- (6) **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.**

(G) DUTIES OF LEARNING INSTITUTIONS

- (1) **COVERAGE. - THIS SECTION APPLIES TO ALL PUBLIC AND PRIVATE BASIC EDUCATION SCHOOLS, HIGHER EDUCATION INSTITUTIONS (HEI), AND TECHNICAL-VOCATIONAL**

INSTITUTIONS (COLLECTIVELY, "LEARNING INSTITUTIONS"), INCLUDING THOSE OPERATING ONLINE, HYBRID, OR DISTANCE-LEARNING PROGRAMS.

- (2) PREVENTION AND CURRICULUM INTEGRATION. — EDUCATIONAL INSTITUTIONS SHALL INTEGRATE AGE-APPROPRIATE ONLINE SAFETY AND ANTI-OSAEC/CSAEM EDUCATION INTO CURRICULA, ADVISORIES, HOMEROOM GUIDANCE, ORIENTATION PROGRAMS, AND/OR CO-CURRICULAR ACTIVITIES CONSISTENT WITH STANDARDS SET BY DEPED, CHED, AND TESDA, IN COORDINATION WITH THE NCC-OSAEC-CSAEM SECRETARIAT.**

SUCH EDUCATION SHALL FORM PART OF A CONTINUING, AGE-PROGRESSIVE PROGRAM AND SHALL NOT BE LIMITED TO ONE-TIME OR ISOLATED ACTIVITIES. IT SHALL BE DELIVERED ON A REGULAR AND RECURRING BASIS AT SUCH MINIMUM FREQUENCIES AS MAY BE FURTHER SPECIFIED IN THE IMPLEMENTING RULES AND REGULATIONS (IRR).

- (3) 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 AGAINST A LEARNER, WHETHER ON- OR OFF-CAMPUS, OR THROUGH ONLINE CHANNELS, SHALL WITHOUT UNDUE DELAY AND IN NO CASE LATER THAN TWENTY-FOUR (24) HOURS FROM KNOWLEDGE OR REASONABLE SUSPICION:**

- (i) REPORT THE MATTER TO THE APPROPRIATE LAW-ENFORCEMENT AGENCIES AND/OR LOCAL SOCIAL WELFARE AND DEVELOPMENT OFFICE (SWDO), FOLLOWING EXISTING REFERRAL PATHWAYS; AND**
- (ii) DOCUMENT THE INCIDENT AND PRESERVE RELEVANT ELECTRONIC OR PHYSICAL RECORDS IN A MANNER CONSISTENT WITH THIS ACT, THE DATA PRIVACY ACT OF 2012, AND OTHER APPLICABLE LAWS, WITHOUT CONDUCTING PARALLEL "INVESTIGATIONS" THAT MAY COMPROMISE EVIDENCE OR SAFETY.**

LEARNERS SHALL BE TREATED AS VICTIMS AND NOT AS OFFENDERS, AND SHALL NOT BE SUBJECTED TO DISCIPLINARY ACTION SOLELY ON ACCOUNT OF THEIR VICTIMIZATION OR INVOLVEMENT AS VICTIMS IN OSAEC/CSAEM INCIDENTS, INCLUDING PARTICIPATION IN FIRST PERSON-PRODUCED CSAEM.

- (4) CHILD PROTECTION STRUCTURES. — EACH LEARNING INSTITUTION SHALL DESIGNATE OR STRENGTHEN A CHILD PROTECTION COMMITTEE (CPC) AND A CHILD PROTECTION**

FOCAL PERSON TRAINED ON OSAEC/CSAEM IDENTIFICATION, FIRST-LINE RESPONSE, SAFE AND TRAUMA-INFORMED DISCLOSURE HANDLING, BASIC EVIDENCE PRESERVATION, AND REFERRAL PATHWAYS. EXISTING CHILD-PROTECTION POLICIES SHALL BE REVIEWED AND, WHERE NECESSARY, AMENDED TO ALIGN WITH THIS ACT AND ITS IRR.

(5) ICT ENVIRONMENT AND TECHNICAL MEASURES. - LEARNING INSTITUTIONS SHALL:

- (i) IMPLEMENT REASONABLE NETWORK- AND DEVICE-LEVEL SAFEGUARDS ON SCHOOL-MANAGED NETWORKS, LABORATORIES, AND DEVICES (SUCH AS CONTENT FILTERING, SAFE-SEARCH DEFAULTS, BLACKLISTING OF URLS OR INTERNET ASSETS IDENTIFIED BY COMPETENT AUTHORITIES AS HOSTING CSAEM OR OSAEC, AND ACCESS CONTROLS) TO PREVENT, AS FAR AS PRACTICABLE, ACCESS TO OR TRANSMISSION OF OSAEC/CSAEM;**
- (ii) ADOPT AND ENFORCE ACCEPTABLE-USE POLICIES FOR LEARNERS AND STAFF COVERING THE USE OF SCHOOL-MANAGED DEVICES, NETWORKS, LEARNING MANAGEMENT SYSTEMS, AND COMMUNICATION CHANNELS; AND**
- (iii) PROVIDE GUIDANCE TO PARENTS/GUARDIANS ON SAFE USE OF PERSONAL DEVICES AND HOME CONNECTIVITY FOR LEARNERS.**

(6) TRAINING OF PERSONNEL. - ALL TEACHING AND RELEVANT NON-TEACHING PERSONNEL SHALL, AT INTERVALS AND TO MINIMUM STANDARDS TO BE SET IN THE IRR, UNDERGO TRAINING ON:

- (i) RECOGNIZING GROOMING, SEXUAL EXTORTION, AND OTHER OSAEC/CSAEM RED FLAGS;**
- (ii) SAFE, TRAUMA-INFORMED RESPONSE AND DISCLOSURE HANDLING;**
- (iii) DOCUMENTATION, MANDATORY REPORTING, AND REFERRAL PROTOCOLS;**
- (iv) ONLINE SAFETY PEDAGOGY AND POSITIVE USE OF TECHNOLOGY; AND**
- (v) CONFIDENTIALITY AND DATA-PROTECTION RESPONSIBILITIES UNDER THE DATA PRIVACY ACT AND RELATED ISSUANCES.**

(7) SURVIVOR SUPPORT AND AFTERCARE. — LEARNING INSTITUTIONS SHALL:

- (i) ENSURE SAFE, NON-STIGMATIZING SPACES AND NON-RETALIATION FOR LEARNERS WHO REPORT OR ARE IDENTIFIED AS VICTIMS OR AT RISK;
 - (ii) PROVIDE OR FACILITATE PSYCHOSOCIAL FIRST AID AND TIMELY REFERRALS TO LGU SWDO/DSWD, TIP/OSAEC ONE-STOP CENTERS, AND/OR ACCREDITED SERVICE PROVIDERS; AND
 - (iii) COORDINATE WITH THE CPC, NON-OFFENDING PARENTS/GUARDIANS, OR COMPETENT AUTHORITIES IN A MANNER THAT MINIMIZES RE-TRAUMATIZATION, INCLUDING AVOIDING UNNECESSARY REPEATED INTERVIEWS.
- (8) COORDINATION AND DATA SHARING. — LEARNING INSTITUTIONS SHALL COOPERATE WITH NCC-OSAEC-CSAEM SECRETARIAT, LAW ENFORCEMENT AGENCIES, LGUS/BARANGAY COUNCILS FOR THE PROTECTION OF CHILDREN (BCPCS), AND RELEVANT REGULATORS IN THE PREVENTION, DETECTION, REPORTING, AND HANDLING OF OSAEC/CSAEM CASES.
- (9) 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, AND OTHER REGULATORY MECHANISMS.

AFTER DUE PROCESS, THE APPROPRIATE REGULATOR MAY IMPOSE ADMINISTRATIVE SANCTIONS FOR NON-COMPLIANCE, INCLUDING WARNING, MANDATORY CORRECTIVE ACTION, AND, FOR PRIVATE INSTITUTIONS, SUSPENSION OR NON-RENEWAL OF PERMITS, RECOGNITION, OR ACCREDITATION, WITHOUT PREJUDICE TO CIVIL OR CRIMINAL LIABILITY UNDER THIS ACT AND OTHER LAWS.
- (10) IMPLEMENTING RULES. — WITHIN NINETY (90) DAYS FROM EFFECTIVITY OF THIS ACT, DEPED, CHED, AND TESDA, IN COORDINATION WITH THE NCC-OSAEC-CSAEM SECRETARIAT, DICT, CICC, PNP, NBI, DSWD, AND NPC, SHALL ISSUE JOINT IMPLEMENTING RULES AND REGULATIONS (IRR) FOR THIS SECTION. IMPLEMENTATION STANDARDS, INCLUDING DIFFERENTIATED REQUIREMENTS FOR SMALL, RURAL, OR RESOURCE-LIMITED INSTITUTIONS, SHALL BE FURTHER SPECIFIED IN THE IMPLEMENTING RULES AND REGULATIONS, PROVIDED THAT SUCH DIFFERENTIATION SHALL NOT EXCUSE TOTAL INACTION ON OSAEC/CSAEM PREVENTION, REPORTING, AND RESPONSE.

- (11) NON-INTERFERENCE WITH URGENT CHILD-PROTECTION ACTION. — NOTHING IN THIS SECTION SHALL BE CONSTRUED TO DELAY OR PREVENT IMMEDIATE REPORTING TO LAW ENFORCEMENT OR CHILD-PROTECTION AUTHORITIES WHEN A CHILD IS AT RISK OF ONGOING OR IMMINENT HARM OR WHEN THERE IS A SERIOUS RISK THAT EVIDENCE MAY BE LOST OR DESTROYED.**
- (H) DUTIES OF SUPPLEMENTARY LEARNING AND YOUTH ACTIVITY CENTERS**
- (1) COVERAGE. — THIS SECTION APPLIES TO PUBLIC AND PRIVATE SUPPLEMENTARY LEARNING AND YOUTH ACTIVITY CENTERS THAT REGULARLY PROVIDE ORGANIZED ACTIVITIES TO CHILDREN OUTSIDE FORMAL SCHOOLING, INCLUDING, BUT NOT LIMITED TO: TUTORIAL AND REVIEW CENTERS; DAY CARE AND AFTER-SCHOOL PROGRAMS; SPORTS, ARTS, MUSIC, AND CULTURAL CENTERS; YOUTH CLUBS AND ORGANIZATIONS; FAITH-BASED OR COMMUNITY YOUTH MINISTRIES WHEN CONDUCTING ORGANIZED YOUTH ACTIVITIES; AND HOLIDAY OR VACATION CAMPS (COLLECTIVELY, "YOUTH ACTIVITY CENTERS").**
- (2) CHILD-PROTECTION POLICY AND FOCAL PERSON. — YOUTH ACTIVITY CENTERS SHALL:**
- (i) ADOPT AND IMPLEMENT A WRITTEN CHILD-PROTECTION POLICY THAT EXPRESSLY PROHIBITS OSAEC AND CSAEM, GROOMING, SEXUAL EXTORTION, AND OTHER FORMS OF SEXUAL ABUSE OR EXPLOITATION OF CHILDREN, WHETHER OFFLINE OR THROUGH ICT; AND**
- (ii) DESIGNATE A CHILD-PROTECTION FOCAL PERSON RESPONSIBLE FOR RECEIVING DISCLOSURES OR REPORTS, COORDINATING WITH AUTHORITIES, AND ENSURING IMPLEMENTATION OF THIS ACT AND ITS IRR.**
- THE POLICY SHALL BE MADE KNOWN TO STAFF, VOLUNTEERS, CHILDREN, AND PARENTS/GUARDIANS IN A MANNER APPROPRIATE TO THEIR AGE AND CAPACITY.**
- (3) MANDATORY REPORTING AND REFERRAL. — OWNERS, MANAGERS, STAFF, OR VOLUNTEERS OF YOUTH ACTIVITY CENTERS WHO, IN THE COURSE OF THEIR FUNCTIONS, KNOW OR REASONABLY SUSPECT THAT OSAEC OR CSAEM IS BEING PREPARED, ATTEMPTED, OR COMMITTED AGAINST A CHILD, WHETHER WITHIN OR IN CONNECTION WITH THE CENTER'S ACTIVITIES OR COMMUNICATION CHANNELS, SHALL,**

WITHOUT UNDUE DELAY AND IN NO CASE LATER THAN TWENTY-FOUR (24) HOURS FROM KNOWLEDGE OR REASONABLE SUSPICION:

(i) REPORT THE MATTER TO THE APPROPRIATE LAW-ENFORCEMENT AGENCIES AND/OR LOCAL SOCIAL WELFARE AND DEVELOPMENT OFFICE (SWDO), FOLLOWING EXISTING REFERRAL PATHWAYS; AND

(ii) DOCUMENT THE INCIDENT AND, WHERE APPLICABLE, PRESERVE RELEVANT RECORDS (SUCH AS CHAT LOGS, SCREENSHOTS, OR CCTV FOOTAGE) WITHOUT CONDUCTING PARALLEL INVESTIGATIONS THAT MAY COMPROMISE EVIDENCE OR CHILD SAFETY.

CHILDREN SHALL BE TREATED AS VICTIMS AND NOT AS OFFENDERS, AND SHALL NOT BE SUBJECTED TO DISCIPLINARY ACTION SOLELY ON ACCOUNT OF THEIR VICTIMIZATION OR INVOLVEMENT AS VICTIMS IN OSAEC/CSAEM INCIDENTS, INCLUDING THEIR PARTICIPATION IN FIRST-PERSON PRODUCED CSAEM.

(4) SAFE PHYSICAL AND DIGITAL ENVIRONMENT. — YOUTH ACTIVITY CENTERS SHALL:

(i) IMPLEMENT REASONABLE MEASURES TO PREVENT SITUATIONS THAT FACILITATE GROOMING OR ABUSE;

(ii) REGULATE AND MONITOR THE USE OF ANY CENTER-MANAGED DEVICES, CAMERAS, OR CONNECTIVITY USED DURING ACTIVITIES TO PREVENT THE CREATION OR SHARING OF CSAEM OR SEXUALIZED IMAGES OF CHILDREN; AND

(iii) ADOPT RULES GOVERNING OFFICIAL ONLINE GROUPS OR CHAT CHANNELS CREATED OR MAINTAINED FOR CENTER ACTIVITIES.

(5) ICT SAFEGUARDS WHERE CONNECTIVITY OR DEVICES ARE PROVIDED. — WHERE YOUTH ACTIVITY CENTERS PROVIDE INTERNET ACCESS, WIFI, OR DIGITAL DEVICES FOR CHILDREN'S USE, THEY SHALL, TAKING INTO ACCOUNT THEIR SIZE AND RESOURCES:

(i) ADOPT BASIC HOUSE RULES ON SAFE AND APPROPRIATE USE OF SUCH DEVICES OR CONNECTIVITY, INCLUDING A CLEAR PROHIBITION ON ACCESSING, CREATING, OR SHARING SEXUALIZED IMAGES OF CHILDREN OR CSAEM;

(ii) WHERE FEASIBLE ON THE EQUIPMENT THEY USE (E.G., THROUGH BUILT-IN SETTINGS OR SIMPLE FILTERS), ENABLE BASIC SAFETY FEATURES OR RESTRICTIONS

TO LIMIT ACCESS TO OBVIOUSLY HARMFUL OR INAPPROPRIATE CONTENT; AND

- (iii) COOPERATE, UPON REQUEST, WITH LAWFUL INVESTIGATIONS OF OSAEC/CSAEM INCIDENTS CONNECTED TO THEIR FACILITIES, INCLUDING BY PRESERVING RELEVANT LOGS OR RECORDS AVAILABLE TO THEM.**

SUCH MEASURES SHALL BE IMPLEMENTED IN A MANNER CONSISTENT WITH THE DATA PRIVACY ACT OF 2012 AND OTHER APPLICABLE CONFIDENTIALITY LAWS, AND SHALL NOT BE CONSTRUED TO REQUIRE GENERALIZED OR INDISCRIMINATE MONITORING OF ALL PRIVATE COMMUNICATIONS OF CHILDREN OUTSIDE CENTER-MANAGED CHANNELS.

- (6) STAFF AND VOLUNTEER SCREENING AND BASIC TRAINING. — YOUTH ACTIVITY CENTERS SHALL, IN A MANNER PROPORTIONATE TO THEIR SIZE AND NATURE:**

- (i) ADOPT REASONABLE SCREENING OR VETTING MEASURES FOR STAFF AND VOLUNTEERS WHO WILL HAVE REGULAR CONTACT WITH CHILDREN (SUCH AS REQUIRING IDENTIFICATION, REFERENCE CHECKS, OR OTHER COMMUNITY-APPROPRIATE MEANS OF VETTING), CONSISTENT WITH STANDARDS TO BE SET IN THE IRR; AND**

- (ii) ENSURE THAT STAFF AND KEY VOLUNTEERS RECEIVE AT LEAST BASIC ORIENTATION, WHICH MAY BE CONDUCTED BY LGUs OR COMPETENT AGENCIES, ON:**

- 1) RECOGNIZING GROOMING, SEXTORTION, AND OTHER RED FLAGS;**

- 2) HOW TO RESPOND SAFELY AND IN A TRAUMA-INFORMED MANNER TO A CHILD'S DISCLOSURE; AND**

- 3) THEIR DUTIES TO REPORT AND REFER CASES UNDER THIS ACT, INCLUDING CONFIDENTIALITY AND DATA-PROTECTION RESPONSIBILITIES.**

THE IRR SHALL PROVIDE SIMPLE, STANDARDIZED MATERIALS AND CHECKLISTS THAT SMALL, COMMUNITY-BASED CENTERS CAN USE TO COMPLY WITH THIS PARAGRAPH WITHOUT UNDUE ADMINISTRATIVE BURDEN.

