



Republic of the Philippines  
HOUSE OF REPRESENTATIVES  
Quezon City

NINETEENTH CONGRESS  
First Regular Session



---

**COMMITTEE REPORT NO. 512**

Submitted by the Committee on Women and Gender Equality on May 10, 2023

Re: House Bill No. 8009

Recommending its approval in substitution of House Bills Numbered 86, 403, 3849 and 4054

Sponsors: Representatives Geraldine B. Roman, Marjorie Ann A. Teodoro, Arlene D. Brosas, France L. Castro, Raoul Dannel A. Manuel, and Gus S. Tambunting

---

Mr. Speaker:

The Committee on Women and Gender Equality to which were referred House Bill No. 86, introduced by Representative Marjorie Ann A. Teodoro, entitled:

AN ACT

DEFINING ELECTRONIC VIOLENCE AGAINST WOMEN AND THEIR CHILDREN, PROVIDING PROTECTIVE MEASURES, AND PRESCRIBING PENALTIES FOR VIOLATIONS THEREOF, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 9262, OTHERWISE KNOWN AS THE "ANTI-VIOLENCE AGAINST WOMEN AND THEIR CHILDREN ACT OF 2004";

House Bill No. 403, introduced by Representatives Arlene D. Brosas, France L. Castro, and Raoul Dannel A. Manuel, entitled:

AN ACT

DEFINING ELECTRONIC VIOLENCE AGAINST WOMEN AND THEIR CHILDREN, PROVIDING PROTECTIVE MEASURES, AND PRESCRIBING PENALTIES FOR VIOLATIONS THEREOF, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 9262, OTHERWISE KNOWN AS THE "ANTI-VIOLENCE AGAINST WOMEN AND THEIR CHILDREN";

House Bill No. 3849, introduced by Representative Gus S. Tambunting, entitled:

AN ACT

GRANTING ADDITIONAL LEAVES FOR VICTIMS OF DOMESTIC VIOLENCE, PROVIDING PARAMETERS THEREFOR, AND AMENDING FOR SUCH

PURPOSE REPUBLIC ACT NO. 9262, OTHERWISE KNOWN AS THE ANTI-VIOLENCE AGAINST WOMEN AND CHILDREN ACT; and

House Bill No. 4054, introduced by Representative Gus S. Tambunting, entitled:

AN ACT

TO AMENDING REPUBLIC ACT NO. 9262 OTHERWISE KNOWN AS THE ANTI-VIOLENCE AGAINST WOMEN AND THEIR CHILDREN ACT OF 2004, DEFINES ELECTRONIC VIOLENCE AGAINST WOMEN (E-VAW), PROVIDING PROTECTIVE MEASURES AND PRESCRIBING PENALTIES THEREFOR, AND FOR OTHER PURPOSES.

has considered the same and recommends that the attached House Bill No. 8009, entitled:

AN ACT

DEFINING ELECTRONIC VIOLENCE AGAINST WOMEN AND THEIR CHILDREN, PROVIDING PROTECTIVE MEASURES, AND PRESCRIBING PENALTIES FOR VIOLATIONS THEREOF, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 9262, OTHERWISE KNOWN AS THE "ANTI-VIOLENCE AGAINST WOMEN AND THEIR CHILDREN ACT OF 2004"

