

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. **10031**



Introduced by HON. PHILIP CONRAD "DOK BONG" M. ACOP

AN ACT
AMENDING REPUBLIC ACT NO. 10973 BY FURTHER GRANTING THE
DIRECTOR OF THE PHILIPPINE NATIONAL POLICE ANTI-CYBERCRIME
GROUP THE AUTHORITY TO ADMINISTER OATH AND TO ISSUE SUBPOENA
DUCES TECUM AND FOR OTHER PURPOSES
EXPLANATORY NOTE

This bill seeks to expressly grant the Director of the Philippine National Police Anti-Cybercrime Group (PNP-ACG) the power to administer oath and to issue subpoena duces tecum in relation to its authority to conduct cybercrime investigation.

With the advancement of technology and the increase of crimes committed through information and communications technology, there is a need to provide a speedy and efficient mechanism for the disclosure of computer data that will hasten the identity of perpetrators and aid in the conduct of investigation. The grant of subpoena powers to the PNP-ACG Director will address the gap under existing laws.

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


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

SECTION 1. Section 26-A of Republic Act No. 6975, as amended, otherwise known as the “Department of the Interior and Local Government Act of 1990”, shall be amended to read as follows:

“Sec. 26-A Subpoena Powers. – The Chief of the Philippine National Police (PNP) and the Director and the Deputy Director for Administration of the Criminal Investigation and Detection Group (CIDG), referred to as the Criminal Investigation Unit in Section 35 (b) (4) of this Act, **AND THE DIRECTOR OF THE ANTI-CYBERCRIME GROUP**, shall have the power to administer oath, and issue subpoena and subpoena duces tecum in relation to its investigation: Provided, That such powers shall be exercised solely by the aforementioned officials and may not be further delegated to any person or office.

The subpoena shall state the nature and purpose of investigation, shall be directed to the person whose attendance is required, and in the case of a subpoena duces tecum, it shall contain a reasonable description of the books, documents, or things demanded which must be relevant to the investigation.

Failure to comply with subpoena and subpoena duces tecum shall authorize the filing of a case for indirect contempt under the Rules of Court with the Regional Trial Court.”

Sec. 2. Separability Clause. – The declaration of invalidity of any provision of this Act or part thereof shall not affect the validity of the remaining provisions.

Sec. 3. *Repealing Clause.* – Any law, decree, ordinance, or administrative circular not consistent with any provision of this Act is hereby amended, repealed or modified accordingly.

Sec. 4. *Effectivity.* – This Act shall take effect after fifteen (15) days following its completion in the Official Gazette.

Approved,