- (7) SURVIVOR SUPPORT AND NON-RETALIATION. — YOUTH ACTIVITY CENTERS SHALL:**

- (i) ENSURE THAT CHILDREN WHO REPORT OR ARE IDENTIFIED AS VICTIMS OR AT RISK ARE NOT SUBJECTED TO RETALIATION, RIDICULE, OR**

- EXCLUSION FROM ACTIVITIES ON ACCOUNT OF THEIR DISCLOSURE OR VICTIMIZATION;**
- (ii) PROVIDE BASIC EMOTIONAL FIRST-LINE SUPPORT AND, WHERE NECESSARY, ASSIST CHILDREN AND THEIR FAMILIES IN ACCESSING LGU SWDO/DSWD, TIP/OSAEC ONE-STOP CENTERS, OR OTHER ACCREDITED SERVICE PROVIDERS; AND**
 - (iii) COORDINATE WITH NON-OFFENDING PARENTS/GUARDIANS, SUBJECT TO CHILD SAFETY AND THE BEST INTERESTS OF THE CHILD, WHILE AVOIDING UNNECESSARY REPEATED INTERVIEWS OR DISCLOSURES THAT MAY RETRAUMATIZE THE CHILD.**
- (8) COORDINATION WITH LGUS AND COMPETENT AUTHORITIES. — YOUTH ACTIVITY CENTERS SHALL COOPERATE WITH LGUS, THE NCC-OSAEC-CSAEM SECRETARIAT, LAW-ENFORCEMENT AGENCIES, AND RELEVANT NATIONAL AGENCIES ON THE IMPLEMENTATION OF THIS ACT, INCLUDING PARTICIPATION IN LOCAL CHILD-PROTECTION MECHANISMS AND REFERRAL NETWORKS WHERE AVAILABLE.**

LGUS MAY, CONSISTENT WITH THIS ACT AND ITS IRR:

- (1) CONDITION THE ISSUANCE AND RENEWAL OF BUSINESS PERMITS OR AUTHORIZATIONS FOR PRIVATE YOUTH ACTIVITY CENTERS ON MINIMUM COMPLIANCE WITH SECTION 9(H), PARAGRAPHS (2) TO (7) OF THIS ACT;**
- (2) CONDUCT REGULAR OR SPOT INSPECTIONS, IN COORDINATION WITH LOCAL PNP UNITS AND SWDOS, TO VERIFY THE EXISTENCE OF CHILD-PROTECTION POLICIES, FOCAL PERSONS, AND BASIC SAFEGUARDS; AND**
- (3) IMPOSE ADMINISTRATIVE SANCTIONS, AFTER DUE PROCESS, INCLUDING WARNING, MANDATORY CORRECTIVE ACTION, AND SUSPENSION OR REVOCATION OF PERMITS, WITHOUT PREJUDICE TO CIVIL OR CRIMINAL LIABILITY UNDER THIS ACT AND OTHER LAWS.**
- (4) IMPLEMENTING RULES. — WITHIN NINETY (90) DAYS FROM THE EFFECTIVITY OF THIS ACT, DSWD AND DILG, IN COORDINATION WITH DEPED, CHED, TESDA, THE NCC-OSAEC-CSAEM SECRETARIAT, DICT, CICC, PNP, NBI, AND THE NATIONAL YOUTH COMMISSION (NYC), SHALL ISSUE IMPLEMENTING RULES AND REGULATIONS (IRR) FOR THIS SECTION.**
- (5) NON-INTERFERENCE WITH URGENT ACTION. — NOTHING IN THIS SECTION SHALL BE CONSTRUED TO DELAY OR**

PREVENT IMMEDIATE REPORTING TO LAW-ENFORCEMENT OR CHILD-PROTECTION AUTHORITIES WHERE A CHILD IS AT RISK OF ONGOING OR IMMINENT HARM OR WHERE THERE IS A SERIOUS RISK THAT EVIDENCE MAY BE LOST OR DESTROYED.

Sec. 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 WHO IS A 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.

AN EXISTING PHILIPPINE SUBSIDIARY, BRANCH, OR LOCALLY SUPERVISED FINANCIAL INSTITUTION OR PARTNER THAT ALREADY ACTS AS THE ENTITY'S PRIMARY CONTACT FOR REGULATORY OR LAW-ENFORCEMENT MATTERS IN PHILIPPINES MAY BE DESIGNATED AS THE LEGAL REPRESENTATIVE, PROVIDED IT IS EXPRESSLY AUTHORIZED IN WRITING TO PERFORM THE FUNCTIONS UNDER THIS SECTION.

THE DESIGNATION SHALL BE REGISTERED WITH THE DOJ-OOC, WITH A COPY FURNISHED TO THE NCC-OSAEC-CSAEM SECRETARIAT, AND, WHERE APPLICABLE, WITH THE SECURITIES AND EXCHANGE COMMISSION (SEC) OR DEPARTMENT OF TRADE AND INDUSTRY (DTI). THE REGISTRATION 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:

(1) 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;

- (2) REPRESENT THE FOREIGN ENTITY IN ANY ADMINISTRATIVE, REGULATORY, LEGAL, OR JUDICIAL PROCEEDING IN THE PHILIPPINES RELATED TO THIS ACT AND ALLIED LAWS;**
- (3) EXECUTE UNDERTAKINGS, SUBMIT REPORTS, AND FACILITATE COMPLIANCE WITH THIS ACT, ITS IRR, AND DIRECTIVES OF COMPETENT AUTHORITIES; AND**
- (4) 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 AND 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) REGISTRY AND ACCESS. — THE DOJ-OOC SHALL MAINTAIN AN UPDATED ELECTRONIC REGISTRY OF ALL LEGAL REPRESENTATIVES DESIGNATED UNDER THIS SECTION AND SHALL ENSURE THAT THE DOJ NCC—OSAEC—CSAEM SECRETARIAT, AS WELL AS COMPETENT

LAW-ENFORCEMENT AGENCIES DESIGNATED IN THE IMPLEMENTING RULES AND REGULATIONS, HAVE CONTINUOUS, TIMELY, AND SECURE ELECTRONIC ACCESS TO SUCH REGISTRY FOR PURPOSES OF IMPLEMENTING THIS ACT AND ISSUING OR SERVING LAWFUL REQUESTS, ORDERS, OR OTHER PROCESSES.

Sec. 11. 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), 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 4, paragraphs **(O) and (P)** of this Act shall suffer the penalty of reclusion temporal in its maximum period to reclusion perpetua and a fine of not less than One million pesos (P1,000,000.00) but not more than Two million pesos (P2,000,000.00).
- (C) **ANY PERSON WHO VIOLATES SECTION 4, PARAGRAPHS (L) AND (M) 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.**
- (D) Any person who violates Section 4, paragraphs **(Q), (R), and (S)** of this Act shall suffer the penalty of reclusion temporal in its maximum period and a fine of not less than Eight hundred thousand pesos (P800,000.00) but not less than One million pesos (P1,000,000.00).
- (E) Any person who violates Section 4, paragraph **(T)** of this Act shall suffer the penalty of reclusion temporal in its medium period and a fine of not less than Five hundred thousand pesos (P500,000.00) but not more than Eight hundred thousand pesos (P800,000.00).
- (F) Any person who violates Section 4, paragraph **(U)** of this Act shall suffer the penalty of reclusion temporal in its minimum period and a fine of not less than Three hundred thousand pesos (P300,000.00) but not more than Five hundred thousand pesos (P500,000.00).
- (G) Any person who violates Section 4, paragraph **(V)** of this Act shall suffer the penalty of reclusion temporal and a fine of not less than Three hundred thousand pesos (P300,000.00);
- (H) Any person who violates Section 4, paragraph **(W)** of this Act shall suffer the penalty of prision mayor in its maximum period and a fine of not less than Two hundred thousand pesos (P200,000.00) but not more than Three hundred thousand pesos (P300,000.00).
- (I) Any person who violates Section 4, paragraph **(X)** of this Act shall suffer the penalty of prision mayor in its medium period and a fine of not less

than One hundred thousand pesos (P100,000.00) but not more than Two hundred thousand pesos (P200,000.00).

- (J) Any person who violates Section 6 of this Act shall suffer the penalty of life imprisonment and a fine of not less than Five million pesos (P5,000,000.00) but not more than Twenty million pesos (P20,000,000.00).

In addition to the above penalties, the following offenders shall be ineligible for parole:

- (1) An offender who is a recidivist;
- (2) An offender who is a step-parent or collateral relative within the third (3rd) degree of consanguinity or affinity having control or moral ascendancy over the child;
- (3) Any offender whose victim died or suffered permanent mental, psychological or physical disability.

Except for the violations of this Act that are penalized with life imprisonment, the frustrated commission of the acts prohibited under Section 4 shall be punishable with the penalty one degree lower than that prescribed under this Act: *Provided*, That attempted commission of the acts prohibited under Section 4 shall be punishable with the penalty two (2) degrees lower than that prescribed under this Act.

Any person found guilty of violating Section 9 of this Act shall suffer the penalty of prision mayor in its medium period and a fine of not less than One million two hundred thousand pesos (P1,200,000.00) but not more than Two million pesos (P2,000,000.00) for the first offense. In case of subsequent offense, the penalty shall be a fine of not less than Two million pesos (P2,000,000.00) but not more than Three million pesos (P3,000,000.00) and revocation of its license or franchise to operate and the immediate closure of the establishment, when applicable.

Any government official or employee or agent who abuses the authority provided for under Sections 9 and 26 of this Act shall be penalized with imprisonment of prision mayor in its maximum period and perpetual disqualification to hold public office, the right to vote and participate in any public election and a fine of not less than Five hundred thousand pesos (P500,000.00). All the benefits due from service in the government of such public officer or employee shall also be forfeited.

WHEN THE OFFENDER IS A JURIDICAL PERSON, THE PENALTY PRESCRIBED FOR THE OFFENSE UNDER THIS ACT SHALL BE IMPOSED UPON ANY OWNER, PARTNER, MEMBER OF THE BOARD OF DIRECTORS, TRUSTEE, MANAGER, OR OTHER RESPONSIBLE OFFICER WHO:

- (1) PARTICIPATED IN THE COMMISSION OF THE CRIME;**
- (2) HAD ACTUAL KNOWLEDGE OF ITS COMMISSION AND, HAVING THE AUTHORITY OR DUTY TO PREVENT OR REMEDY IT, KNOWINGLY PERMITTED OR TOLERATED ITS COMMISSION; OR**

- (3) IN THE EXERCISE OF REASONABLE DILIGENCE OUGHT TO HAVE KNOWN OF ITS COMMISSION AND, THROUGH OR GROSS NEGLIGENCE, FAILED TO PREVENT OR REMEDY IT.**

Sec. 12. ADMINISTRATIVE SANCTIONS. — WITHOUT PREJUDICE TO THE CRIMINAL SANCTIONS PROVIDED IN THIS ACT AND OTHER LAWS, THE CONCERNED REGULATORS AND COMPETENT AUTHORITIES, AS MAY BE IDENTIFIED IN THE IMPLEMENTING RULES AND REGULATIONS (IRR), MAY, AFTER DUE NOTICE AND HEARING, IMPOSE ONE OR MORE OF THE FOLLOWING ADMINISTRATIVE SANCTIONS AGAINST ANY NATURAL OR JURIDICAL PERSON FOUND TO HAVE VIOLATED ANY PROVISION OF THIS ACT OR ITS IRR:

- (A) CEASE-AND-DESIST ORDER. — THE ISSUANCE OF A CEASE-AND-DESIST ORDER DIRECTING THE RESPONDENT TO IMMEDIATELY STOP SPECIFIED ACTS OR OMISSIONS IN VIOLATION OF THIS ACT, AND TO SUBMIT, WITHIN A REASONABLE PERIOD, A WRITTEN REPORT AND SUPPORTING DOCUMENTATION DEMONSTRATING COMPLIANCE;**
- (B) ADMINISTRATIVE FINES. — THE IMPOSITION OF AN ADMINISTRATIVE FINE IN AN AMOUNT, RANGE, OR SCALE TO BE SPECIFIED IN THE IRR, TAKING INTO CONSIDERATION THE ATTENDANT CIRCUMSTANCES, SUCH AS:**
- (1) THE NATURE AND GRAVITY OF THE VIOLATION;**
 - (2) THE DURATION AND FREQUENCY OF THE VIOLATION;**
 - (3) THE NUMBER OF CHILDREN AFFECTED OR PLACED AT RISK;**
 - (4) THE SIZE, NATURE, AND FINANCIAL CAPACITY OF THE PERSON OR ENTITY CONCERNED;**
 - (5) THE DEGREE OF COOPERATION DURING INVESTIGATION;**
 - (6) REMEDIAL MEASURES TAKEN;**
 - (7) PREVIOUS ADMINISTRATIVE OR CRIMINAL LIABILITY;**
- AND**
- (8) AND OTHER ANALOGOUS CIRCUMSTANCES**
- (C) CENSURE OR FORMAL REPRIMAND. - THE ISSUANCE OF A WRITTEN CENSURE OR FORMAL REPRIMAND, WHICH MAY BE TAKEN INTO ACCOUNT AS AN AGGRAVATING FACTOR IN SUBSEQUENT VIOLATIONS;**
- (D) SUSPENSION, NON-RENEWAL, OR REVOCATION OF PERMITS AND LICENSES. - THE SUSPENSION, NON-RENEWAL, OR REVOCATION, IN WHOLE OR IN PART, OF PERMITS, LICENSES, AUTHORIZATIONS, REGISTRATIONS, ACCREDITATIONS, FRANCHISES, OR CERTIFICATES OF AUTHORITY TO OPERATE ISSUED BY THE CONCERNED REGULATOR OR LOCAL GOVERNMENT UNIT, IN CASES OF SERIOUS, REPEATED, OR WILLFUL VIOLATIONS, OR UNJUSTIFIED REFUSAL TO COMPLY WITH LAWFUL ORDERS ISSUED UNDER THIS ACT;**

- (E) RESTRICTION OR BLOCKING OF SPECIFIC SERVICES OR ACCESS POINTS. - THE TEMPORARY OR PERMANENT LIMITATION, SUSPENSION, OR BLOCKING OF ACCESS TO SPECIFIC ACCOUNTS, FEATURES, SERVICES, INTERNET ASSETS, URLS, DOMAINS, OR NETWORK ACCESS POINTS DEMONSTRABLY USED TO COMMIT OR FACILITATE VIOLATIONS OF THIS ACT, TO THE EXTENT TECHNICALLY FEASIBLE AND PROPORTIONATE TO THE RISK, WITHOUT PREJUDICE TO THE AUTHORITY OF SECTORAL REGULATORS SUCH AS THE NTC, BSP, SEC, OR LGUS UNDER THEIR RESPECTIVE CHARTERS AND REGULATIONS;**
- (F) INCLUSION IN REGISTRIES. — INCLUSION OF THE RESPONDENT, WHERE APPLICABLE AND AFTER OBSERVANCE OF THE REQUIREMENTS OF THE RELEVANT LAW, IN THE CHILD SEX OFFENDERS REGISTRY AND/OR THE BLACKLISTED ALIENS REGISTRY ESTABLISHED UNDER THIS ACT AND RELATED ISSUANCES; AND**
- (G) OTHER ANALOGOUS SANCTIONS. — SUCH OTHER ANALOGOUS OR INCIDENTAL ADMINISTRATIVE SANCTIONS AS MAY BE PROVIDED IN THE IRR OR SECTORAL REGULATIONS, CONSISTENT WITH THE OBJECTIVES OF THIS ACT AND WITH DUE PROCESS REQUIREMENTS.**

IN DETERMINING THE APPROPRIATE SANCTION OR COMBINATION OF SANCTIONS, THE REGULATOR OR COMPETENT AUTHORITY SHALL BE GUIDED BY THE PRINCIPLES OF NECESSITY AND PROPORTIONALITY, TAKING INTO ACCOUNT THE BEST INTERESTS OF THE CHILD, THE SERIOUSNESS AND SYSTEMIC NATURE OF THE VIOLATION, THE RESPONDENT'S ROLE IN THE OSAEC/CSAEM ECOSYSTEM, AND THE NEED TO DETER FUTURE VIOLATIONS.

NOTHING IN THIS SECTION SHALL BE CONSTRUED TO LIMIT, DIMINISH, OR OTHERWISE PREJUDICE THE EXISTING SANCTIONING AND SUPERVISORY POWERS OF REGULATORS SUCH AS THE BSP, SEC, NTC, NPC, DEPED, CHED, TESDA, DTI, LGUS, AND OTHER COMPETENT AUTHORITIES UNDER THEIR RESPECTIVE CHARTERS AND SPECIAL LAWS. THE ADMINISTRATIVE SANCTIONS UNDER THIS ACT MAY BE IMPOSED IN ADDITION TO, AND NOT IN SUBSTITUTION FOR, ANY SANCTIONS AVAILABLE UNDER SUCH OTHER LAWS.