be approved in substitution of House Bills Numbered 86, 403, 3849 and 4054 with Representatives Marjorie Ann A. Teodoro, Arlene D. Brosas, France L. Castro, Raoul Daniel A. Manuel, Gus S. Tambunting, Josephine Veronique "Jaye" R. Lacson-Noel, Bai Dimple I. Mastura, Edcel C. Lagman, Amparo Maria J. Zamora, Ma. Lucille L. Nava, M.D., Ma. Rene Ann Lourdes G. Matibag, Geraldine B. Roman, Ma. Cynthia K. Chan, Doris E. Maniquiz, Margarita "Atty. Migs" B. Nograles, Linabelle Ruth R. Villarica, Milagros Aquino-Magsaysay, Richelle Singson, Maria Theresa V. Collantes, Sittie Aminah Q. Dimaporo, Josefina B. Tallado, Rachel Marguerite B. Del Mar, Ysabel Maria J. Zamora, Irene Gay F. Saulog, Jocelyn P. Tulfo, Kristine Alexie B. Tutor, Maria Rachel J. Arenas, Maria Jamina Katherine B. Agarao, Charisse Anne C. Hernandez, Ma. Alana Samantha T. Santos, Patrick Michael D. Vargas, Midy N. Cua, Olga "Ara" T. Kho, Ruth Mariano-Hernandez, Eduardo "Bro. Eddie" C. Villanueva, Glona G. Labadlabad, Amparo Maria J. Zamora, Marie Bernadette G. Escudero, Jocelyn Sy Limkaichong, Mercedes K. Alvarez, Eleanor C. Bulut-Begtang, Lorna C. Silverio, Anna Marie Villaraza-Suarez, Bienvenido M. Abante, Jr., Juan Carlos "Arjo" C. Atayde, Antonio B. Legarda, Jr., Edwin L. Olivarez, Christopher V.P. De Venecia, Ralph G. Recto, Florida "Rida" P. Robes, Rosemarie Conejos Panotes, and Manuel Jose "Mannix" M. Dalipe as authors thereof.

Respectfully submitted:



**REP. GERALDINE B. ROMAN**

Chairperson

Committee on Women and Gender Equality

**THE HONORABLE SPEAKER**  
HOUSE OF REPRESENTATIVES  
QUEZON CITY



Republic of the Philippines  
House of Representatives  
Quezon City, Metro Manila

Nineteenth Congress  
First Regular Session

HOUSE BILL NO. 8009

(In Substitution of House Bills Numbered 86, 403, 3849 and 4054)

---

**Introduced by Representatives Marjorie Ann A. Teodoro, Arlene D. Brosas, France L. Castro, Raoul Danniell A. Manuel, Gus S. Tambunting, Josephine Veronique "Jaye" R. Lacson-Noel, Bai Dimple I. Mastura, Edcel C. Lagman, Amparo Maria J. Zamora, Ma. Lucille L. Nava, M.D., Ma. Rene Ann Lourdes G. Matibag, Geraldine B. Roman, Ma. Cynthia K. Chan, Doris E. Maniquiz, Margarita "Atty. Migs" B. Nograles, Linabelle Ruth R. Villarica, Milagros Aquino-Magsaysay, Richelle Singson, Maria Theresa V. Collantes, Sittie Aminah Q. Dimaporo, Josefina B. Tallado, Rachel Marguerite B. Del Mar, Ysabel Maria J. Zamora, Irene Gay F. Saulog, Jocelyn P. Tulfo, Kristine Alexie B. Tutor, Maria Rachel J. Arenas, Maria Jamina Katherine B. Agarao, Charisse Anne C. Hernandez, Ma. Alana Samantha T. Santos, Patrick Michael D. Vargas, Midy N. Cua, Olga "Ara" T. Kho, Ruth Mariano-Hernandez, Eduardo "Bro. Eddie" C. Villanueva, Glona G. Labadlabad, Amparo Maria J. Zamora, Marie Bernadette G. Escudero, Jocelyn Sy Limkaichong, Mercedes K. Alvarez, Eleanor C. Bulut-Begtang, Lorna C. Silverio, Anna Marie Villaraza-Suarez, Bienvenido M. Abante, Jr., Juan Carlos "Arjo" C. Atayde, Antonio B. Legarda, Jr., Edwin L. Olivarez, Christopher V.P. De Venecia, Ralph G. Recto, Florida "Rida" P. Robes, Rosemarie Conejos Panotes, and Manuel Jose "Mannix" M. Dalipe**

---

**AN ACT**  
**DEFINING ELECTRONIC VIOLENCE AGAINST WOMEN AND THEIR CHILDREN, PROVIDING PROTECTIVE MEASURES, AND PRESCRIBING PENALTIES FOR VIOLATIONS THEREOF, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 9262, OTHERWISE KNOWN AS THE "ANTI-VIOLENCE AGAINST WOMEN AND THEIR CHILDREN ACT OF 2004"**

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

1 SECTION 1. *Short Title.* – This Act shall be known as the “Expanded Anti-  
2 Violence Against Women and Their Children (E-VAWC) Act.”

