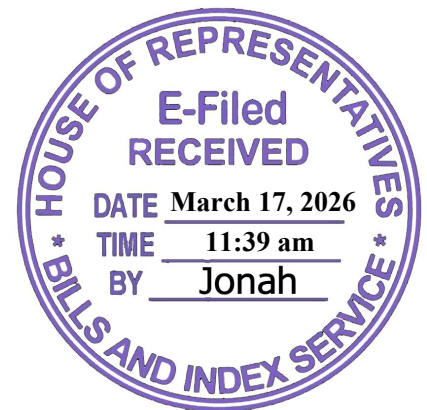


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 8599



Introduced by:

HON. CHRISTOPHERSON "COCO" M. YAP

AN ACT

IMPOSING STIFFER PENALTIES FOR CHILD ABUSE, EXPLOITATION AND DISCRIMINATION, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 7610, AS AMENDED

EXPLANATORY NOTE

Children deserve strong protection from abuse, exploitation, and discrimination. The **Special Protection of Children Against Child Abuse, Exploitation and Discrimination Act (Republic Act No. 7610)** was enacted to safeguard children from harmful acts that threaten their safety and development. However, new and evolving forms of exploitation, such as the use of children in obscene content, coercion into illegal activities, and exposure to abusive environments, show that stronger penalties are needed to ensure the law continues to protect children effectively.

This bill seeks to strengthen **Republic Act No. 7610** by increasing the penalties and fines for acts that exploit, abuse, or endanger children. These include the use of children in obscene publications or indecent shows, acts that place minors in situations where abuse and exploitation are likely to occur, and the worst forms of child labor already prohibited under **Republic Act No. 9231**. The measure also increases penalties for discrimination against children from indigenous communities and holds responsible not only individual offenders but also those who allow or facilitate such abuses.

By strengthening penalties and accountability, the bill aims to deter those who exploit children and to ensure that punishments reflect the serious and lasting harm caused

to young victims. These reforms reaffirm the State's commitment to protect every child's dignity, safety, and future.

In view of the foregoing, **ug sa ngalan sa SERBISYONG TINUORAY**, the undersigned respectfully requests the immediate passage of this measure.


CHRISTOPHERSON "COCO" M. YAP
Representative, Second District of Southern Leyte

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

SECTION 1. Section 9 of Republic Act No. 7610, otherwise known as the “Special Protection of Children Against Child Abuse, Exploitation and Discrimination Act”, is hereby amended to read as follows:

“SEC. 9. Obscene Publications and Indecent Shows. – Any person who shall hire, employ, use, persuade, induce or coerce a child to perform in obscene exhibitions and indecent shows, whether live or in video, pose, or model in obscene publications or pornographic materials or to sell or distribute the said materials shall suffer the penalty of RECLUSION TEMPORAL in its MEDIUM period.

“If the child used as a performer, subject or seller/distributor is TWELVE (12) YEARS OF AGE OR BELOW, the penalty shall be RECLUSION PERPETUA.

“Any ascendant, guardian, or person entrusted in any capacity with the care of a child who shall cause, permit, or allow such child to be employed or to participate in any act punished under this section shall suffer the penalty of RECLUSION TEMPORAL in its MAXIMUM period.”

SECTION 2. Section 10 of the same Act as amended, is hereby amended to read as follows:

“SEC. 10. Other Acts of Neglect, Abuse, Cruelty or Exploitation and Other Conditions Prejudicial to the Child’s Development. –

“(a) Any person who shall commit any other acts of child abuse, cruelty or exploitation, or be responsible for other conditions prejudicial to the child’s development, including those covered by Article 59 of Presidential Decree No. 603, as amended, but not covered by the Revised Penal Code, as amended, shall suffer the penalty of RECLUSION TEMPORAL in its MINIMUM period.”

“(b) Any person who shall keep or have in his company a minor, twelve (12) years of age or under, or who is ten (10) years or more his junior, in any public or private place, hotel, motel, beer joint, discotheque, cabaret, pension house, sauna or massage parlor, beach, tourist resort, or similar places, shall suffer the penalty of RECLUSION TEMPORAL in its MEDIUM period and a fine of not less than FIVE HUNDRED THOUSAND PESOS (₱500,000.00): Provided, That this provision shall not apply to any person related within the fourth degree of consanguinity or affinity, or under any bond recognized by law, local custom and tradition, or acts in the performance of a social, moral, or legal duty.”