Sec. 13. *Alien Offenders.* - If the offender is a foreigner, the offender shall be criminally prosecuted immediately. Thereafter, the offender shall be deported after serving sentence and will be permanently barred from re-entering the Philippines.

Sec. 14. *Confiscation and Forfeiture of the Proceeds, Tools and Instruments Used in Child Sexual Abuse or Exploitation.* - In addition to the penalty imposed for violations of this Act, the court shall order the confiscation and forfeiture in favor

of the government of all the proceeds, tools and instruments used in the commission of the crime, unless these are properties of a third person not liable for the unlawful act: *Provided*, That all awards for damages shall be taken from the personal and separate properties of the offender: *Provided, however*, That if such properties are insufficient, the deficiency shall be taken from the confiscated and forfeited proceeds, tools and instruments.

All proceeds derived from the sale of properties used for the commission of any form of child sexual abuse or exploitation shall be exclusively used for the purpose of child-rearing programs under the special account of the Department of Social Welfare and Development (DSWD).

When the proceeds, tools and instruments used in the commission of the offense have been destroyed, diminished in value or otherwise rendered worthless by any act or omission, directly or indirectly, of the offender, or it has been concealed, removed, converted or transferred to prevent the same from being found or to avoid forfeiture or confiscation, the offender shall be ordered to pay the amount equal to the value of the proceeds, tools and instruments used in the commission of the offense.

Sec. 15. 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:

- (1) is a Filipino citizen, **OR**
- (2) **IS A PERMANENT RESIDENT OF THE PHILIPPINES; OR**
- (3) Has committed the act against a citizen of the Philippines.

Sec. 16. Extradition and Mutual Legal Assistance. - The DOJ shall be the central authority for all requests for extradition and mutual legal assistance in all legal matters: *Provided*, That the government may surrender or extradite any person accused or convicted of child sexual abuse or exploitation pursuant to the extradition law and applicable extradition treaty.

The DOJ shall make and receive requests for mutual legal assistance in criminal matters from a foreign State relative to the investigation or prosecution of, related criminal proceedings to, any form of child sexual abuse or exploitation and execute or arrange for the execution of such request for assistance. In case there is an existing mutual legal assistance treaty between the Philippines and a foreign State, the provisions of that treaty shall apply.

Sec. 17. COOPERATION WITH FOREIGN LAW ENFORCEMENT IN OSAEC/CSAEM CASES. - Recognizing the transnational nature of **OSAEC** and **CSAEM**, **PHILIPPINE LAW ENFORCEMENT AGENCIES SHALL, AS PART OF THEIR STANDARD INVESTIGATIVE PROTOCOLS, PROACTIVELY ASSESS**

WHETHER ANY OSAEC OR CSAEM CASE UNDER INVESTIGATION HAS A FOREIGN NEXUS, INCLUDING BY EXAMINING, WHERE AVAILABLE, IP ADDRESSES, DOMAIN NAMES, FOREIGN-BASED PLATFORMS OR SERVICES USED, FOREIGN PAYMENT CHANNELS OR COUNTERPARTIES, AND OTHER RELEVANT DIGITAL OR FINANCIAL INDICATORS.

WHERE THE FACTS INDICATE, OR REASONABLY SUGGEST, A FOREIGN NEXUS, PHILIPPINE LAW ENFORCEMENT AGENCIES MAY, CONSISTENT WITH THIS ACT AND OTHER APPLICABLE LAWS, DIRECTLY EXCHANGE INFORMATION, DIGITAL FORENSIC RESULTS, AND OTHER RELEVANT EVIDENCE WITH COMPETENT FOREIGN LAW-ENFORCEMENT AUTHORITIES, DESIGNATED 24/7 POINTS OF CONTACT, AND INTERNATIONALLY RECOGNIZED HOTLINES OR CLEARINGHOUSES, FOR PURPOSES OF IDENTIFYING AND SAFEGUARDING VICTIMS, IDENTIFYING OFFENDERS, AND CONDUCTING PARALLEL OR JOINT INVESTIGATIONS, WHETHER OR NOT A FORMAL TREATY, BILATERAL AGREEMENT, OR OPERATIONAL ARRANGEMENT IS IN PLACE, AND WITHOUT PREJUDICE TO THE USE OF MUTUAL LEGAL ASSISTANCE TREATY (MLAT) CHANNELS WHERE REQUIRED BY THE LAW OF THE RECEIVING JURISDICTION FOR ADMISSIBILITY OR ENFORCEMENT.

IT IS HEREBY RECOGNIZED THAT THE CONCEPT OF PERSONAL KNOWLEDGE AS APPLIED IN OSAEC AND CSAEM CASES SHOULD REFLECT THE DIGITAL NATURE OF THESE OFFENSES. THUS, FOR PURPOSES OF APPLYING FOR SEARCH WARRANTS, CYBER WARRANTS, OR OTHER JUDICIAL AUTHORIZATIONS, PERSONAL KNOWLEDGE SHALL BE DEEMED TO INCLUDE THE VERIFIED REVIEW, EXAMINATION AND ANALYSIS BY A COMPETENT PHILIPPINE LAW ENFORCEMENT AUTHORITY OF THE INFORMATION DESCRIBED IN THE PARAGRAPH ABOVE, WHICH INCLUDES CYBER TIPLINE REPORTS FROM THE NATIONAL CENTER FOR MISSING AND EXPLOITED CHILDREN (NCMEC), THE EUROPEAN UNION (EU) CENTRE ON CHILD ABUSE, AND OTHER SIMILAR TIP LINES AND CLEARINGHOUSES, AND MAY SERVE AS THE SOLE BASIS FOR SUCH APPLICATIONS.

WHERE THE REVIEWED AND ANALYZED INFORMATION TRANSMITTED BY FOREIGN LAW ENFORCEMENT AGENCIES OR NCMEC ESTABLISHES (1) THE IDENTITY OF THE OFFENDER, (2) THAT THE OFFENSE IS CONTINUING IN NATURE, AND THAT (3) DELAY WOULD ENDANGER A CHILD, THE PHILIPPINE LAW ENFORCEMENT OFFICER MAY LAWFULLY EFFECT A WARRANTLESS ARREST ON THE GROUND THAT AN OFFENSE IS BEING COMMITTED, OR HAS JUST BEEN COMMITTED, OR IS ABOUT TO BE COMMITTED, AND THE OFFICER HAS PERSONAL KNOWLEDGE OF FACTS INDICATING THAT THE PERSON TO BE ARRESTED COMMITTED IT.

NOTWITHSTANDING THE DEFINITION OF A CHILD UNDER SECTION 3(A) OF THIS ACT, THE TERM "CHILD" AS USED IN THE PARAGRAPH ABOVE

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.

Sec. 18. Authority of Law Enforcement Agencies TO RETAIN AND SHARE EVIDENCE IN OSAEC/CSAEM CASES. -

- (A) RETENTION NOTWITHSTANDING REPUBLIC ACT NO. 10175. -** Notwithstanding the provisions of Sections 15 and 16 of Republic Act No. 10175, **AND ANY CONTRARY LIMITATION IN OTHER LAWS, WHENEVER A WARRANT, ORDER, OR OTHER LAWFUL PROCESS IS ISSUED IN CONNECTION WITH AN INVESTIGATION OR PROSECUTION OF OFFENSES UNDER THIS ACT, LAW-ENFORCEMENT AUTHORITIES,** shall be authorized to retain **COPIES OF:**

- (1) COMPUTER DATA, TRAFFIC DATA, AND CONTENT DATA ACQUIRED, SEIZED, DISCLOSED, OR PRODUCED PURSUANT TO SUCH PROCESS;**
- (2) RESULTS OF DIGITAL FORENSIC EXAMINATIONS, INCLUDING FORENSIC IMAGES, DERIVED ARTIFACTS, AND EXAMINATION REPORTS; AND**
- (3) OTHER EVIDENCE, WHETHER PHYSICAL, DOCUMENTARY, ELECTRONIC, OR DIGITIZED, LAWFULLY OBTAINED IN THE COURSE OF THE INVESTIGATION, INCLUDING MATERIALS PRODUCED PURSUANT TO SUBPOENA, VOLUNTARY CONSENT, PRESERVATION- AND-DISCLOSURE REQUESTS, OR OTHER LAWFUL MECHANISMS.**

- (B) PERMISSIBLE USES— RETAINED EVIDENCE UNDER THIS SECTION MAY BE USED, WITHIN AND OUTSIDE THE PHILIPPINES, TO:**

- (1) IDENTIFY, LOCATE, AND SAFEGUARD ADDITIONAL CHILD VICTIMS, AS WELL AS POTENTIAL VICTIMS AT RISK;**
- (2) IDENTIFY, LOCATE, AND BUILD CASES AGAINST SUSPECTS, CO-CONSPIRATORS, FACILITATORS, AND OTHER OFFENDERS;**
- (3) CONDUCT FURTHER INVESTIGATION, FINANCIAL TRACING, CASE BUILD-UP, AND DECONFLICTION ACROSS RELATED CASES OR REFERRALS; AND**
- (4) SUPPORT CRIMINAL INVESTIGATIONS, PROSECUTIONS, FORFEITURE OR FREEZING PROCEEDINGS, AND RELATED JUDICIAL OR ADMINISTRATIVE PROCEEDINGS IN THE PHILIPPINES**

AND, WHERE A FOREIGN NEXUS HAS BEEN DETERMINED PURSUANT TO SECTION 17 OF THIS ACT.

- (C) THE CHIEF OF THE WOMEN AND CHILDREN PROTECTION CENTER OF THE PHILIPPINE NATIONAL POLICE INVESTIGATING OSAEC-CSAEM CASES MAY ISSUE SUBPOENA *AD TESTIFICANDUM* AND SUBPOENA *DUCES TECUM* IN RELATION TO ITS INVESTIGATION ON VIOLATIONS OF THIS ACT. THE SUBPOENA SHALL STATE THE NATURE AND PURPOSE OF THE INVESTIGATION; SHALL BE DIRECTED TO THE PERSON WHOSE ATTENDANCE IS REQUIRED. AND IN THE CASE OF A SUBPOENA *DUCES TECUM*, IT SHALL ALSO CONTAIN A REASONABLE DESCRIPTION OF THE DATA, DOCUMENTS OR THINGS DEMANDED WHICH MUST BE RELEVANT TO THE INVESTIGATION.**
- (D) CROSS-BORDER SHARING FOR INVESTIGATIVE AND EVIDENTIARY USE. - WHERE LAW-ENFORCEMENT AUTHORITIES DETERMINE THAT AN OSAEC AND/OR CSAEM CASE HAS A FOREIGN NEXUS, THEY MAY DIRECTLY SHARE RETAINED EVIDENCE, INCLUDING DIGITAL EVIDENCE AND CERTIFIED COPIES THEREOF, WITH COMPETENT FOREIGN LAW-ENFORCEMENT AUTHORITIES OR DESIGNATED 24/7 POINTS OF CONTACT FOR USE IN INVESTIGATIONS OR JUDICIAL OR QUASI-JUDICIAL PROCEEDINGS ABROAD, SUBJECT TO THE FOLLOWING SAFEGUARDS:**
- (1) PHILIPPINE AUTHORITIES SHALL MAINTAIN AND PRESERVE CHAIN-OF-CUSTODY RECORDS AND, WHERE NECESSARY, PROVIDE CERTIFICATIONS OR ATTESTATIONS CONCERNING AUTHENTICITY, PROVENANCE, INTEGRITY, AND MANNER OF COLLECTION REQUIRED FOR ADMISSIBILITY IN THE RECEIVING JURISDICTION;**
 - (2) THE RECEIVING AUTHORITY SHALL BE INFORMED THAT THE MATERIALS ARE FURNISHED FOR THE SPECIFIC INVESTIGATION OR PROCEEDING IDENTIFIED IN THE TRANSMITTAL, AND PHILIPPINE AUTHORITIES SHALL REQUEST USE-LIMITATIONS, CONFIDENTIALITY UNDERTAKINGS, AND CHILD-PROTECTION SAFEGUARDS CONSISTENT WITH APPLICABLE LAW; AND**
 - (3) PERSONALLY IDENTIFIABLE INFORMATION OF CHILDREN AND SENSITIVE VICTIM DATA SHALL BE PROTECTED; REDACTIONS, PSEUDONYMIZATION, OR OTHER PROTECTIVE MEASURES SHALL BE APPLIED WHERE CONSISTENT WITH INVESTIGATIVE NEEDS, DUE PROCESS, AND CHILD-PROTECTION REQUIREMENTS.**

DIRECT SHARING OF EVIDENCE UNDER THIS SUBSECTION SHALL NOT BE CONDITIONED ON THE PRIOR EXISTENCE OF, OR PRIOR REQUEST UNDER, A MUTUAL LEGAL ASSISTANCE TREATY (MLAT), AGREEMENT, OR SIMILAR INSTRUMENT, WITHOUT PREJUDICE TO SUBSEQUENT FORMALIZATION OR SUPPLEMENTARY TRANSMISSION THROUGH SUCH CHANNELS WHERE REQUIRED BY THE LAW OF THE RECEIVING STATE.

- (E) DOMESTIC SHARING AND PARALLEL USE. — RETAINED EVIDENCE MAY LIKEWISE BE SHARED AMONG COMPETENT PHILIPPINE LAW-ENFORCEMENT AGENCIES, OTHER GOVERNMENT AGENCIES MANDATED TO INVESTIGATE OR ASSIST IN THE INVESTIGATION OF OSAEC AND CSAEM CASES, AND GOVERNMENT PROSECUTORS HANDLING RELATED CASES, FOR PARALLEL INVESTIGATIONS AND PROSECUTIONS, VICTIM-IDENTIFICATION, FINANCIAL TRACING, AND DECONFLICTION, SUBJECT TO APPLICABLE CONFIDENTIALITY, DATA-PROTECTION, AND EVIDENTIARY RULES.**
- (F) RETENTION PERIOD AND DISPOSITION. —EVIDENCE RETAINED UNDER THIS SECTION SHALL BE KEPT ONLY FOR AS LONG AS IS REASONABLY NECESSARY FOR THE PURPOSES SET OUT IN PARAGRAPH (B) OF THIS SECTION, OR AS OTHERWISE REQUIRED BY APPLICABLE LAW, PRESCRIPTION PERIODS, OR COURT ORDERS. UPON THE LAPSE OF SUCH PERIOD, AND SUBJECT TO PRESERVATION OBLIGATIONS IN PENDING PROCEEDINGS, SECURE DELETION, ARCHIVAL UNDER CONTROLLED ACCESS, OR OTHER LAWFUL DISPOSITION SHALL BE UNDERTAKEN, WITH DUE REGARD TO CHILD-PROTECTION AND THE NEED TO PREVENT RE-VICTIMIZATION.**
- (G) IMPLEMENTING RULES. — WITHIN ONE HUNDRED TWENTY (120) DAYS FROM THE EFFECTIVITY OF THIS ACT, THE DEPARTMENT OF JUSTICE, IN COORDINATION WITH THE NCC-OSAEC-CSAEM SECRETARIAT, NBI, PNP, AND OTHER INVESTIGATIVE BODIES CONCERNED, SHALL ISSUE RULES AND STANDARD OPERATING PROCEDURES TO IMPLEMENT THIS SECTION, INCLUDING:**
 - (1) STANDARD TEMPLATES FOR CERTIFICATIONS AND ATTESTATIONS ACCOMPANYING SHARED EVIDENCE;**
 - (2) MINIMUM CHAIN-OF-CUSTODY AND DOCUMENTATION REQUIREMENTS FOR RETAINED AND TRANSMITTED EVIDENCE;**
 - (3) GUIDANCE ON MINIMIZATION, REDACTION, AND OTHER PROTECTIVE MEASURES FOR CHILD-VICTIM DATA; AND**

(4) PROTOCOLS FOR SECURE STORAGE, ACCESS CONTROL, LOGGING, AND EVENTUAL DISPOSITION OF RETAINED EVIDENCE.

THE AUTHORITY OF LAW ENFORCEMENT AGENCIES TO RETAIN AND SHARE EVIDENCE UNDER THIS SECTION SHALL BE IMMEDIATELY OPERATIVE UPON THE EFFECTIVITY OF THIS ACT AND SHALL NOT BE DELAYED OR SUSPENDED BY THE NON-ISSUANCE OR DELAYED ISSUANCE OF THE IMPLEMENTING RULES AND PROCEDURES. PENDING SUCH ISSUANCE, LAW ENFORCEMENT AGENCIES SHALL EXERCISE THIS AUTHORITY IN ACCORDANCE WITH THIS ACT.

THESE RULES SHALL BE DESIGNED TO FACILITATE TIMELY, SECURE, AND ADMISSIBLE USE OF EVIDENCE IN OSAEC AND CSAEM CASES, BOTH DOMESTICALLY AND IN COOPERATION WITH FOREIGN AUTHORITIES, WITHOUT UNNECESSARILY DELAYING OPERATIONAL SHARING NEEDED TO RESCUE CHILDREN OR DISRUPT OFFENDERS.