3 SEC. 2. Section 3 of Republic Act No. 9262 is amended to read as follows:

4 “**SEC. 3. *Definition of Terms.*** – As used in this Act,

5 “(a) x x x

6 “A. x x x

7 “B. x x x

8 “C. “*Psychological violence*” refers to acts or omissions

9 **THAT MAY BE COMMITTED THROUGH PHYSICAL,**

10 **VERBAL, EMOTIONAL, ELECTRONIC OR**

11 **INFORMATION AND COMMUNICATIONS**

12 **TECHNOLOGY (ICT) DEVICES OR OTHER MEANS**

13 causing or likely to cause mental or emotional suffering of [~~the~~

14 ~~victim~~] **A WOMAN AND/OR HER CHILDREN**, such as [~~but not~~

15 ~~limited to~~] intimidation, harassment, stalking, damage to property,

16 public ridicule or humiliation, [~~repeated~~] verbal abuse and marital

17 infidelity. It includes **THE ACT OF** causing or [~~allowing the~~

18 ~~victim~~] **COERCING A WOMAN AND/OR HER CHILDREN** to

19 witness the physical, sexual or psychological abuse of a member of

20 the family to which the [~~victim belongs~~] **WOMAN AND/OR HER**

21 **CHILDREN BELONG** or to witness pornography in any form or

22 to witness abusive injury to pets or to unlawful or unwanted

1 deprivation of the right to custody [~~and/or~~] **OR** visitation of  
2 common children.

3 “D. x x x

4 “E. *“ELECTRONIC OR ICT-RELATED VIOLENCE”*

5 **REFERS TO ANY ACT OR OMISSION INVOLVING THE**  
6 **USE OR EXPLOITATION OF DATA OR ANY FORM OF**  
7 **ICT WHICH CAUSES OR IS LIKELY TO CAUSE MENTAL,**  
8 **EMOTIONAL, OR PSYCHOLOGICAL DISTRESS OR**  
9 **SUFFERING TO THE WOMAN AND/OR HER CHILDREN,**  
10 **INCLUDING THE FOLLOWING:**

11 “(1) **RECORDING, REPRODUCTION,**  
12 **DISTRIBUTION, USE, SHARING OR UPLOADING**  
13 **OF ANY PHOTOGRAPH, VIDEO, OR OTHER**  
14 **FORMS OF ELECTRONIC OR ARTISTIC**  
15 **PRESENTATION SHOWING OR DEPICTING IN**  
16 **ANY FORM OR MANNER THE GENITALIA OF A**  
17 **WOMAN OR THOSE OF HER CHILDREN’S**  
18 **GENITALIA, PUBIC AREA, BUTTOCKS, BREASTS,**  
19 **EXCRETORY BODY PART OR FUNCTION,**  
20 **NUDITY, SCENES WITH SEXUAL CONTEXT OR**  
21 **PORTRAYAL OF SEXUAL CONDUCT SUCH AS**  
22 **SEXUAL INTERCOURSE, MASTURBATION,**  
23 **KISSING, CARESSING, HUGGING, AND PETTING;**

1                   “(2)     RECORDING,     REPRODUCTION,  
2                   DISTRIBUTION, USE, SHARING OR UPLOADING  
3                   OF ANY PHOTOGRAPH, VIDEO, OR ANY OTHER  
4                   FORM     OF     ELECTRONIC     OR     ARTISTIC  
5                   PRESENTATION EXHIBITING ANY SEXUALLY-  
6                   RELATED     VERBAL     OR     NONVERBAL  
7                   EXPRESSION OR GESTURE OF THE WOMAN  
8                   AND/OR HER CHILDREN WHICH MAY BE  
9                   CONSTRUED AS LEWD, INDECENT, OR OBSCENE;