“(c) Any person who shall induce, deliver or offer a minor to any person prohibited by this Act to keep or have in his company a minor as provided in the preceding paragraph shall suffer the penalty of PRISION MAYOR in its MAXIMUM period and a fine of not less than FOUR HUNDRED THOUSAND PESOS (₱400,000.00): Provided, That if the perpetrator is an ascendant, stepparent, guardian, or caregiver having custody of the child, the penalty shall be RECLUSION TEMPORAL in its MEDIUM period and a fine of not less than FIVE HUNDRED THOUSAND PESOS (₱500,000.00), and the loss of parental authority or custody, as the case may be.

“The court may, in addition, order the offender to undergo a child protection reorientation program to be designed and implemented by the Department of Social Welfare and Development (DSWD).”

“(d) Any person, owner, manager, or one entrusted with the operation of any public or private place of accommodation, whether for occupancy, food, drink or otherwise, including residential places, who allows any person to take along

with him to such place or places any minor herein described, shall suffer the penalty of PRISION MAYOR in its MAXIMUM period and a fine of not less than FIVE HUNDRED THOUSAND PESOS (₱500,000.00), and the cancellation of the license to operate such place or establishment.”

“(e) Any person who shall use, coerce, force or intimidate a street child or any other child to: (1) beg or use begging as a means of living; (2) act as conduit or middleman in drug trafficking or pushing; or (3) conduct any illegal activities, shall suffer the penalty of RECLUSION TEMPORAL in its MEDIUM period to RECLUSION PERPETUA: Provided, That RECLUSION PERPETUA shall be imposed when (i) the victim is twelve (12) years of age or below, or (ii) the offender acted as part of a syndicate, or (iii) the act resulted in serious physical injury, sexual abuse, or death.”

SECTION 3. Section 16 of the same Act, as amended, is hereby further amended to read as follows:

“SEC. 16. Penal Provisions. –

(a) Any employer who violates Sections 12, 12-A and 14 of this Act, as amended, shall be penalized by imprisonment of one (1) year and one (1) day to six (6) years, or a fine of not less than ONE HUNDRED THOUSAND PESOS (₱100,000.00) but not more than FOUR HUNDRED THOUSAND PESOS (₱400,000.00), or both, at the discretion of the court.

(b) Any person who violates Section 12-D of this Act, or the employer of the subcontractor who employs, or the one who facilitates the employment of a child in hazardous work, shall suffer the penalty of a fine of not less than TWO HUNDRED THOUSAND PESOS (₱200,000.00) but not more than ONE MILLION PESOS (₱1,000,000.00), or imprisonment of not less than twelve (12) years and one (1) day to twenty (20) years, or both, at the discretion of the court.

(c) Any person who violates Sections 12-D(1) and 12-D(2) shall be prosecuted and penalized in accordance with SECTION 12 of Republic Act No. 10364 (Expanded Anti-Trafficking in Persons Act of 2012): Provided, That the penalty shall be imposed in its maximum period.

(d) Any person who violates Section 12-D(3) shall be prosecuted and penalized in accordance with Republic Act No. 9165 (Comprehensive Dangerous Drugs Act of 2002): Provided, That the penalty shall be imposed in its maximum period.

(e) If a juridical person commits any violation under this section, the directors/trustees and officers, including the president, treasurer and secretary, who participated in, or knowingly allowed, the violation shall be liable in accordance with this section.”

SECTION 4. Section 20 of the same Act is hereby amended to read as follows:

“SEC. 20. Discrimination. – Children of indigenous cultural communities shall not be subjected to any and all forms of discrimination.

“Any person who discriminates against children of indigenous cultural communities shall suffer the penalty of PRISION CORRECCIONAL in its MEDIUM period and a fine of not less than FIFTY THOUSAND PESOS (₱50,000.00) nor more than ONE HUNDRED THOUSAND PESOS (₱100,000.00).

“The court may, in addition, order the offender to undergo an indigenous peoples cultural sensitivity program to be designed and implemented by the National Commission on Indigenous Peoples (NCIP).”

SECTION 5. Implementing Rules and Regulations. — Within one hundred eighty (180) days from the effectivity of this Act, the DSWD, in coordination with the Department of Justice (DOJ), the Department of Labor and Employment (DOLE) for provisions involving child labor, the NCIP, and other relevant agencies, shall promulgate the necessary rules and regulations to implement this Act. Such rules and regulations shall take effect upon publication in the Official Gazette or in at least two (2) newspapers of general circulation.

SECTION 6. Separability Clause. — If any provision of this Act is held invalid or unconstitutional, the other provisions not affected thereby shall remain in full force and effect.

SECTION 7. Repealing Clause. — All laws, rules, and regulations inconsistent with this Act are hereby repealed or modified accordingly.

SECTION 8. Effectivity. — This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in at least two (2) newspapers of general circulation.

Approved,