Sec. 19. INTER-AGENCY INFORMATION-SHARING IN OSAEC AND CSAEM CASES. –

- (A) COVERAGE. - THIS SECTION APPLIES TO LAW-ENFORCEMENT AGENCIES, PROSECUTION OFFICES, AND OTHER INVESTIGATIVE BODIES MANDATED BY LAW TO INVESTIGATE, ASSIST IN THE INVESTIGATION OF, OR PROSECUTE OSAEC AND/OR CSAEM CASES, AS MAY BE IDENTIFIED IN THE IMPLEMENTING RULES AND REGULATIONS (IRR). NOTHING IN THIS SECTION SHALL BE CONSTRUED TO AMEND OR LIMIT THE SPECIALIZED INFORMATION-SHARING FRAMEWORKS APPLICABLE TO THE ANTI-MONEY LAUNDERING COUNCIL (AMLC) UNDER THE ANTI-MONEY LAUNDERING ACT OF 2001 (AMLA) AND SECTION 36 OF THIS ACT.**
- (B) DUTY TO SHARE RELEVANT INFORMATION. – SUBJECT TO THEIR RESPECTIVE MANDATES AND LAWFUL RESTRICTIONS, THE ENTITIES MENTIONED IN THE PRECEDING PARAGRAPH SHALL, ON THEIR OWN INITIATIVE OR UPON REQUEST, SHARE WITH ONE ANOTHER TIMELY AND RELEVANT INFORMATION, INTELLIGENCE, REFERRALS, AND ANALYTICAL PRODUCTS REASONABLY NECESSARY FOR: (1) CHILD PROTECTION AND RESCUE; (2) DETECTION, INVESTIGATION, AND CASE BUILD-UP; (3) IDENTIFICATION OF VICTIMS AND OFFENDERS; AND (4) THE PREPARATION AND CONDUCT OF PROSECUTIONS UNDER THIS ACT AND RELATED LAWS.**
- (C) MODALITIES, INCLUDING PICACC. – INFORMATION-SHARING UNDER THIS SECTION MAY BE EFFECTED THROUGH:**

- (1) DIRECT BILATERAL OR MULTILATERAL COORDINATION;
 - (2) THE COORDINATING ROLE OF THE NCC-OSAEC-CSAEM SECRETARIAT, INCLUDING THROUGH ITS NATIONAL DATABASES AND CASE-TRACKING SYSTEMS; AND
 - (3) FOR CASES WITH A FOREIGN NEXUS, THROUGH THE PHILIPPINE INTERNET CRIMES AGAINST CHILDREN CENTER (PICACC), CONSISTENT WITH ITS MANDATE AND IRR. THE IRR SHALL SPECIFY THE MINIMUM DATA ELEMENTS, STANDARD FORMATS, TIMELINES, AND FOCAL POINTS FOR SUCH EXCHANGES.
- (D) IMPLEMENTING RULES. — THE DOJ, THROUGH THE NCC-OSAEC-CSAEM SECRETARIAT, IN COORDINATION WITH CONCERNED LAW-ENFORCEMENT AGENCIES AND PROSECUTION OFFICES, SHALL ISSUE DETAILED PROTOCOLS TO IMPLEMENT THIS SECTION WITHIN ONE HUNDRED TWENTY (120) DAYS FROM EFFECTIVITY OF THIS ACT. THE DUTIES AND AUTHORITIES IN THIS SECTION, HOWEVER, SHALL BE IMMEDIATELY EFFECTIVE UPON EFFECTIVITY OF THIS ACT AND SHALL NOT BE DEPENDENT ON THE PRIOR ISSUANCE OF SUCH PROTOCOLS.

Sec. 20. HANDLING OF CYBERTIPLINE REPORTS AND INTERNATIONAL CHILD-PROTECTION HOTLINES. —

- (A) SCOPE. — THIS SECTION SHALL APPLY TO REPORTS, REFERRALS, OR NOTIFICATIONS RELATING TO OSAEC AND/OR CSAEM TRANSMITTED BY FOREIGN OR INTERNATIONAL CHILD-PROTECTION HOTLINES, CLEARINGHOUSES, SPECIALIZED DATABASES, OR SIMILAR ENTITIES THAT FUNCTION AS CENTRALIZED REPORTING OR TRIAGE HUBS FOR CHILD SEXUAL ABUSE OR EXPLOITATION MATERIAL, INCLUDING BUT NOT LIMITED TO THE NATIONAL CENTER FOR MISSING AND EXPLOITED CHILDREN (NCMEC) CYBERTIPLINE OR THEIR SUCCESSORS.
- (B) NATIONAL CLEARINGHOUSE; POINT-OF-CONTACT. — CONSISTENT WITH THIS ACT, THE NCC-OSAEC-CSAEM SECRETARIAT SHALL SERVE AS THE NATIONAL POINT-OF-CONTACT AND CLEARINGHOUSE FOR OSAEC AND CSAEM REPORTS COVERED BY THIS SECTION FOR PURPOSES OF RECEIPT, LOGGING, TRIAGING, RISK ASSESSMENT, DE-DUPLICATION, NATIONAL-LEVEL DECONFLICTION, REFERRAL, MONITORING, AND ANALYTICS, SUBJECT TO APPLICABLE CONFIDENTIALITY, DATA-PRIVACY, AND INFORMATION-SECURITY RULES.
- (C) CONTINUITY OF EXISTING TRANSMISSION CHANNELS; NON-DIMINUTION OF DOJ-OOC FUNCTIONS. — WHERE, PURSUANT TO EXISTING ARRANGEMENTS OR PRACTICE, REPORTS COVERED BY

THIS SECTION ARE TRANSMITTED TO THE DEPARTMENT OF JUSTICE-OFFICE OF CYBERCRIME (DOJ-OOC), SUCH RECEIPT SHALL CONTINUE WITHOUT PREJUDICE TO THE DOJ-OOC'S FUNCTIONS UNDER REPUBLIC ACT NO. 10175 AND OTHER APPLICABLE LAWS, INCLUDING ITS ROLE AS CENTRAL AUTHORITY FOR INTERNATIONAL MUTUAL ASSISTANCE AND EXTRADITION IN CYBERCRIME MATTERS.

- (D) TIMELY SHARING WITH NCC-OSAEC-CSAEM SECRETARIAT. — ALL OSAEC/CSAEM-SPECIFIC REPORTS, REFERRALS, OR NOTIFICATIONS RECEIVED BY THE DOJ-OOC UNDER THIS SECTION SHALL BE MADE AVAILABLE TO THE NCC-OSAEC-CSAEM SECRETARIAT THROUGH TIMELY AND DIRECT ACCESS AND/OR TRANSMISSION, TOGETHER WITH AVAILABLE METADATA AND ATTACHMENTS REASONABLY NECESSARY FOR TRIAGE, DE-DUPLICATION, CASE INITIATION, AND MONITORING, WITHOUT NEED OF FURTHER CLEARANCE OR CASE-BY-CASE APPROVAL, SUBJECT ONLY TO APPLICABLE CONFIDENTIALITY, DATA-PRIVACY, AND INFORMATION-SECURITY RULES. SUCH ACCESS AND/OR TRANSMISSION SHALL BE EFFECTED WITHIN TWENTY-FOUR (24) HOURS FROM RECEIPT, OR SOONER WHERE PRACTICABLE.**
- (E) SHARED SYSTEM AND ANALYTICS — THE DOJ-OOC AND THE NCC-OSAEC-CSAEM SECRETARIAT SHALL ESTABLISH AND MAINTAIN SECURE, AUDITABLE, AND, WHERE PRACTICABLE, AUTOMATED MECHANISMS THAT ENABLE THE NCC-OSAEC-CSAEM SECRETARIAT TO HAVE TIMELY AND DIRECT ACCESS TO OSAEC/CSAEM-SPECIFIC REPORTS AND DATA RECEIVED UNDER THIS SECTION, INCLUDING THROUGH SHARED CASE-MANAGEMENT SYSTEMS, DASHBOARDS, OR DATA FEEDS, SUBJECT TO APPLICABLE AGREEMENTS WITH FOREIGN OR INTERNATIONAL PARTNERS.**
- (F) JOINT TRIAGE, ASSIGNMENT, AND COORDINATION. — THE DOJ-OOC AND THE NCC-OSAEC-CSAEM SECRETARIAT SHALL JOINTLY UNDERTAKE THE TRIAGE, PRIORITIZATION, AND NATIONAL-LEVEL DECONFLICTION, AND ASSIGNMENT OF SUCH REFERRALS AND REPORTS TO APPROPRIATE LAW ENFORCEMENT UNITS. THE DOJ NCC-OSAEC-CSAEM SECRETARIAT SHALL PROVIDE RISK ASSESSMENTS, PRIORITIZATION CRITERIA, AND COORDINATION INPUTS, AND SHALL MONITOR THE HANDLING AND DISPOSITION OF SUCH REFERRALS IN ACCORDANCE WITH THIS ACT AND RELATED LAWS.**
- (G) ENGAGEMENT WITH CHILD-PROTECTION CLEARINGHOUSES. - NOTHING IN THIS ACT OR IN REPUBLIC ACT NO. 10175 SHALL BE CONSTRUED TO PREVENT THE NCC-OSAEC-CSAEM SECRETARIAT, IN COORDINATION WITH THE DOJ-OOC OR THE DEPARTMENT OF**

FOREIGN AFFAIRS (DFA), FROM ENTERING INTO AGREEMENTS WITH FOREIGN OR INTERNATIONAL CHILD-PROTECTION HOTLINES, CLEARINGHOUSES, SPECIALIZED DATABASES, OR SIMILAR ENTITIES TO RECEIVE OSAEC/CSAEM-SPECIFIC REFERRALS OR ANALYTICAL PRODUCTS DIRECTLY, CONSISTENT WITH APPLICABLE INTERNATIONAL OBLIGATIONS, DOMESTIC LAW, AND DATA-PROTECTION STANDARDS.

(H) IMPLEMENTING RULES. — WITHIN ONE HUNDRED TWENTY (120) DAYS FROM THE EFFECTIVITY OF THIS ACT, THE DOJ-OOC AND THE NCC-OSAEC-CSAEM SECRETARIAT, IN COORDINATION WITH THE PNP, NBI, AND OTHER CONCERNED AGENCIES, SHALL ISSUE JOINT RULES SPECIFYING, AMONG OTHERS:

- (1) MINIMUM DATA FIELDS AND FORMATS;**
- (2) TIMELINES AND ESCALATION CRITERIA FOR TRIAGE AND ASSIGNMENT;**
- (3) MECHANISMS FOR DECONFLICTION AND FEEDBACK; AND**
- (4) SAFEGUARDS FOR THE PROTECTION OF SENSITIVE DATA.**

THE DUTIES AND AUTHORITIES IN PARAGRAPHS (B) TO (E) SHALL, HOWEVER, BE IMMEDIATELY EFFECTIVE UPON THE EFFECTIVITY OF THIS ACT AND SHALL NOT BE DEPENDENT ON THE PRIOR ISSUANCE OF SUCH RULES.

Sec. 21. *Appointment of Special Prosecutors.* — The DOJ shall appoint or designate special prosecutors to prosecute cases for the violation of this Act.

Sec. 22. *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 SHALL BE VESTED WITH THE CONCERNED REGULATORY AGENCIES.

Sec. 23. *Venue.* — A criminal action arising from a violation of this Act shall be filed where the offense was committed, where any of its elements occurred, or where the child is found or actually resides at the time of the commission of the offense: *Provided*, That the court where the criminal action is first filed shall acquire jurisdiction to the exclusion of the other courts.

Sec. 24. *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:

- (A) The judge, prosecutor or any officer of the law to whom the complaint has been referred may, whenever necessary, ensure a fair and impartial proceeding and after considering all circumstances for the best interest of the child, conduct a closed-door investigation, prosecution or trial;
- (B) The name and personal circumstances of the child, including the child's immediate family, or any other information tending to establish the identity of the child shall not be disclosed to the public;
- (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. ALL INFORMATION THAT COULD IDENTIFY THE CHILD SHOULD BE FULLY ANONYMIZED OR REDACTED. THE CHILD OR NON-OFFENDING PARENT OR GUARDIAN SHALL ALSO HAVE THE RIGHT TO REQUEST DELETION OF THE RECORDING AT ANY TIME, AND SUCH REQUEST SHALL BE HONORED PROMPTLY IN ACCORDANCE WITH APPLICABLE DATA PROTECTION STANDARDS. 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.

- (D) Any form of child sexual abuse or exploitation that is part of the court records shall be subject to a protective order that provides as follows:
 - (1) Any form of child sexual abuse or exploitation may be viewed only by the parties, their counsel, their expert witness and guardian *ad litem*;
 - (2) Neither form of child sexual abuse or exploitation nor any portion thereof shall be divulged to any other person, except as necessary for investigation, prosecution or trial; and
 - (3) No person shall be granted access to any form of child sexual abuse or exploitation or any part thereof unless there is a written affirmation of the receipt of a copy of the protection order; that such person submits to the jurisdiction of the court with respect

- to the protective order; and that, in case of violation thereof, such person will be subject to the contempt power of the court; and
- (E) It shall be unlawful for any editor, publisher, reporter or columnist in case of printed materials, announcer, producer or social media influencer or content creator, in case of television and radio broadcasting and digital media, and producer and director of the film in case of the movie industry, to cause any undue publicity that may result in the further suffering of the child. Any person or agency involved in the reporting, investigation or trial of cases under this Act shall refrain from any act or statement that may be construed as blaming the victim or placing responsibility on the victim for the offense committed against them.

Sec. 25. *Applicability of Juvenile Justice and Welfare Act, as Amended.* - In cases where the offender is a child, the prosecution of the offense shall be in accordance with Republic Act No. 9344, otherwise known as the "Juvenile Justice and Welfare Act 27 of 2006," as amended, and the child shall be accorded the appropriate treatment and services under the said law: *Provided*, That in cases of **FIRST-PERSON PRODUCED CSAEMs**, the child producing the sexualized materials 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.

Sec. 26. *Initiation of Investigation.* — Law enforcement agencies are mandated to immediately initiate investigation and counter-OSAEC and -CSAEM-intelligence gathering upon receipt of statements or affidavits from victims of OSAEC and CSAEM, or their families, and other persons who have knowledge or information about violations of this Act, including the private sector.

Agencies that receive complaints of violations of this Act shall develop both online and face-to-face reporting mechanisms that are gender-sensitive, age-appropriate and culturally sensitive to children, especially girls.

In investigating violations of this Act, a law enforcement officer may, upon a written order from the regional trial court, track, intercept, view, monitor, surveil, listen to, and record, by technical or electronic means, any communications, information or messages, including the procurement of content data, transmitted by means of a computer system involving at least one (1) person reasonably believed to have committed violations under this Act: *Provided*, That when the offense involves the use of computer systems and digital platforms, a court order shall not be required in order for a law enforcement officer acting in an undercover capacity to intercept a communication with a person reasonably believed to have committed, is committing, or is about to commit any of the violations of this Act.

Where an order is required, the order shall only be issued or granted upon written application of a law enforcement officer, who shall be examined under oath or affirmation, and the witnesses he or she may produce and the showing that:

- (a) there are reasonable grounds to believe that any of the crimes enumerated hereinabove has been committed, or is being committed, or is about to be committed;
- (b) that there are reasonable grounds to believe that evidence that will be obtained is essential to the conviction of any person for, or to the solution of, or to the prevention of, any such crimes; and
- (c) that there are no other means readily available for obtaining such evidence.

The order shall only be effective for the length of time determined by the court, which shall not exceed a period of ten (10) days from its issuance. The court issuing the order may, upon motion, extend its effectivity based only on justifiable reasons for a period not exceeding ten (10) days from the expiration of the original period.

In investigating violations of this Act involving the use of the internet and other digital platforms, law enforcement officers acting in an undercover capacity who record their communications with a person or persons reasonably believed to have committed, is committing, or is about to commit any of the violations under this Act shall not be considered as wiretapping or illegal interception, shall not be liable under the provisions of Republic Act No. 4200, otherwise known as "The Anti-Wiretapping Law": *Provided*, That victims of violations of this Act shall not be liable under the provisions of "The Anti-Wiretapping Law" and the "Cybercrime Prevention Act of 2012" if they record, transmit, or perform any other acts directly or indirectly related to the reporting of any violation of this Act committed against them.

Sec. 27. Who May File a Complaint. — Complaints on cases of any form of child sexual abuse or exploitation punishable under this Act may be filed by the following:

- (a) Offended party;
- (b) Parents or guardians;
- (c) Ascendant or collateral relative within the third (3rd) degree of consanguinity;
- (d) Officer, social worker or representative of a licensed child-caring institution;
- (e) Officer or social worker of the DSWD;
- (f) Local social welfare development officer;
- (g) Any barangay official;
- (h) Any law enforcement officer;
- (i) At least three (3) concerned responsible citizens residing in the place where the violation occurred; or
- (j) Any person who has personal knowledge of the circumstances of the commission of any offense under this Act.