10                   “(3)     RECORDING,     REPRODUCTION,  
11                   DISTRIBUTION, USE, SHARING OR UPLOADING  
12                   OF ANY PHOTOGRAPH, VIDEO, OR ANY OTHER  
13                   FORM     OF     ELECTRONIC     OR     ARTISTIC  
14                   PRESENTATION DEPICTING ANY PURPORTED  
15                   VIOLENT OR ERRANT BEHAVIOUR OF THE  
16                   WOMAN AND/OR HER CHILDREN, OR THE USE  
17                   OF     INTOXICATING     OR     PROHIBITED  
18                   SUBSTANCES OR DRUGS;

19                   “(4)     ANY     SIMILAR     RECORDING,  
20                   REPRODUCTION, DISTRIBUTION, USE, SHARING  
21                   OR UPLOADING OF ANY AUDIO PRESENTATION  
22                   AND DATA, INCLUDING SOUND CLIPS OF THE  
23                   SAME NATURE AS THOSE ENUMERATED IN  
24                   PARAGRAPH (a) E. 1-3 OF THIS SECTION;

1                   “(5) USE OF A PHOTOGRAPH, VIDEO,  
2                   VOICE RECORDING, NAME OR ANY MARK,  
3                   REFERENCE OR CHARACTER IDENTIFIABLE  
4                   WITH A WOMAN AND/OR HER CHILDREN AND  
5                   SUGGESTIVE OF A WRONGDOING, CONDUCT OR  
6                   ATTRIBUTE THAT TENDS TO BESMIRCH THE  
7                   REPUTATION OF THE WOMAN AND/OR HER  
8                   CHILDREN;

9                   “(6) HARASSING,            INTIMIDATING,  
10                  COERCING, THREATENING OR VILLIFYING THE  
11                  WOMAN AND/OR HER CHILDREN THROUGH  
12                  TEXT MESSAGING OR OTHER CYBER,  
13                  ELECTRONIC, OR MULTIMEDIA TECHNOLOGY;

14                  “(7) STALKING,        INCLUDING THE  
15                  HACKING OF PERSONAL ACCOUNTS ON SOCIAL  
16                  NETWORKING SITES AND THE USE OF  
17                  LOCATION DATA FROM ELECTRONIC DEVICES;

18                  “(8) FABRICATION        OF FAKE  
19                  INFORMATION OR NEWS THROUGH TEXT  
20                  MESSAGING OR OTHER CYBER, ELECTRONIC,  
21                  OR MULTIMEDIA TECHNOLOGY; AND

22                  “(9) CREATION OF FAKE SOCIAL MEDIA  
23                  ACCOUNTS USING AN ALIAS OR A DIFFERENT  
24                  INDIVIDUAL’S    PERSONAL    INFORMATION

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23

**RESULTING IN HARM TO THE WOMAN AND/OR  
HER CHILDREN’S REPUTATION.”**

“x x x.”

SEC. 3. Section 5 of the same Act is amended to read as follows:

“**SEC. 5.** *Acts of Violence Against Women and Their Children.* – x x x

“(a) x x x

“(b) x x x

“(c) x x x

“(d) x x x

“(e) x x x

“(f) x x x

“(g) x x x

“(h) x x x

“(1) x x x

“(2) x x x

“(3) x x x

“(4) Destroying the property and personal belongings or  
inflicting harm to animals or pets of the woman [øf] **AND/OR** her  
[ehild; and] **CHILDREN;**

“(5) x x x

“(6) **RECORDING, REPRODUCING OR  
DISTRIBUTION OF VIDEOS WHICH SHOW THE WOMAN  
AND/OR HER CHILDREN NAKED OR IN**

1 UNDERGARMENT-CLAD GENITALS, PUBIC AREA,  
2 BUTTOCKS OR BREASTS;

3 “(7) SHARING ANY MEDIA THAT CONTAINS  
4 PICTURES, VOICE RECORDING OR VIDEO OF THE  
5 WOMAN AND/OR HER CHILDREN WHICH MAYBE  
6 CONSTRUED AS LEWD, INDECENT OR OF SEXUAL  
7 CONTENT; AND

