



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

Twentieth Congress  
First Regular Session

HOUSE BILL NO. 8709



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Introduced by Representatives JOCELYN P. TULFO and RALPH WENDEL P. TULFO

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**AN ACT ENHANCING THE PROSECUTION OF ONLINE INVESTMENT FRAUD AND VOICE PHISHING (VISHING), DEFINING *PRIMA FACIE* EVIDENCE FOR DIGITAL FRAUD, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 10175, AND FOR OTHER PURPOSES**

**EXPLANATORY NOTE**

The rapid advancement of digital communications has brought unprecedented convenience, but it has also created new avenues for malicious actors to exploit the public. Online investment scams and voice phishing (vishing) have become highly sophisticated, often operating across multiple jurisdictions and utilizing spoofing technologies to evade detection.

Currently, prosecuting these cybercriminals under Republic Act No. 10175 (Cybercrime Prevention Act of 2012) and Republic Act No. 8799 (Securities Regulation Code) faces significant evidentiary hurdles. Scammers mask their identities, making it difficult to establish the "intent to defraud" beyond a reasonable doubt in standard judicial proceedings.

This bill seeks to address these enforcement gaps by:

1. **Defining and penalizing "Vishing"** as a distinct cybercrime.
2. **Establishing *prima facie* presumptions of fraud** when specific deceptive technologies (e.g., caller ID spoofing, unregistered communication devices) are used to solicit funds, significantly easing the burden of proof for prosecutors.
3. **Classifying large-scale online investment fraud as economic sabotage**, ensuring stiffer, non-bailable penalties.

This legislation equips our law enforcement and judicial systems with the necessary tools to secure convictions and protect the hard-earned money of the public.

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

HON. JOCELYN P. TULFO  
Representative, ACT-CIS PARTYLIST

HON. RALPH WENDEL P. TULFO  
Representative, 2<sup>ND</sup> DISTRICT OF  
QUEZON CITY



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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 "Anti-Online Scam and Vishing Act of 2026."

**SEC. 2. Declaration of Policy.** – The State recognizes the vital role of information and communications technology in nation-building. It is the policy of the State to protect the integrity of digital communications and safeguard its citizens from organized cyber-criminality, specifically fraudulent online investment schemes and voice phishing, by streamlining the evidentiary requirements for prosecuting these offenses.

**SEC. 3. Definition of Terms.** – For purposes of this Act, the following terms are defined:

- **Vishing (Voice Phishing):** The fraudulent practice of extracting personal, financial, or confidential information, or inducing a person to make financial transfers, over a telephone system or internet-based voice calling platform, often by masking the caller's identity to appear as a trusted entity.
- **Online Investment Scam:** Any scheme perpetrated via the internet, social media, or electronic communication that solicits investments from the public by promising guaranteed or unusually high returns without the requisite secondary license from the Securities and Exchange Commission (SEC).
- **Spoofing:** The deliberate falsification of caller identification, IP addresses, or domain names to conceal the true identity or location of the sender or caller.

**SEC. 4. Prohibited Acts.** – In addition to the offenses defined under Republic Act No. 10175 and Republic Act No. 8799, the following acts are hereby declared unlawful:

1. The commission of Vishing to obtain access to a victim's bank account, digital wallet, or personal information.
2. The creation, distribution, or promotion of an Online Investment Scam.
3. The provision of technological support, including the sale or lease of spoofing software, knowing it will be used for Vishing or Online Investment Scams.

1 **SEC. 5. *Prima Facie* Evidence of Intent to Defraud.** – To facilitate the successful  
2 prosecution of offenders, the presence of any of the following circumstances during the  
3 solicitation of funds or information shall constitute *prima facie* evidence of intent to defraud:

- 4 • The use of caller ID spoofing technologies to impersonate a bank, government  
5 agency, or registered corporation.
- 6 • The use of unregistered SIM cards, or SIM cards registered under fictitious names  
7 or third parties, to contact victims or receive funds.
- 8 • The presentation of falsified SEC Certificates of Incorporation or secondary licenses  
9 on a website or social media platform.
- 10 • The use of unauthorized digital payment channels or "mule" accounts to receive  
11 investment funds.

12 The establishment of *prima facie* evidence shifts the burden of evidence to the accused to  
13 prove the legitimacy of their operations, directly addressing the difficulty of proving  
14 malicious intent in digital transactions.

15 **SEC. 6. Qualifying Circumstances and Penalties.** –

- 16 • **Standard Penalty:** Any person found guilty of the prohibited acts in Section 4 shall  
17 suffer the penalty of *reclusion temporal* and a fine of not less than One Million Pesos  
18 (PhP 1,000,000.00) but not more than Five Million Pesos (PhP 5,000,000.00).
- 19 • **Economic Sabotage:** If the Online Investment Scam or Vishing operation is  
20 committed by a syndicate (consisting of three or more persons) or committed in a  
21 large scale (involving total defrauded amounts exceeding PhP 1,000,000.00), the  
22 offense shall be deemed committed as Economic Sabotage. The penalty shall be  
23 *reclusion perpetua* and shall be **non-bailable**.

24 **SEC. 7. Bank and E-Wallet Account Freezing.** – Upon a verified complaint and  
25 preliminary finding of probable cause by the Department of Justice (DOJ) or the  
26 Cybercrime Investigation and Coordinating Center (CICC) that an account is being used  
27 for Vishing or Online Investment Scams, the Anti-Money Laundering Council (AMLC) is  
28 hereby authorized to issue a freeze order on the subject bank or e-wallet accounts within  
29 twenty-four (24) hours, valid for twenty (20) days, to prevent the dissipation of stolen funds.

30 **SEC. 8. Implementing Rules and Regulations.** – Within sixty (60) days from the  
31 effectivity of this Act, the Department of Information and Communications Technology  
32 (DICT), the DOJ, the SEC, and the AMLC shall jointly promulgate the necessary rules and  
33 regulations for the effective implementation of this Act.

34 **SEC. 9. Separability Clause.** – If any provision of this Act is declared invalid or  
35 unconstitutional, the remaining provisions not affected thereby shall continue to be in full  
36 force and effect.

37 **SEC. 10. Repealing Clause.** – All laws, presidential decrees, executive orders, rules, and  
38 regulations contrary to or inconsistent with the provisions of this Act are hereby repealed  
39 or modified accordingly.

40 **SEC. 11. Effectivity.** – This Act shall take effect fifteen (15) days after its publication in  
41 the Official Gazette or in a newspaper of general circulation.

42 *Approved,*