Sec. 28. Affidavit of Desistance. — Cases involving OSAEC and CSAEM shall not be dismissed based on the affidavit of desistance executed by the victims or their parents or legal guardians. Public and private prosecutors are directed to vigorously oppose and manifest objections to motions for dismissal. Any act that unduly pressures the complainant to execute an affidavit of desistance shall be punishable under this Act.

Sec. 29. Protective Custody of the Child. - The child victim shall be immediately placed under the protective custody of the city or municipal social welfare and development office: *Provided*, That in cases where (a) the city or municipal social welfare and development office has no registered social worker that can perform case management; (b) the LGU does not have any residential care facility that can afford center-based intervention and rehabilitation; and/or (c) it was assessed that there are safety and risk factors detrimental to the child's stay in the same locality, the DSWD shall provide support and assistance to the concerned city or municipal social welfare and development office by assuming temporary protective custody over the child: *Provided, however*, That the needs of the child shall be provided for by the concerned LGU: *Provided, further*, That the custody proceedings shall be in accordance with the provisions of Presidential Decree No. 603, otherwise known as "The Child and Youth Welfare Code."

The DSWD and the DOJ shall extend all necessary legal assistance and support to the city or municipal social welfare and development office for any legal impediment that may arise in performing their functions in assuming temporary protective custody as another form of technical assistance and resource augmentation. In the regular performance of this function, the city or municipal social welfare and development office or the DSWD shall be free from any administrative, civil or criminal liability.

The child shall also be considered as a victim of a violent crime defined under Section 3 (d) of Republic Act No. 7309, entitled "An Act Creating a Board of Claims under the Department of Justice for Victims of Unjust Imprisonment or Detention and Victims of Violent Crimes and for Other Purposes," and may claim compensation therefor.

Sec. 30. Mandatory Services to Victims of Child Sexual Abuse or Exploitation. - To ensure recovery, rehabilitation and reintegration into the mainstream of society, concerned government agencies and the LGUs, through its city or municipal social welfare and development office, shall make available the following services to victims of any form of child sexual abuse or exploitation and their families, when applicable:

- (a) Emergency shelter or appropriate housing;
- (b) Counseling;
- (c) Free legal services, which shall include information about the victim's rights and the procedure for filing of complaints, claims for

- compensation and such other legal remedies available to them in a language understood by the child;
- (d) Medical or psychological services;
 - (e) Livelihood and skills training; and
 - (f) Educational assistance.

Sustained supervision and follow-through mechanism that will track the progress of recovery, rehabilitation and reintegration of the child victims shall be adopted and carried out.

The DSWD and other concerned national government agencies may provide the necessary technical assistance and resource augmentation to the LGUs or city or municipal social welfare and development office, subject to the availability of funds.

Sec. 31. *Programs for Victims of Child Sexual Abuse or Exploitation.* — The National COORDINATING COUNCIL against OSAEC and CSAEM created under **SECTION 33** of this Act shall develop and implement the necessary programs that will prevent any form of child sexual abuse or exploitation, as well as protect, heal and reintegrate the child or children into the mainstream of society. Such programs shall include the:

- (a) provision of mandatory services including counseling, free legal services, medical or psychological services, livelihood and skills training and educational assistance to the child or children and their families;
- (b) sponsorship of a national research program on OSAEC and CSAEM and the establishment of a data collection system for monitoring and evaluation purpose;
- (c) provision of necessary technical and material support services to appropriate government agencies and nongovernment organizations (NGOS);
- (d) sponsorship of conferences and seminars to provide a venue for consensus building amongst the public, the academe, government, nongovernment and international organizations;
- (e) promotion of **SUSTAINED, AGE-APPROPRIATE, CULTURALLY SENSITIVE, AND EVIDENCE-BASED INFORMATION, AWARENESS, AND EDUCATION PROGRAMS ON SAFE AND RESPONSIBLE ONLINE BEHAVIOR, DIGITAL SAFETY, AND THE PREVENTION OF OSAEC AND CSAEM, IN PARTNERSHIP WITH RELEVANT GOVERNMENT AGENCIES, SCHOOLS, PARENTS, COMMUNITY ORGANIZATIONS, AND ONLINE SERVICE PROVIDERS;** and
- (f) Provision of programs developed for purposes of intervention and diversion, as well as rehabilitation of the child victim, for reintegration into the family of the child or community.

TOWARDS THIS END, THE IMPLEMENTING RULES AND REGULATIONS (IRR) OF THIS ACT SHALL INCLUDE, AMONG OTHER OTHERS, THE PROGRAMS AND SERVICES OF VARIOUS GOVERNMENT AGENCIES AND RELEVANT STAKEHOLDERS, EMPHASIZING THE PREVENTIVE, PROTECTIVE, AND REHABILITATIVE PROGRAMS FOR VICTIMS OF OSAEC-CSAEM.

Sec. 32. Reasonable Accommodation for Children with Disabilities. — The DOJ and the DSWD shall develop **AND UPDATE THE** guidelines, pursuant to the UN Convention on the Rights of Persons with Disabilities, for the provision, as far as practicable, of necessary and appropriate modification and adjustments across all stages of case management of OSAEC cases to ensure children with disabilities will have access to justice.

The Supreme Court shall, in accordance with its rules and the UN Convention on the Rights of Persons with Disabilities, issue guidelines for the provision, as far as practicable, of necessary and appropriate modification and adjustments across all stages of case management of OSAEC and CSAEM cases to ensure children with disabilities will have access to justice.

THE NATIONAL COUNCIL ON DISABILITY AFFAIRS (NCDA) SHALL LEAD THE IMPLEMENTATION OF THE GUIDELINES ISSUED, DEVELOPED AND UPDATED UNDER THIS SECTION.

Sec. 33. The National **COORDINATING COUNCIL** against OSAEC and CSAEM. — There is hereby established a **NATIONAL COORDINATING COUNCIL AGAINST OSAEC AND CSAEM (NC-OSAEC-CSAEM), WITH THE SECRETARY OF THE DEPARTMENT OF JUSTICE AS CHAIRPERSON AND THE SECRETARY OF THE DEPARTMENT OF SOCIAL WELFARE AND DEVELOPMENT AS CO-CHAIRPERSON. THE COMPOSITION AND MEMBERS OF THE NCC-OSAEC-CSAEM SHALL BE DETERMINED UNDER THE IMPLEMENTING RULES AND 32 REGULATIONS (IRR) OF THIS ACT.**

Sec. 34. FUNCTIONS OF THE NCC-OSAEC-CSAEM. - THE NCC-OSAEC-CSAEM SHALL PERFORM THE FOLLOWING POWERS AND FUNCTIONS:

(A) PROGRAM DEVELOPMENT AND IMPLEMENTATION. – Develop and implement the necessary programs that will prevent the commission of OSAEC and CSAEM, as well as protect, heal and reintegrate the child into the mainstream of society. Such programs shall include the following:

- (1) Provision of mandatory services including emergency shelter or appropriate housing such as foster care or kinship care arrangements, counseling, free legal services, medical or psychological services, as well as support services including community-based rehabilitation, livelihood and skills training, educational assistance to the child, sustained supervision, and

- follow-through mechanisms that will track the progress of recovery, rehabilitation, and reintegration of the child;
- (2) Sponsorship of a national research program on OSAEC and CSAEM and the establishment of a data collection system for monitoring and evaluation purposes;
 - (3) Development and implementation of sustained, gender-responsive, and effective communication, education, and information campaigns at the national, local, and community levels using all forms of media, aimed at promoting a working understanding of the law and situating it in the larger context of women and children's rights;
 - (4) **DEVELOPMENT, IMPLEMENTATION, AND MAINTENANCE OF A COMPREHENSIVE MONITORING, RESEARCH, AND DATA MANAGEMENT SYSTEM/DATABASE TO ENSURE THE SYSTEMATIC, TIMELY, SECURE, AND INTEROPERABLE COLLECTION, VALIDATION, STORAGE, AND ANALYSIS OF DATA ON ALL MATTERS RELEVANT TO OSAEC AND CSAEM, INCLUDING:**
 - (i) **CASE AND REFERRAL FLOW AND OUTCOMES, INCLUDING INBOUND AND OUTBOUND REFERRALS AND OTHER CASES WITH FOREIGN NEXUS (REPORTS RECEIVED; INVESTIGATIONS; PROSECUTIONS; COURT STATUS AND DISPOSITIONS; AND KEY TIMELINES);**
 - (ii) **PROFILES AND PATTERNS (VICTIM-SURVIVOR AND OFFENDER/ACCUSED DEMOGRAPHICS AND OTHER RISK INDICATORS, DISAGGREGATED AS APPROPRIATE BY SEX/GENDER, AGE, NATIONALITY, AND AREA);**
 - (iii) **TECHNOLOGY AND MODUS OPERANDI INDICATORS, INCLUDING COMMONLY USED PLATFORMS/APPLICATIONS/SERVICES AND PAYMENT CHANNELS;**
 - (iv) **SERVICES RENDERED AND OUTCOMES FOR VICTIMS-SURVIVORS (REFERRALS, TIMELINESS/CONTINUITY OF CARE, AND REINTEGRATION INDICATORS); AND**
 - (v) **PROGRAM AND POLICY EFFECTIVENESS (COVERAGE, PERFORMANCE, AND EVALUATION FINDINGS TO GUIDE PLANNING, RESOURCING, AND IMPROVEMENTS).**

THE SYSTEM MAY INCLUDE A CENTRALIZED REPORTING AND TRIAGE PORTAL TO RECEIVE, DE-CONFLICT, PRIORITIZE, AND ROUTE REPORTS AND REFERRALS, INCLUDING FROM FOREIGN COUNTERPARTS AND COVERED INTERMEDIARIES, CONSISTENT WITH CHILD-SENSITIVE SAFEGUARDS.

THE SYSTEM SHALL ADOPT HARMONIZED MINIMUM DATASETS AND DATA STANDARDS, AND SHALL INCLUDE APPROPRIATE ACCESS CONTROLS, AUDIT TRAILS, AND CHILD-SENSITIVE DATA PROTECTION MEASURES.

- (5) Establishment of a point-of-contact and coordination system with international organizations for the receipt of reports on OSAEC and CSAEM; and
- (6) Promotion of information, awareness, and education campaigns regarding safe and responsible use of the internet in relation to OSAEC and CSAEM to educate the public, including children;
- (B) POLICY FUNCTIONS. - PRESCRIBE AND ADOPT RULES, REGULATIONS, GUIDELINES, AND MEASURES NECESSARY TO CARRY OUT THE PURPOSES OF THIS ACT, INCLUDING PROPOSED JOINT CIRCULARS AND IMPLEMENTING RULES WITH CONCERNED AGENCIES;**
- (C) INTERNAL GOVERNANCE. - 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, INCLUDING THE APPROVAL AND PERIODIC REVIEW OF A MULTI-YEAR NATIONAL STRATEGIC ACTION PLAN ON OSAEC AND CSAEM;**
- (D) DELEGATION. — 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;**
- (E) COORDINATION OF MULTI-AGENCY MECHANISMS. — PROVIDE STRATEGIC DIRECTION AND COORDINATION FOR MULTI-AGENCY MECHANISMS CREATED UNDER THIS ACT, INCLUDING NATIONAL REFERRAL PATHWAYS, DATA-HARMONIZATION EFFORTS, AND INFORMATION-SHARING ARRANGEMENTS, WITHOUT PREJUDICE TO THE STATUTORY MANDATES AND OPERATIONAL INDEPENDENCE OF PARTICIPATING AGENCIES; AND**
- (F) RESIDUAL AUTHORITY. - EXERCISE ALL THE POWERS AND PERFORM SUCH OTHER FUNCTIONS NECESSARY TO ATTAIN THE PURPOSES AND OBJECTIVES OF THIS ACT.**

Sec. 35. Secretariat. — the NCC-OSAEC-CSAEM shall have its own secretariat **TO PROVIDE TECHNICAL, ADMINISTRATIVE, AND OPERATIONAL SUPPORT FOR THE FUNCTIONS, PROGRAMS, AND PROJECTS OF THE NCC-OSAEC-CSAEM AND SHALL HAVE THE FOLLOWING FUNCTIONS:**

- (A) PROGRAM IMPLEMENTATION - ENSURE EFFECTIVE AND EFFICIENT PERFORMANCE OF FUNCTIONS AND PROMPT**

- IMPLEMENTATION OF OBJECTIVES, POLICIES, PLANS AND PROGRAMS OF THE NCC-OSAEC-CSAEM;**
- (B) COORDINATION. – COORDINATE AND MONITOR THE IMPLEMENTATION OF THE PROGRAMS, POLICIES, AND GUIDELINES PROMULGATED BY THE NCC-OSAEC-CSAEM;**
 - (C) DATA AND INFORMATION SYSTEMS - MAINTAIN AND MANAGE AN INTEGRATED SET OF MONITORING, CASE-MANAGEMENT, AND POLICY-RELEVANT DATABASES AND INFORMATION SYSTEMS ENVISIONED IN SECTION 34 OF THIS ACT, INCLUDING SUCH REGISTRIES AND BLACKLISTS AS MAY BE CREATED UNDER THIS ACT, AS WELL AS OTHER DATASETS NECESSARY FOR TREND ANALYSIS, RISK ASSESSMENT, PROGRAM DESIGN, AND IMPACT MONITORING. THE SECRETARIAT SHALL ENSURE THE SECURITY, INTEGRITY, INTEROPERABILITY, AND CONTROLLED ACCESS OF THESE SYSTEMS IN ACCORDANCE WITH THE DATA PRIVACY ACT AND OTHER RELEVANT LAWS;**
 - (D) REFERRAL PATHWAYS AND POINT-OF-CONTACT. — OVERSEE THE NATIONAL REFERRAL PATHWAY PROTOCOLS FOR OSAEC AND CSAEM, AND OPERATE OR SUPPORT THE POINT-OF-CONTACT AND COORDINATION SYSTEM ENVISIONED IN SECTION 34 OF THIS ACT FOR THE RECEIPT, TRIAGING, AND REFERRAL OF REPORTS FROM INTERNATIONAL AND DOMESTIC PARTNERS;**
 - (E) INVESTIGATIVE ASSISTANCE. — PROVIDE ASSISTANCE TO LAW-ENFORCEMENT AGENCIES, PROSECUTORS, AND OTHER COMPETENT AUTHORITIES IN THE INVESTIGATION AND PROSECUTION OF OSAEC AND CSAEM CASES, INCLUDING OPEN-SOURCE INTELLIGENCE (OSINT), DATA ANALYSIS, DIGITAL FORENSIC CAPABILITIES FOR LAWFULLY OBTAINED ELECTRONIC EVIDENCE, SUCH AS FORENSIC IMAGING, EXAMINATION, HASH-MATCHING, DATA RECOVERY, AND OTHER SPECIALIZED TECHNIQUES, AND THE AUTHORITY TO ISSUE EXPEDITIOUS PRESERVATION REQUESTS OR ORDERS TO SERVICE PROVIDERS AND RELEVANT PRIVATE ENTITIES, WITHOUT PREJUDICE TO THE STATUTORY MANDATES AND OPERATIONAL POWERS OF THE PNP, NBI, AND OTHER COMPETENT AUTHORITIES;**
 - (F) COMPLIANCE MONITORING SUPPORT. — ACT AS A CENTRAL COORDINATION HUB, IN COOPERATION WITH THE DOJ-OOC, BSP, NTC, NPC, AMLC, AND OTHER RELEVANT REGULATORS, FOR THE MONITORING OF COMPLIANCE OF INTERNET INTERMEDIARIES, PAYMENT SYSTEM PROVIDERS, AND OTHER PRIVATE-SECTOR ENTITIES WITH THEIR DUTIES UNDER THIS ACT, WITHOUT PREJUDICE TO THE SUPERVISORY AND ENFORCEMENT POWERS OF SUCH REGULATORS;**

- (G) SECRETARIAT TO MULTI-AGENCY BODIES. - PROVIDE SECRETARIAT, RECORDS-KEEPING, AND OTHER ADMINISTRATIVE AND TECHNICAL SERVICES TO THE NCC-OSAEC-CSAEM, AND, AS MAY BE DESIGNATED, TO OTHER MECHANISMS CREATED UNDER THIS ACT;
- (H) RESEARCH, COMMUNICATIONS, AND REPORTING. — SUPPORT THE NATIONAL RESEARCH PROGRAM, COMMUNICATION, EDUCATION, AND INFORMATION CAMPAIGNS, AND DATA COLLECTION ENVISIONED IN SECTION 34 OF THIS ACT; AND SUBMIT PERIODIC REPORTS TO THE NCC-OSAEC-CSAEM, THROUGH THE CHAIR, ON THE PROGRESS OF OBJECTIVES, POLICIES, PLANS, AND PROGRAMS UNDER THIS ACT;
- (I) RESOURCE PLANNING. — PROPOSE EFFECTIVE ALLOCATIONS OF RESOURCES FOR IMPLEMENTING OBJECTIVES, POLICIES, PLANS, AND PROGRAMS, INCLUDING RECOMMENDATIONS ON THE USE OF ANY TRUST FUND OR SPECIAL ACCOUNT ESTABLISHED UNDER THIS ACT TO SUPPORT PREVENTION, ENFORCEMENT, DIGITAL-FORENSIC, DATA, AND VICTIM-SUPPORT CAPACITIES;
- (J) ETHICAL CLEARANCE. — EVALUATE, PROCESS AND ISSUE THE REQUISITE ETHICAL CLEARANCE FOR THE LAWFUL ACCESS, POSSESSION, OR RECORDING OF ANY CSAEM OR RECORDED INTERVIEW OF A CHILD FOR LEGITIMATE POLICY, SCHOLARLY AND ACADEMIC PURPOSES, IN RELATION TO SECTION 8 OF THIS ACT ON THE SAFE HARBOR EXCEPTION; AND
- (K) RESIDUAL FUNCTIONS. — PERFORM SUCH OTHER FUNCTIONS AS MAY BE NECESSARY OR INHERENT TO THE FOREGOING, OR AS MAY BE DIRECTED BY THE NCC-OSAEC-CSAEM OR THE SECRETARY OF JUSTICE, CONSISTENT WITH THIS ACT.