8 “(8) USING THE PICTURES, VIDEO, VOICE  
9 NAME OR ANY OTHER ASPECT OF THE IDENTITY OF A  
10 WOMAN AND/OR HER CHILDREN FOR MALICIOUS  
11 PURPOSES INCLUDING PORNOGRAPHY, OTHER  
12 SEXUALLY-RELATED CRIMES, AND VIOLATIONS  
13 UNDER REPUBLIC ACT NO. 10175, OTHERWISE KNOWN  
14 AS THE “*CYBERCRIME PREVENTION ACT OF 2012.*”

15 “(i) x x x

16 “(J) INFLECTING OR COMMITTING ELECTRONIC OR  
17 ICT-RELATED VIOLENCE AGAINST A WOMAN AND/OR HER  
18 CHILDREN; AND

19 “(K) THREATENING TO CAUSE ELECTRONIC OR ICT-  
20 RELATED VIOLENCE AGAINST A WOMAN AND/OR HER  
21 CHILDREN.”

22 SEC. 4. Section 6 of the same Act is amended to read as follows:

23 “SEC. 6. *Penalties.* – x x x

24 “(a) x x x

1                   “(b) x x x

2                   “(c) x x x

3                   “(d) x x x

4                   “(e) x x x

5                   “(f) x x x

6                   **“(G) ACTS FALLING UNDER SECTION 5(J) AND 5(K) OF**  
7                   **THIS ACT SHALL BE PUNISHED BY RECLUSION TEMPORAL.**

8                   “If the acts are committed while the woman or child is pregnant or  
9                   committed in the presence of [~~her~~] **THE WOMAN’S** child, the penalty to  
10                  be applied shall be the maximum period of penalty prescribed in this  
11                  section.

12                  “In addition to imprisonment, the perpetrator shall (a) pay a fine in  
13                  the amount of not less than [~~One~~] **THREE** hundred thousand pesos  
14                  (~~[P100,000.00]~~ **P300,000.00**) but not more than [~~Three~~] **FIVE** hundred  
15                  thousand pesos (~~[P300,000.00]~~ **P500,000.00**): **PROVIDED, THAT IN**  
16                  **CASES OF ELECTRONIC OR ICT-RELATED VIOLENCE, THE**  
17                  **FINE THAT MAY BE IMPOSED SHALL NOT BE LESS THAN**  
18                  **THREE HUNDRED THOUSAND PESOS (P300,000.00) BUT NOT**  
19                  **MORE THAN FIVE HUNDRED THOUSAND PESOS (P500,000.00);**  
20                  **AND (b) SHALL** undergo mandatory psychological counseling or  
21                  psychiatric treatment and shall report compliance to the court.

22                  **“LIABILITY UNDER THIS ACT SHALL BE WITHOUT**  
23                  **PREJUDICE TO ANY LIABILITY FOR VIOLATION OF ANY**