Sec. 36. EXECUTIVE DIRECTOR OF THE NCC-OSAEC-CSAEM SECRETARIAT.
 - THE NCC-OSAEC-CSAEM SECRETARIAT SHALL BE HEADED BY AN EXECUTIVE DIRECTOR WHO SHALL BE APPOINTED BY THE SECRETARY OF JUSTICE, UPON RECOMMENDATION OF THE NCC-OSAEC-CSAEM.

THE EXECUTIVE DIRECTOR MUST POSSESS AND DEMONSTRATED SUBSTANTIAL KNOWLEDGE, TRAINING, AND EXPERIENCE IN ANTI-OSAEC AND CSAEM WORK, AND AT LEAST ONE (1) OF THE 18 FOLLOWING FIELDS: LAW OR PROSECUTION; LAW ENFORCEMENT; INFORMATION AND COMMUNICATIONS TECHNOLOGY OR CYBERSECURITY; SOCIAL WORK OR CHILD PROTECTION; OR RELATED FIELDS RELEVANT TO THE IMPLEMENTATION OF THIS ACT.

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

- (A) ACT AS THE ADMINISTRATIVE HEAD OF THE SECRETARIAT, AND DIRECT AND MANAGE ITS AFFAIRS, PERSONNEL, AND RESOURCES, SUBJECT TO EXISTING CIVIL SERVICE AND BUDGETARY LAWS AND REGULATIONS;**
- (B) ADVISE AND ASSIST THE NCC-OSAEC-CSAEM, THROUGH ITS CHAIR, IN FORMULATING AND IMPLEMENTING THE OBJECTIVES, POLICIES, PLANS, AND PROGRAMS UNDER THIS ACT, INCLUDING THOSE INVOLVING THE MOBILIZATION AND COORDINATION OF RELEVANT GOVERNMENT OFFICES, TASK FORCES, AND MECHANISMS AT THE NATIONAL AND REGIONAL LEVELS;**
- (C) OVERSEE ALL OPERATIONAL ACTIVITIES OF THE SECRETARIAT, INCLUDING:**
 - (1) THE ESTABLISHMENT, MAINTENANCE, AND SECURITY OF NCC-OSAEC-CSAEM DATA SYSTEMS AND REGISTRIES ENVISIONED UNDER THIS ACT;**
 - (2) THE DEVELOPMENT AND IMPLEMENTATION OF DIGITAL-FORENSICS, OPEN-SOURCE INTELLIGENCE (OSINT), AND OTHER TECHNICAL CAPABILITIES NECESSARY TO SUPPORT INVESTIGATION, PROSECUTION, AND POLICY-MAKING; AND**
 - (3) THE SUPERVISION OF REGIONAL OFFICES OF THE SECRETARIAT, WHERE ESTABLISHED;**
- (D) ENSURE EFFECTIVE SUPPORT TO LAW-ENFORCEMENT AGENCIES, PROSECUTORS, COURTS, AND SERVICE PROVIDERS IN THE INVESTIGATION, PROSECUTION, AND AFTERCARE OF OSAEC AND CSAEM CASES, INCLUDING THE ISSUANCE AND IMPLEMENTATION, ON BEHALF OF THE NCC-OSAEC-CSAEM, OF PRESERVATION REQUESTS OR ORDERS TO SERVICE PROVIDERS AND OTHER OPERATIONAL DIRECTIVES AS MAY BE AUTHORIZED UNDER THIS ACT AND ITS IMPLEMENTING RULES AND REGULATIONS;**
- (E) REPRESENT, OR DESIGNATE APPROPRIATE OFFICIALS OF THE SECRETARIAT IN INTER-AGENCY BODIES AND COORDINATION MECHANISMS ESTABLISHED UNDER THIS ACT, INCLUDING THOSE RELATING TO FINANCIAL INTELLIGENCE, INFORMATION SHARING, DIGITAL FORENSICS, AND INTERNATIONAL COOPERATION, SUBJECT TO THE DIRECTION AND POLICIES OF THE NCC-OSAEC-CSAEM;**
- (F) ISSUE SUCH INTERNAL GUIDELINES, MEMORANDA, AND STANDARD OPERATING PROCEDURES AS MAY BE NECESSARY FOR THE EFFICIENT AND COORDINATED PERFORMANCE OF THE SECRETARIAT'S FUNCTIONS UNDER THIS ACT; AND**
- (G) PERFORM SUCH OTHER FUNCTIONS AS THE NCC-OSAEC-CSAEM MAY ASSIGN, OR AS MAY BE NECESSARY, INCIDENTAL, OR**

RELATED TO THE EFFECTIVE PERFORMANCE OF THE FOREGOING, CONSISTENT WITH THIS ACT.

Sec. 37. REGIONAL PRESENCE. — REGIONAL OFFICES UNDER THE SECRETARIAT SHALL BE ESTABLISHED TO STRENGTHEN THE IMPLEMENTATION OF THIS ACT AND ENSURE RESPONSIVE COORDINATION AT ALL LEVELS, SUBJECT TO THE AVAILABILITY OF FUNDS AND CONSISTENT WITH THE GENERAL APPROPRIATIONS ACT.

THE REGIONAL OFFICES SHALL, WITHIN THEIR RESPECTIVE AREAS OF JURISDICTION, PERFORM THE FOLLOWING FUNCTIONS:

- (A) SERVE AS THE REGIONAL COORDINATION HUB FOR THE IMPLEMENTATION OF NCC-OSAEC-CSAEM PROGRAMS AND POLICIES, INCLUDING REFERRAL PATHWAYS, DATA COLLECTION, AND SUPPORT TO REGIONAL AND LOCAL INTER-AGENCY MECHANISMS;**
- (B) PROVIDE OPERATIONAL SUPPORT TO LAW-ENFORCEMENT AGENCIES, PROSECUTORS, LOCAL GOVERNMENT UNITS AND OTHER COMPETENT AUTHORITIES IN THE INVESTIGATION, PROSECUTION, AND AFTERCARE OF OSAEC AND CSAEM CASES, CONSISTENT WITH THE MANDATES OF THE SECRETARIAT UNDER THIS ACT; AND**
- (C) PERFORM SUCH OTHER FUNCTIONS AS MAY BE ASSIGNED BY THE NCC-OSAEC-CSAEM THROUGH THE SECRETARIAT, CONSISTENT WITH THIS ACT.**

THE SECRETARY OF JUSTICE, AS CHAIR OF THE NCC-OSAEC-CSAEM AND UPON RECOMMENDATION OF THE EXECUTIVE DIRECTOR, SHALL DETERMINE THE NUMBER, LOCATION, ORGANIZATIONAL STRUCTURE, AND STAFFING PATTERN OF THE SECRETARIAT AND ITS REGIONAL OFFICES AND SHALL APPOINT THE ORGANIC PERSONNEL THEREOF, SUBJECT TO CIVIL SERVICE LAWS, RULES, AND REGULATIONS, AND TO THE APPROVAL OF THE DEPARTMENT OF BUDGET AND MANAGEMENT (DBM). THE APPROVED ORGANIZATIONAL STRUCTURE AND STAFFING PATTERN SHALL BE REFLECTED IN THE ANNUAL GENERAL APPROPRIATIONS ACT.

Sec. 38. Referral Pathway for OSAEC Cases. — There shall be an organized and unified referral pathway for reporting, detecting, investigating, prosecuting, and providing aftercare assistance and support in OSAEC and CSAEM cases. The NCC-OSAEC-CSAEM shall develop a system and a set of gender-responsive, child-friendly, victim-centered and trauma-informed protocols for referring OSAEC and CSAEM cases and recording and maintaining a unified database for the purpose of tracking and updating the status and stages of investigation and prosecution of the same, consistent with existing laws on the protection of the welfare of children.

The NCC-OSAEC-CSAEM shall also develop a feedback mechanism for victim-survivors who have accessed its services via this pathway.

Sec. 39. Local Governments. — Local governments shall pass an ordinance to localize efforts against OSAEC and CSAEM, take account local culture and norms, institutionalize community-based initiatives that address OSAEC and CSAEM at the barangay level, establish OSAEC and CSAEM prevention programs that aim to educate families against OSAEC and CSAEM, and provide a holistic local program for rehabilitation and reintegration under the local social welfare and development office including support and protection for victims and survivors.

Sec. 40. Blacklisting of Alien *CHILD-SEX OFFENDERS AND HIGH-RISK FOREIGN NATIONALS*. - 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** or similar, equivalent, or **RELATED** crimes in other jurisdictions, or those aliens reported to or being monitored by Philippine **AND FOREIGN** law enforcement authorities for conducting OSAEC, CSAEM **OR OTHER SEXUAL OFFENSES, OR THOSE ALIENS WHO POSE A SERIOUS RISK OF COMMITTING OSAEC, CSAEM OFFENSES, OR OTHER SEXUAL OFFENSES INVOLVING CHILDREN**, shall not be allowed **TO ENTER OR REMAIN** in the Philippines.

In addition to its data system collection and database functions under **SECTION 34**, the NCC-OSAEC-CSAEM **SECRETARIAT** shall create and maintain an updated registry of blacklisted aliens based on the information from the DFA, BI, **DOJ-NATIONAL PROSECUTION SERVICE, DOJ-OOC, DOJ-LEGAL, LOCAL AND FOREIGN LAW ENFORCEMENT AUTHORITIES, FOREIGN OR INTERNATIONAL CHILD-PROTECTION PARTNERS, INTERNATIONAL CLEARINGHOUSES AND CYBERTIPLINES, FOREIGN SEX OFFENDER REGISTRIES OR EQUIVALENT DATABASES, INTERPOL NOTICES, AND SUCH OTHER RELIABLE INFORMATION, INCLUDING OPEN-SOURCE MATERIALS SUCH AS OFFICIAL PUBLIC REGISTRIES, COURT DECISIONS, AND REPORTS FROM REPUTABLE NEWS OR MEDIA ORGANIZATIONS, AS MAY BE FURTHER DEFINED IN THE IRR.**

FOR THIS PURPOSE, AND WITHOUT PREJUDICE TO OTHER GROUNDS FOR EXCLUSION OR DEPORTATION UNDER EXISTING LAWS, THE BI, IN COORDINATION WITH THE DOJ AND DFA, MAY DENY ENTRY, CANCEL OR REFUSE VISA ISSUANCE OR RENEWAL, OR ORDER THE EXCLUSION OR DEPORTATION OF ALIENS INCLUDED IN THE BLACKLIST.

WITHIN ONE HUNDRED TWENTY (120) DAYS FROM THE EFFECTIVITY OF THIS ACT, THE BI, DOJ, PNP, NBI, DOJ-OOC, IN COORDINATION WITH THE NCC-OSAEC-CSAEM SECRETARIAT SHALL PROMULGATE THE IMPLEMENTING RULES AND REGULATIONS (IRR) FOR THIS SECTION, WHICH SHALL PRESCRIBE A DETAILED CRITERIA AND PROCEDURES FOR INCLUSION, REVIEW, AND POSSIBLE REMOVAL FROM THE BLACKLISTED

ALIENS REGISTRY, INCLUDING: (1) STANDARDS OF CREDIBLE INFORMATION AND MINIMUM VERIFICATION; (2) COORDINATION AND DATA-EXCHANGE PROTOCOLS BETWEEN NCC-OSAEC-CSAEM SECRETARIAT AND OTHER RELEVANT AGENCIES AND ENTITIES (3) APPROPRIATE DUE-PROCESS AND PRIVACY SAFEGUARDS, WITHOUT PREJUDICE TO THE PARAMOUNT CONSIDERATION OF CHILD SAFETY AND THE PREVENTION OF OSAEC AND CSAEM.

Sec. 41. *Authorized Sharing of Information.* - The Anti-Money Laundering Council (AMLC) shall share information relating to activities prohibited under this Act with the NCC-OSAEC-CSAEM, **THROUGH ITS SECRETARIAT**, for the purpose of **INVESTIGATING** and prosecuting offenders alleged to have committed such activities.

THE NCC-OSAEC-CSAEM, AMLC, BSP, LEAS, AND OTHER RELEVANT AGENCIES SHALL CLOSELY COORDINATE ON THEIR RESPECTIVE ANTI-OSAEC/ANTI-CSAEM PROGRAMS, ALIGNMENT OF POLICIES AND REGULATIONS, RISK ASSESSMENTS AND STUDIES, AND CAPACITY-BUILDING INITIATIVES.

THE DETAILS AND PARAMETERS OF SUCH INFORMATION SHARING, SHALL INCLUDE:

- (a) THE TYPES AND CATEGORIES OF INFORMATION THAT MAY BE SHARED;**
- (b) THE MANNER, FORMAT, AND TIMELINES FOR SHARING;**
- (c) THE SAFEGUARDS TO ENSURE CONFIDENTIALITY, DATA-PRIVACY, AND INFORMATION SECURITY; AND**
- (d) THE CONDITIONS AND LIMITS FOR ANY ONWARD SHARING BY THE NCC-OSAEC-CSAEM SECRETARIAT, BY AMLA-COVERED INSTITUTIONS, AND BY BSP SUPERVISED INSTITUTIONS.**

A REAL-TIME RISK MANAGEMENT OSAEC PORTAL SHALL BE ESTABLISHED BY THE NCC-OSAEC-CSAEM, THROUGH ITS SECRETARIAT, AND THE RELEVANT LEAS, IN COORDINATION WITH THE AMLC AND THE BSP, WITH REAL-TIME OR NEAR-REAL TIME INTELLIGENCE ON EMERGING EXPLOITATION TRENDS, INFORMATION AND DIGITAL FOOTPRINTS OF INDIVIDUALS INVESTIGATED, SUSPECTED OR CONVICTED UNDER THIS ACT, AND VERIFIED MALICIOUS PAYMENT ENDPOINTS. THIS INFORMATION WILL BE DISSEMINATED TO THE FINANCIAL INTERMEDIARIES THROUGH THE PORTAL.

RECIPROCALLY, FINANCIAL INSTITUTIONS SHALL SHARE DATA ON SUSPICIOUS BEHAVIORAL PATTERNS AND OSAEC INDICATORS TO REFINE LAW ENFORCEMENT TARGETING.

THE IMPLEMENTING RULES AND REGULATIONS FOR THIS SECTION SHALL BE JOINTLY ISSUED BY THE AMLC, BSP, AND THE NCC-OSAEC-

CSAEM SECRETARIAT, IN COORDINATION AND/OR CONSULTATION WITH LAW ENFORCEMENT AGENCIES, FINANCIAL INTERMEDIARIES AS DEFINED IN THIS ACT, AND OTHER RELEVANT GOVERNMENT ENTITIES AND STAKEHOLDERS SHALL BE ISSUED WITHIN ONE YEAR FROM ENACTMENT OF THIS LAW.

Sec. 42. CREATION OF THE PHILIPPINE CHILD SEX OFFENDERS REGISTRY. - A PHILIPPINE CHILD SEX OFFENDERS REGISTRY FOR BOTH FILIPINO NATIONALS AND FOREIGNERS SHALL BE CREATED AND LODGED IN THE NCC-OSAEC-CSAEM.

- (A) COVERAGE AND INTER-RELATED OFFENSES. — THE REGISTRY SHALL COVER ADULT INDIVIDUALS CONVICTED OF (I) OFFENSES UNDER THIS ACT, AND (II) OTHER SEXUAL OFFENSES AGAINST CHILDREN, WHETHER COMMITTED IN-PERSON OR ONLINE, AND WHETHER TECHNOLOGY-FACILITATED OR NOT, IN RECOGNITION THAT OFFLINE CHILD SEXUAL ABUSE AND ONLINE SEXUAL ABUSE AND EXPLOITATION ARE INTER-RELATED AND MAY INVOLVE THE SAME OFFENDER BEHAVIORS, GROOMING PATTERNS, AND VICTIMIZATION PATHWAYS. FOR PURPOSES OF THIS SECTION, "OTHER SEXUAL OFFENSES AGAINST CHILDREN" REFERS TO OFFENSES WHERE THE VICTIM IS A CHILD AND THE ACT CONSTITUTES SEXUAL ABUSE, SEXUAL EXPLOITATION, OR SEXUAL VIOLENCE, INCLUDING BUT NOT LIMITED TO ACTS PENALIZED UNDER THE REVISED PENAL CODE AND SPECIAL LAWS ON CHILD SEXUAL ABUSE AND EXPLOITATION, EVEN WHEN THE COMMISSION OF THE OFFENSE DOES NOT INVOLVE THE USE OF INFORMATION AND COMMUNICATIONS TECHNOLOGY. THE IRR SHALL PROVIDE THE SPECIFIC LIST OF COVERED OFFENSES AND THE OPERATIONAL CROSS-REFERENCES.**
- (B) MINIMUM INFORMATION. — THE REGISTRY SHALL CONTAIN, AT A MINIMUM, INFORMATION NECESSARY FOR IDENTIFICATION, RISK MANAGEMENT, AND CHILD SAFEGUARDING, INCLUDING:**
- (1) NAME, DATE OF BIRTH, AND GOVERNMENT IDENTIFICATION NUMBERS, INCLUDING PHILSYS NUMBER IF AVAILABLE;**
 - (2) ADDRESSES AND CURRENT EMPLOYMENT, OCCUPATION, OR BUSINESS;**
 - (3) REMOTE COMMUNICATION IDENTIFIERS USED FOR ONLINE OR ELECTRONIC COMMUNICATIONS;**
 - (4) FINGERPRINTS AND RECENT PHOTOGRAPH;**
 - (5) DISTINGUISHING MARKS, INCLUDING TATTOOS, SCARS, OR PERMANENT MARKS;**
 - (6) PASSPORTS AND IMMIGRATION DOCUMENTS, WHEN APPLICABLE;**

- (7) INTERNATIONAL TRAVEL INFORMATION, WHEN REQUIRED BY THE IRR;
 - (8) PROFESSIONAL LICENSES, WHEN APPLICABLE;
 - (9) AFFILIATIONS WITH ORGANIZATIONS THAT HAVE CHILD MEMBERSHIP OR CHILD PARTICIPATION; AND
 - (10) COMPLETE CRIMINAL HISTORY AND SUCH OTHER RELEVANT INFORMATION NECESSARY FOR PROPER REGISTRATION AND SAFEGUARDING.
- (C) MANDATORY COURT TRANSMITTAL. — ALL TRIAL COURTS SHALL, WITHIN A PERIOD TO BE PRESCRIBED IN THE IRR, TRANSMIT TO THE NCC-OSAEC-CSAEM, THROUGH THE SECRETARIAT, COPIES OF DECISIONS, ORDERS, RESOLUTIONS, AND ENTRIES OF JUDGMENT INVOLVING OFFENSES COVERED BY THIS SECTION, USING A STANDARD REPORTING TEMPLATE.
- (D) UPDATING AND VERIFICATION. — THE REGISTRY SHALL BE REGULARLY UPDATED. THE IRR SHALL PRESCRIBE INITIAL REGISTRATION, PERIODIC IN-PERSON VERIFICATION, AND CHANGE- OF-INFORMATION REPORTING REQUIREMENTS.
- (E) TIER CLASSIFICATION AND MONITORING. - THE NCC-OSAEC-CSAEM SHALL ADOPT A TIERED CLASSIFICATION FRAMEWORK FOR REGISTRY SUBJECTS, BASED ON SERIOUSNESS OF OFFENSE AND OTHER RISK FACTORS, TO GUIDE MONITORING INTENSITY, VERIFICATION FREQUENCY, AND ELIGIBILITY FOR DELISTING, AS PROVIDED IN THE IRR.
- (F) DELISTING AND REINSTATEMENT. — THE IRR SHALL PRESCRIBE CRITERIA AND PROCEDURES FOR DELISTING, INCLUDING RISK ASSESSMENT, DUE PROCESS SAFEGUARDS, AND REINSTATEMENT UPON VIOLATION OF DELISTING CONDITIONS OR COMMISSION OF SPECIFIED OFFENSES. DELISTED RECORDS MAY BE RETAINED AS INACTIVE RECORDS SUBJECT TO STRICT ACCESS CONTROLS, FOR CHILD SAFEGUARDING PURPOSES.
- (G) ACCESS, DISCLOSURE, AND SAFEGUARDS. — THE REGISTRY SHALL NOT BE PUBLIC. IN ACCORDANCE WITH THE DATA PRIVACY ACT OF 2012, THE NCC-OSAEC-CSAEM MAY RELEASE RELEVANT INFORMATION NECESSARY TO PROTECT CHILDREN FROM DANGER CONCERNING A SPECIFIC PERSON REQUIRED TO REGISTER UNDER THIS SECTION. THE IRR SHALL PRESCRIBE ROLE-BASED ACCESS, AUDIT LOGGING, INFORMATION SECURITY REQUIREMENTS, AND CONDITIONS AND LIMITS FOR ONWARD SHARING, INCLUDING LINKAGE TO INTERNATIONAL LAW ENFORCEMENT.
- (H) CHILD SAFEGUARDING UTILIZATION AND DISQUALIFICATION. - THE REGISTRY SHALL BE USED NOT ONLY FOR INVESTIGATION AND PROSECUTION SUPPORT BUT ALSO FOR CHILD

SAFEGUARDING AND PREVENTION, THROUGH A REGULATED SYSTEM OF SAFEGUARDS-BASED USE, INCLUDING:

- (1) A REGISTRY CLEARANCE REQUIREMENT FOR ADULTS IN CHILD-FACING ROLES WITHIN CHILD-SERVING INSTITUTIONS, THAT MAY BE INTEGRATED WITHIN EXISTING LAW ENFORCEMENT CLEARANCE MECHANISMS SUCH AS THAT ISSUED BY THE NBI OR THE PNP, AND THAT DISQUALIFIES ANY ADULT INCLUDED IN THE REGISTRY FROM BEING EMPLOYED, ENGAGED OR DESIGNATED IN ANY CHILD-SERVING INSTITUTION, OR IN ANY ROLE POSITION OR ACTIVITY INVOLVING REGULAR DIRECT CHILD CONTACT;**
- (2) GUIDANCE FOR CHILD-SERVING INSTITUTIONS ON HOW TO USE REGISTRY CLEARANCE RESULTS IN RECRUITMENT, DEPLOYMENT DECISIONS, SUPERVISION PLANNING, AND RISK CONTROLS FOR ROLES WITH CHILD CONTACT;**
- (3) COORDINATION PROTOCOLS ENABLING DESIGNATED SAFEGUARDING OFFICERS, LICENSING BODIES, AND REGULATORS TO USE REGISTRY OUTPUTS FOR PROTECTIVE ACTIONS, CONSISTENT WITH DUE PROCESS AND LAWFUL MANDATES;**
- (4) MANDATORY SAFEGUARDS TO PREVENT MISUSE, INCLUDING RESTRICTIONS AGAINST PUBLIC POSTING, HARASSMENT, VIGILANTISM, AND DISCRIMINATORY USE OUTSIDE CHILD PROTECTION PURPOSES.**

Sec. 43. INSTITUTIONALIZATION OF THE PHILIPPINE INTERNET CRIMES AGAINST CHILDREN CENTER (PICACC). —

- (A) ESTABLISHMENT AND NATURE. - THERE IS HEREBY INSTITUTIONALIZED A PHILIPPINE INTERNET CRIMES AGAINST CHILDREN CENTER (PICACC) AS A PERMANENT INTER-AGENCY LAW ENFORCEMENT BODY FOR ONLINE SEXUAL ABUSE OR EXPLOITATION OF CHILDREN AND CHILD SEXUAL ABUSE OR EXPLOITATION MATERIALS (OSAEC/CSAEM) CASES WITH A FOREIGN NEXUS. THE PICACC SHALL SERVE AS THE NATIONAL HUB FOR POLICE-TO-POLICE COORDINATION, INTELLIGENCE AND EVIDENCE SHARING, JOINT AND PARALLEL INVESTIGATION, AND JOINT OPERATIONS AGAINST TIP-OSAEC, ENSURING PERPETRATOR ACCOUNTABILITY IN BOTH DEMAND-SIDE AND SOURCE-SIDE JURISDICTIONS, AND FACILITATING APPROPRIATE RESTITUTION FOR VICTIMS.**
- (B) FOREIGN NEXUS. — FOR PURPOSES OF THIS ACT, "FOREIGN NEXUS" EXISTS WHERE ANY MATERIAL ELEMENT OF AN OSAEC/CSAEM CASE INDICATES A CROSS-BORDER CONNECTION, INCLUDING, SINGLY OR IN COMBINATION: (1) A**

SUSPECT, VICTIM, DEVICE, IP ADDRESS, ACCOUNT, DOMAIN, HOSTING LOCATION, OR PROCEEDS LOCATED OUTSIDE THE PHILIPPINES; (2) THE PLATFORM, SERVICE PROVIDER, OR DATA CONTROLLER IS HEADQUARTERED OR STORES RESPONSIVE DATA ABROAD; (3) THE CONDUCT INVOLVES CROSS-BORDER TRANSMISSION, PAYMENT, OR FACILITATION; OR (4) THE REFERRAL OR TIP ORIGINATES FROM A FOREIGN LAW-ENFORCEMENT AGENCY, INTERNATIONAL CLEARINGHOUSE, OR CROSS-BORDER HOTLINE/PLATFORM. THE IMPLEMENTING RULES AND REGULATIONS (IRR) SHALL FURTHER ELABORATE INDICATORS AND MINIMUM SCREENING STEPS.

- (C) **COMPOSITION AND OPERATIONAL CO-LEADS.** — PICACC SHALL BE COMPOSED OF THE PHILIPPINE NATIONAL POLICE-WOMEN AND CHILDREN PROTECTION CENTER (PNP-WCPC) AND THE NATIONAL BUREAU OF INVESTIGATION-HUMAN TRAFFICKING DIVISION (NBI-HTRAD), OR THEIR FUNCTIONAL SUCCESSORS IN CASE OF REORGANIZATION OR RENAMING. OTHER GOVERNMENT ENTITIES MANDATED TO INVESTIGATE OR ASSIST IN THE INVESTIGATION OF OSAEC/CSAEM CASES MAY BE MEMBERS OR OBSERVERS OF PICACC, AS MAY BE SPECIFIED IN THE IRR. THE PNP-WCPC AND THE NBI-HTRAD SHALL SERVE AS PICACC OPERATIONAL CO-LEADS, JOINTLY RESPONSIBLE FOR CENTER-LEVEL OPERATIONAL PLANNING, INTAKE DECONFLICTION, AND COORDINATION OF JOINT OPERATIONS WITHIN PICACC, WITHOUT PREJUDICE TO EACH AGENCY'S INTERNAL COMMAND STRUCTURE.
- (D) **FINANCIAL AND LOGISTICAL SUPPORT.** — THE NCC-OSAEC-CSAEM SHALL PROVIDE FINANCIAL AND LOGISTICAL SUPPORT FOR THE OPERATIONALIZATION OF THE PICACC. NOTHING IN THIS SECTION SHALL BE CONSTRUED TO CONFER OPERATIONAL COMMAND AUTHORITY ON THE NCC-OSAEC-CSAEM OR ITS SECRETARIAT OVER THE PNP, NBI, OR ANY OTHER LAW-ENFORCEMENT OR INVESTIGATIVE BODY.
- (E) **FUNDING AND SUPPORT.** — PICACC SHALL DRAW ITS BUDGETARY AND ADMINISTRATIVE SUPPORT FROM THE APPROPRIATIONS OF PARTICIPATING AGENCIES, INCLUDING A DEDICATED BUDGET ALLOCATION FOR PICACC WITHIN THE APPROPRIATIONS OF THE NCC-OSAEC-CSAEM SECRETARIAT, AS WELL AS FROM GRANTS, DONATIONS, AND TECHNICAL ASSISTANCE FROM DEVELOPMENT PARTNERS, AND OTHER LAWFUL SOURCES, SUBJECT TO EXISTING BUDGETING, PROCUREMENT, AND AUDITING RULES. SUBJECT TO AVAILABLE RESOURCES AND AS MAY BE PROVIDED IN THE IRR, REGIONAL PICACC NODES MAY BE ESTABLISHED TO ENHANCE COVERAGE AND COORDINATION.

(F) CORE FUNCTIONS. — WITHIN THE SCOPE OF THEIR LAWFUL POWERS, PICACC SHALL:

- (1) RECEIVE, DOCKET, TRIAGE AND DECONFLICT FOREIGN-NEXUS OSAEC/CSAEM REFERRALS AND LEADS;**
- (2) SERVE AS THE PRIMARY MECHANISM FOR STRUCTURED INFORMATION-SHARING, BY MAINTAINING A SHARED CASE-INTAKE AND DECONFLICTION REGISTRY USING COMMON IDENTIFIERS AND MINIMUM METADATA, AND ENSURING TIMELY, RECIPROCAL SHARING OF RELEVANT OPERATIONAL INTELLIGENCE AND UPDATES AMONG MEMBER-AGENCIES IN FOREIGN-NEXUS OSAEC/CSAEM CASES, SUBJECT TO APPLICABLE SECRECY, CONFIDENTIALITY, AND DATA-PRIVACY LAWS;**
- (3) FACILITATE OR COORDINATE INTER-AGENCY INVESTIGATIONS AND OPERATIONS IN FOREIGN-NEXUS OSAEC/CSAEM CASES;**
- (4) SUPPORT MEMBER-AGENCIES WITH OPEN-SOURCE INTELLIGENCE, DATA ANALYSIS, AND, WHERE LAWFULLY TASKED, DIGITAL FORENSIC EXAMINATION AND RELATED TECHNICAL SERVICES;**
- (5) COORDINATE WITH SOCIAL-WELFARE AND CHILD-PROTECTION AGENCIES TO ENSURE SURVIVOR-CENTERED HANDOFFS, REFERRALS, AND AFTERCARE; AND**
- (6) GENERATE OPERATIONAL STATISTICS, THREAT ASSESSMENTS, AND PERFORMANCE METRICS TO INFORM NATIONAL POLICY, REPORTING OBLIGATIONS, AND CAPACITY-BUILDING PRIORITIES UNDER THIS ACT AND RELATED LAWS.**

THE DETAILED PROCEDURES, DATA FIELDS, AND SAFEGUARDS FOR INFORMATION-SHARING AND REGISTRY OPERATIONS UNDER PARAGRAPH (2) SHALL BE FURTHER SPECIFIED IN THE IMPLEMENTING RULES AND REGULATIONS AND IN INTER-AGENCY AGREEMENTS, CONSISTENT WITH APPLICABLE SECRECY, CONFIDENTIALITY, AND DATA-PRIVACY LAWS.

(G) INTEROPERABILITY AND ROUTING. — AGENCIES THAT RECEIVE ONLINE OSAEC/CSAEM LEADS OR REFERRALS WHICH THEY REASONABLY ASSESS TO HAVE A FOREIGN NEXUS SHALL PROMPTLY REFER SUCH LEADS TO PICACC FOR INTAKE AND DECONFLICTION, WITHOUT PREJUDICE TO IMMEDIATE ACTION REQUIRED TO PROTECT CHILDREN, PRESERVE EVIDENCE, OR PERFORM URGENT OPERATIONAL MEASURES. PICACC SHALL PROMOTE SYSTEM INTEROPERABILITY AND COMMON IDENTIFIERS WITH THE INFORMATION SYSTEMS OF ITS

MEMBER-AGENCIES, CONSISTENT WITH THE DATA PRIVACY ACT OF 2012 AND OTHER CONFIDENTIALITY LAWS.