1           **PROVISION OF THE REVISED PENAL CODE, AS AMENDED, OR**  
2           **SPECIAL LAWS.”**

3   SEC. 5. Section 7 of the same Act is amended to read as follows:

4           **“SEC. 7. JURISDICTION AND Venue.** – The Regional Trial  
5           Court designated as a Family Court shall have original and exclusive  
6           jurisdiction over cases of violence against women and their children under  
7           this law. **IN CASES OF ELECTRONIC OR ICT-RELATED**  
8           **VIOLENCE, THE COURT ACQUIRES JURISDICTION IF ANY OF**  
9           **THE ELEMENTS IS COMMITTED WITHIN THE PHILIPPINES,**  
10           **OR COMMITTED WITH THE USE OF ANY COMPUTER SYSTEM**  
11           **THAT IS WHOLLY OR PARTLY SITUATED IN THE COUNTRY,**  
12           **OR WHEN SUCH COMMISSION CAUSES ANY DAMAGE TO A**  
13           **WOMAN AND/OR HER CHILDREN WHO, AT THE TIME OF THE**  
14           **COMMISSION OF THE OFFENSE, ARE IN THE PHILIPPINES.**  
15           **CRIMINAL ACTION FOR VIOLATION OF THIS ACT SHALL BE**  
16           **FILED WITH THE REGIONAL TRIAL COURT DESIGNATED AS**  
17           **A FAMILY COURT WHERE THE OFFENSE WAS COMMITTED.**  
18           In the absence of such court [~~in the place where the offense was committed~~],  
19           the case shall be filed in the Regional Trial Court where the crime or any of  
20           its elements was committed at the option of the complainant. **IN CASES**  
21           **OF ELECTRONIC OR ICT-RELATED VIOLENCE, THE CASE**  
22           **MAY BE FILED IN THE PLACE WHERE ANY PART OF THE**  
23           **COMPUTER SYSTEM USED IS SITUATED, WHERE ANY OF THE**  
24           **DAMAGE CAUSED TO THE WOMAN AND/OR HER CHILDREN**

1           **TOOK PLACE, OR WHERE THE WOMAN AND/OR HER**  
2           **CHILDREN RESIDE AT THE TIME THEY LEARN OF THE**  
3           **COMMISSION OF THE OFFENSE.”**

4           SEC. 6. Section 8 of the same Act is amended to read as follows:

5                   **“SEC. 8. *Protection Orders.* – x x x**

6                   **“(a) x x x**

7                   **“(b) x x x**

8                   **“(c) x x x**

9                   **“(d) x x x**

10                  **“(e) x x x**

11                  **“(f) x x x**

12                  **“(g) x x x**

13                  **“(h) x x x**

14                  **“(i) x x x**

15                  **“(j) x x x; [~~and~~]**

16                  **“(k)   ORDERING   THE   IMMEDIATE   BLOCKING,**  
17                  **BLACKLISTING, REMOVAL, OR SHUTDOWN OF ANY**  
18                  **UPLOAD, PROGRAM, OR APPLICATION THAT CAUSES**  
19                  **OR TENDS TO CAUSE VIOLENCE AGAINST A WOMAN**  
20                  **AND/OR HER CHILDREN. FAILURE OF AN INTERNET**  
21                  **SERVICE PROVIDER TO COOPERATE WITH LAW**  
22                  **ENFORCEMENT AGENCIES SHALL CONSTITUTE THE**  
23                  **CRIME OF OBSTRUCTION OF JUSTICE. THE DUTIES OF**  
24                  **AN INTERNET SERVICE PROVIDER AS PROVIDED FOR**

1 UNDER SECTION 9 (B) OF REPUBLIC ACT NO. 11930,  
2 OTHERWISE KNOWN AS THE “ANTI-ONLINE SEXUAL  
3 ABUSE OR EXPLOITATION OF CHILDREN (OSAEC) AND  
4 ANTI-CHILD SEXUAL ABUSE OR EXPLOITATION  
5 MATERIALS (CSAEM) ACT”, SHALL BE APPLICABLE;  
6 AND

7 “(L) Provision of such other forms of relief as the court deems  
8 necessary to protect and provide for the safety of the petitioner and  
9 any designated family or household member, provided petitioner  
10 and any designated family or household member consents to such  
11 relief.

12 “x x x.”

13 SEC. 7. Section 24 of the same Act is amended to read as follows:

14 “SEC. 24. *Prescriptive Period.* – Acts falling under Sections 5(a) to  
15 5(f) **OF THIS ACT** shall prescribe in twenty (20) years. Acts falling under  
16 Sections 5(g) to 5(i) **OF THIS ACT** shall prescribe in ten (10) years.  
17 **ACTS FALLING UNDER SECTIONS 5(J) AND 5(K) OF THIS ACT**  
18 **SHALL BE IMPRESCRIPTIBLE.”**

19 SEC. 8. Section 32 of the same Act is amended to read as follows:

20 “SEC. 32. *Duties of Other Government Agencies and LGUs.* – Other  
21 government agencies and LGUs, **INCLUDING PHILIPPINE**  
22 **EMBASSIES AND CONSULAR OFFICES**, shall establish programs  
23 such as, but not limited to, education and information campaign and  
24 seminars or symposia on **SEXUAL AND REPRODUCTIVE HEALTH,**

1           **AND** the nature, causes, incidence and consequences of such violence  
2           **AGAINST WOMEN AND/OR THEIR CHILDREN** particularly  
3           towards educating the public on its social impacts.