- (H) FOREIGN LAW-ENFORCEMENT AND TECHNICAL PARTNERS. - CONSISTENT WITH APPLICABLE INTERNATIONAL INSTRUMENTS, MEMORANDA OF UNDERSTANDING, AND PHILIPPINE LAW, PICACC MAY HOST OR COORDINATE WITH FOREIGN LAW-ENFORCEMENT AGENCIES AND INTERNATIONAL OR NON-GOVERNMENT TECHNICAL PARTNERS AS LIAISON OR TECHNICAL PARTNERS FOR PURPOSES OF INFORMATION-EXCHANGE, CAPACITY-BUILDING, AND COORDINATED ACTION AGAINST OSAEC/CSAEM. SUCH PARTNERS, HOWEVER, SHALL HAVE NO COMMAND OR OPERATIONAL AUTHORITY OVER PICACC OR ANY. THE IRR SHALL SPECIFY THE MODALITIES FOR THE PARTICIPATION OF SUCH FOREIGN AND TECHNICAL PARTNERS, WITHOUT PREJUDICE TO EXISTING AND FUTURE MEMORANDA OF UNDERSTANDING SUPPORTING PICACC OPERATIONS.**
- (I) IMPLEMENTING RULES. — WITHIN ONE HUNDRED EIGHTY (180) DAYS FROM THE EFFECTIVITY OF THIS ACT, THE PNP-WCPC, NBI-HTRAD, AND THE NCC-OSAEC-CSAEM SECRETARIAT, IN CONSULTATION WITH OTHER RELEVANT AGENCIES AND PARTNERS, SHALL ISSUE JOINT RULES TO IMPLEMENT THIS SECTION, INCLUDING:**
- (1) DETAILED INTAKE, TRIAGE, AND DECONFLICTION PROCEDURES;**
 - (2) THE SPECIFIC PICACC MEMBERSHIP, FOCAL UNITS, AND SECONDMENT/DETAILING ARRANGEMENTS;**
 - (3) DATA-SHARING, PRIVACY, AND INFORMATION-SECURITY SAFEGUARDS;**
 - (4) ARRANGEMENTS FOR 24/7 JOINT OPERATIONAL COORDINATION, INCLUDING ANY JOINT OPERATIONS DESK OR ROTATING COORDINATION MECHANISM BETWEEN THE OPERATIONAL CO-LEADS; AND**
 - (5) PERFORMANCE AND ACCOUNTABILITY FRAMEWORKS, INCLUDING KEY PERFORMANCE INDICATORS (KPIs) AND REPORTING LINES TO THE NCC-OSAEC-CSAEM.**
- (J) REPORTING AND COORDINATION WITH NCC-OSAEC-CSAEM. - PICACC SHALL SUBMIT TO THE NCC-OSAEC-CSAEM SECRETARIAT PERIODIC CONSOLIDATED REPORTS ON ITS OPERATIONS, INCLUDING AT A MINIMUM: (A) THE NUMBER AND BASIC TYPOLOGY OF FOREIGN-NEXUS OSAEC AND CSAEM REFERRALS RECEIVED, TRIAGED, AND ACTED UPON; (B) SUMMARY STATISTICS ON OPERATIONS CONDUCTED, CHILDREN SAFEGUARDED, AND OFFENDERS ARRESTED OR CHARGED; AND (C) EMERGING TRENDS, THREATS, AND**

OPERATIONAL GAPS IDENTIFIED; (D) NAMES OF REPORTED INDIVIDUALS THAT CAN BE INCLUDED IN THE BLACKLISTED ALIEN REGISTRY THE NCC-OSAEC-CSAEM SECRETARIAT MAY USE SUCH REPORTS FOR NATIONAL POLICY FORMULATION, PLANNING, CAPACITY-BUILDING, AND PERFORMANCE MONITORING UNDER THIS ACT, AND MAY ISSUE CORRESPONDING RECOMMENDATIONS TO THE NCC-OSAEC-CSAEM AND CONCERNED AGENCIES. NOTHING IN THIS SUBSECTION SHALL BE CONSTRUED AS GRANTING THE NCC-OSAEC-CSAEM OR ITS SECRETARIAT OPERATIONAL COMMAND, CASE-SELECTION AUTHORITY, OR DIRECTIVE CONTROL OVER PICACC OR ITS MEMBER LAW-ENFORCEMENT AGENCIES.

- (K) TRANSITORY PROVISION. — EXISTING PICACC STRUCTURES, MEMORANDA OF UNDERSTANDING, FACILITIES, DONOR-SUPPORTED PROJECTS, EQUIPMENT, PERSONNEL DETAILS, AND ONGOING INVESTIGATIONS AS OF THE EFFECTIVITY OF THIS ACT ARE HEREBY RECOGNIZED AND SHALL BE HARMONIZED UNDER THIS SECTION AND ITS IMPLEMENTING RULES. PENDING THE PROMULGATION OF THE IMPLEMENTING RULES AND REGULATIONS, THE EXISTING STRUCTURE, MEMORANDA OF UNDERSTANDING, AND ONGOING OPERATIONS OF PICACC SHALL CONTINUE WITHOUT INTERRUPTION AND SHALL BE DEEMED CONSISTENT WITH THIS ACT.

Sec. 44. SUPERVISORY CHILD-SAFEGUARDING MEASURES BY THE BANGKO SENTRAL NG PILIPINAS (BSP)—

- (A) MANDATE. — CONSISTENT WITH THIS ACT, THE ANTI-MONEY LAUNDERING ACT OF 2001 (AMLA), AND ITS EXISTING SUPERVISORY AND OVERSIGHT MANDATES, THE BANGKO SENTRAL NG PILIPINAS (BSP) SHALL, IN ACCORDANCE WITH ITS RISK-BASED APPROACH, ISSUE SUCH REGULATIONS OR GUIDANCE AS IT MAY DEEM APPROPRIATE TO STRENGTHEN THE ABILITY OF BANKS, NON-BANK FINANCIAL INSTITUTIONS, MONEY SERVICE BUSINESSES, ELECTRONIC MONEY ISSUERS, PAYMENT SYSTEM PROVIDERS, VIRTUAL ASSET SERVICE PROVIDERS, AND OTHER BSP-SUPERVISED FINANCIAL INSTITUTIONS TO PREVENT, DETECT, AND DISRUPT FINANCIAL FLOWS CONNECTED TO OSAEC AND CSAEM.
- (B) SUPERVISORY EXPECTATIONS. - WITHOUT PREJUDICE TO STRICTER MEASURES THAT THE BSP MAY ADOPT UNDER EXISTING OR FUTURE ISSUANCES, BSP REGULATIONS AND GUIDANCE ISSUED PURSUANT TO THIS SECTION SHALL, AS APPROPRIATE TO THE SIZE, NATURE, AND RISK PROFILE OF SUPERVISED INSTITUTIONS, PROMOTE THAT THEY:

- (1) INCORPORATE OSAEC/CSAEM RISKS INTO THEIR ENTERPRISE-WIDE RISK ASSESSMENTS, POLICIES, AND INTERNAL CONTROLS, TAKING INTO ACCOUNT RELEVANT BSP AND AMLC REGULATIONS AND ANY TYPOLOGIES OR RED-FLAG INDICATORS DEVELOPED UNDER THIS ACT;**
 - (2) MAINTAIN RISK-BASED TRANSACTION-MONITORING AND SCREENING ARRANGEMENTS CAPABLE OF TAKING INTO ACCOUNT BEHAVIOURAL AND TRANSACTIONAL PATTERNS ASSOCIATED WITH OSAEC/CSAEM-RELATED ACTIVITY, AND, WHERE PERMITTED UNDER THE AMLA, THE ANTI-FINANCIAL ACCOUNT SCAMMING ACT (AFASA), AND RELEVANT BSP AND AMLC ISSUANCES, SUPPORT APPROPRIATE RESPONSES TO REASONABLY SUSPECTED TRANSACTIONS, INCLUDING TIMELY REPORTING AND, WHEN AUTHORIZED, TEMPORARY WITHHOLDING OR DEFERRAL;**
 - (3) APPLY ENHANCED DUE DILIGENCE AND HEIGHTENED ONGOING MONITORING TO CUSTOMERS, PRODUCTS, CHANNELS, CORRIDORS, OR TRANSACTIONS IDENTIFIED AS PRESENTING ELEVATED OSAEC/CSAEM RISK UNDER BSP OR AMLC GUIDANCE; AND**
 - (4) ENSURE SECURE, AUDITABLE, AND TIMELY ELECTRONIC REPORTING AND DATA SUBMISSION TO THE AMLC THROUGH CHANNELS THAT ENABLE THE EFFECTIVE GENERATION OF OSAEC/CSAEM-RELATED FINANCIAL INTELLIGENCE, CONSISTENT WITH THE AMLA AND BSP REGULATIONS.**
- (C) SUPERVISION AND ENFORCEMENT. - IN EXERCISING ITS SUPERVISORY AND ENFORCEMENT POWERS, THE BSP MAY CONSIDER SERIOUS OR REPEATED NON-COMPLIANCE WITH OSAEC/CSAEM-RELATED SAFEGUARDS REQUIRED UNDER THIS ACT AND BSP REGULATIONS AS AN AGGRAVATING CIRCUMSTANCE IN THE IMPOSITION OF CORRECTIVE ACTIONS, MONETARY PENALTIES, OR OTHER ENFORCEMENT MEASURES UNDER EXISTING LAWS AND BSP ISSUANCES, WITHOUT PREJUDICE TO ANY LIABILITY UNDER THE AMLA AND THIS ACT.**
- (D) COORDINATION. — THE BSP SHALL COORDINATE, AS MAY BE APPROPRIATE, WITH THE AMLC, THE NCC-OSAEC-CSAEM SECRETARIAT, AND OTHER CONCERNED AGENCIES IN THE DEVELOPMENT, IMPLEMENTATION, AND PERIODIC REVIEW OF SUPERVISORY MEASURES UNDER THIS SECTION, TO PROMOTE COHERENCE WITH NATIONAL CHILD-PROTECTION, ANTI-MONEY LAUNDERING, AND COUNTER-FINANCIAL CRIME STRATEGIES WHILE RESPECTING THE OPERATIONAL INDEPENDENCE OF EACH INSTITUTION.**

Sec. 45. Congressional Oversight Committee. - There is hereby created a Congressional Oversight Committee composed of five (5) members from the Senate of the Philippines and five (5) members from the House of Representatives. The members of the Senate shall be composed of the Chairperson of the Senate Committee on Women, Children, Family Relations and Gender Equality and the remaining four (4) members shall be appointed by the Senate President. The members of the House of Representatives shall be composed of the Chairpersons of the Committees on Welfare of Children, Revision of Laws, and Information and Communications Technology and the remaining two (2) members shall be appointed by the Speaker of the House of Representatives.

The oversight committee shall monitor and ensure the effective implementation of this Act, recommend the necessary remedial legislation or administrative measures, and perform such other duties and functions as may be necessary to attain the objectives of this Act.

Sec. 46. Transitory Provisions. - The mandates, **STRUCTURE**, office and funding of the **NATIONAL COORDINATION CENTER AGAINST OSAEC AND CSAEM** shall remain until the effectivity of this Act. Upon the effectivity of this Act, all the powers, functions, **STRUCTURE**, offices, personnel, **FUNDS**, assets, information and database shall be transferred to the **NCC-OSAEC-CSAEM AS A COORDINATING COUNCIL** without the need of conveyance or order, as the case may be.

The Secretariat or employees of the **NATIONAL COORDINATION CENTER AGAINST OSAEC AND CSAEM** shall continue to exercise their respective functions, duties and responsibilities with the corresponding benefits and privileges. As far as practicable, all personnel of shall be absorbed by the **NCC-OSAEC-CSAEM AS A COORDINATING COUNCIL**.

Sec. 47. Appropriations AND CHILD ONLINE SAFEGUARDING TRUST FUND.

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- (A) **GENERAL APPROPRIATIONS. — THE AMOUNT NECESSARY FOR THE INITIAL AND CONTINUING IMPLEMENTATION OF THIS ACT, INCLUDING THE OPERATIONS OF THE NCC-OSAEC-CSAEM SECRETARIAT AND THE PROGRAMS OF ITS MEMBER-AGENCIES UNDER THIS ACT, SHALL BE INCLUDED IN THE ANNUAL GENERAL APPROPRIATIONS ACT.**
- (B) **CREATION OF THE CHILD ONLINE SAFEGUARDING TRUST FUND. - THERE IS HEREBY CREATED A CHILD ONLINE SAFEGUARDING TRUST FUND (THE "TRUST FUND"), TO BE MANAGED AND ADMINISTERED BY THE NCC-OSAEC-CSAEM SECRETARIAT, EXCLUSIVELY FOR THE PURPOSES IDENTIFIED IN PARAGRAPH (D) OF THIS SECTION.**
- (C) **SOURCES OF THE TRUST FUND. — THE TRUST FUND SHALL CONSIST OF:**

- (1) ALL ADMINISTRATIVE FINES IMPOSED UNDER THIS ACT, AND SUCH PORTION OF MONETARY PENALTIES COLLECTED BY REGULATORS PURSUANT TO THIS ACT AS MAY BE SPECIFIED IN THE IMPLEMENTING RULES AND REGULATIONS (IRR);**
 - (2) SUCH PORTION OF ASSETS FORFEITED IN FAVOR OF THE GOVERNMENT IN CASES INVOLVING VIOLATIONS OF THIS ACT AS MAY BE DETERMINED IN ACCORDANCE WITH THE ANTI-MONEY LAUNDERING ACT (AMLA), THE REVISED PENAL CODE, AND OTHER APPLICABLE LAWS, AND AS MAY BE SPECIFIED IN THE IRR;**
 - (3) ANNUAL APPROPRIATIONS THAT MAY BE SPECIFICALLY EARMARKED IN THE GENERAL APPROPRIATIONS ACT FOR THE TRUST FUND;**
 - (4) GRANTS, DONATIONS, CONTRIBUTIONS, OR TECHNICAL ASSISTANCE FROM DOMESTIC AND FOREIGN SOURCES, WHETHER PUBLIC OR PRIVATE, ACCEPTED IN ACCORDANCE WITH APPLICABLE LAWS, RULES, AND REGULATIONS; AND**
 - (5) INCOME AND INTEREST DERIVED FROM THE INVESTMENT OR PLACEMENT OF THE TRUST FUND, SUBJECT TO EXISTING GOVERNMENT ACCOUNTING AND AUDITING RULES.**
- (D) PERMISSIBLE USES. — WITHOUT PREJUDICE TO OTHER CHILD-PROTECTION PROGRAMS AUTHORIZED BY LAW, DISBURSEMENTS FROM THE TRUST FUND SHALL BE USED EXCLUSIVELY FOR:**
- (1) VICTIM-SURVIVOR SERVICES, INCLUDING RECOVERY, REHABILITATION, PSYCHOSOCIAL SUPPORT, LONG-TERM AFTERCARE, REINTEGRATION, AND LIVELIHOODS OR EDUCATION SUPPORT FOR CHILDREN AND THEIR NON-OFFENDING FAMILIES OR CAREGIVERS;**
 - (2) PREVENTION AND DEMAND-REDUCTION PROGRAMS, INCLUDING NATIONWIDE AND LOCAL CAMPAIGNS, SCHOOL-BASED AND COMMUNITY-BASED INTERVENTIONS, AND DIGITAL-SAFETY EDUCATION;**
 - (3) TECHNOLOGY, TOOLS, AND INFRASTRUCTURE NEEDED TO DETECT, INVESTIGATE, AND DISRUPT OSAEC AND CSAEM, INCLUDING BUT NOT LIMITED TO SECURE PLATFORMS, DATA SYSTEMS, ANALYTICAL TOOLS, AND DIGITAL-FORENSICS CAPABILITIES ALIGNED WITH THIS ACT;**
 - (4) CAPACITY-BUILDING AND MENTAL-HEALTH SUPPORT FOR PERSONNEL OF THE NCC-OSAEC-CSAEM MEMBER-AGENCIES, LAW-ENFORCEMENT, PROSECUTION, SOCIAL**

WELFARE, AND PARTNER SERVICE PROVIDERS ENGAGED IN OSAEC/CSAEM WORK;

- (5) SUPPORT TO THE OPERATION OF SPECIALIZED MECHANISMS ESTABLISHED OR RECOGNIZED UNDER THIS ACT FOR OSAEC/CSAEM DETECTION, INVESTIGATION, FINANCIAL-INTELLIGENCE, AND COORDINATION, INCLUDING, WHERE APPLICABLE, THE PHILIPPINE INTERNET CRIMES AGAINST CHILDREN CENTER (PICACC), THE CHILD PROTECTION FINANCIAL INTELLIGENCE PLATFORM (CPFIP), AND THE FINANCIAL INTELLIGENCE JOINT TASK FORCE ON OSAEC AND CSAEM (FIJTF); AND**
 - (6) SUCH OTHER PROGRAMS AND PROJECTS DIRECTLY RELATED TO THE PREVENTION, DETECTION, INVESTIGATION, PROSECUTION, AND AFTERCARE OF OSAEC AND CSAEM CASES AS MAY BE APPROVED BY THE NCC-OSAEC-CSAEM, CONSISTENT WITH ITS MULTI-YEAR STRATEGIC PLAN.**
- (E) ADMINISTRATION, OVERSIGHT, AND AUDIT. — THE NCC-OSAEC-CSAEM SECRETARIAT SHALL ADMINISTER THE TRUST FUND, SUBJECT TO:**
- (1) GOVERNMENT ACCOUNTING AND AUDITING RULES, AND**
 - (2) ANNUAL REPORTING TO THE NCC-OSAEC-CSAEM AND TO CONGRESS ON RECEIPTS, DISBURSEMENTS, AND PROGRAM RESULTS FINANCED BY THE TRUST FUND.**
- THE TRUST FUND SHALL BE SUBJECT TO AUDIT BY THE COMMISSION ON AUDIT (COA).**
- (F) NON-LAPSING CHARACTER. — THE TRUST FUND SHALL BE A SPECIAL, CONTINUING FUND, AND ITS BALANCES SHALL NOT REVERT TO THE GENERAL FUND AT THE END OF THE FISCAL YEAR. ALL INCOME THEREFROM SHALL ACCRUE TO AND FORM PART OF THE TRUST FUND.**

Sec. 48. *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.

Sec. 49. *Suppletory Application of the Revised Penal Code.* — The Revised Penal Code shall be suppletorily applicable to this Act.

Sec. 50. *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.

Sec. 51. *Repealing Clause.* — **REPUBLIC ACT NO. 11930, OTHERWISE KNOWN AS THE "ANTI-OSAEC AND CSAEM ACT," IS HEREBY REPEALED.**

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.

Sec. 52. *Effectivity.* — This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,