4                     “x x x.”

5           SEC. 9. Section 39 of the same Act is amended to read as follows:

6                     “**SEC. 39.** *Inter-Agency Council on Violence Against Women and*  
7           *Their Children (IAC-VAWC).* – x x x

8                     “(a) x x x

9                     “(b) [~~National Commission on the Role of Filipino Women~~  
10           ~~(NCRFW)] PHILIPPINE COMMISSION ON WOMEN (PCW);~~

11                    “(c) x x x

12                    “(d) x x x

13                    “(e) x x x

14                    “(f) x x x

15                    “(g) x x x

16                    “(h) x x x

17                    “(i) x x x

18                    “(j) x x x

19                    “(k) Department of Labor and Employment; [~~and~~]

20                    “(l) National Bureau of Investigation[.];

21                    “(M) **MOVIE AND TELEVISION REVIEW AND**  
22           **CLASSIFICATION BOARD (MTRCB);**

23                    “(N) **DEPARTMENT OF SCIENCE AND TECHNOLOGY**  
24           **(DOST);**

1                   “(O)            NATIONAL            TELECOMMUNICATIONS  
2           COMMISSION (NTC);

3                   “(P)            DEPARTMENT        OF        INFORMATION        AND  
4           COMMUNICATIONS TECHNOLOGY (DICT);

5                   “(Q) DEPARTMENT OF FOREIGN AFFAIRS (DFA);

6                   “(R) COMMISSION ON FILIPINOS OVERSEAS (CFO);

7                   “(S) DEPARTMENT OF MIGRANT WORKERS (DMW);

8                   “(T)            OVERSEAS            WORKERS            WELFARE  
9           ADMINISTRATION (OWWA); AND

10                  “(U) TWO (2) REPRESENTATIVES FROM WOMEN’S  
11           RIGHTS ORGANIZATIONS WITH A PROVEN TRACK RECORD  
12           OF INVOLVEMENT IN THE PREVENTION AND ELIMINATION  
13           OF VIOLENCE AGAINST WOMEN AND THEIR CHILDREN  
14           (VAWC) WHO SHALL BE CHOSEN BY THE GOVERNMENT  
15           AGENCY REPRESENTATIVES OF THE COUNCIL TO SERVE  
16           FOR A TERM OF THREE (3) YEARS.

17                  “These agencies are tasked to formulate programs and projects to  
18           eliminate [~~VAW~~] VAWC based on their mandates as well as develop  
19           capability programs for their employees to become more sensitive to the  
20           needs of their clients. The Council will also serve as the monitoring body as  
21           regards [~~to VAW~~] **THE IMPLEMENTATION OF THIS ACT AND**  
22           **ANTI-VAWC** initiatives.”

23                  “x x x.”

24                  SEC. 10. Section 40 of the same Act is amended to read as follows:

1           “**SEC. 40. Mandatory Programs and Services for [Victims]**  
2           **WOMEN AND THEIR CHILDREN. – IN CASES FILED UNDER**  
3           **THIS ACT, [The] THE DSWD, and LGUs shall provide [the victims]**  
4           **WOMEN AND THEIR CHILDREN,** temporary shelters, provide  
5           counseling, psycho-social services [and/or,] **OR** recovery, rehabilitation  
6           programs, and livelihood assistance.

7           “**IN THE CASE OF WOMEN MIGRANT WORKERS**  
8           **AND/OR THEIR CHILDREN, RELEVANT EMBASSIES AND**  
9           **FOREIGN AFFAIRS PERSONNEL AND EMPLOYEES SHALL**  
10          **ENSURE THAT THEY ARE GIVEN ADEQUATE RESOURCES**  
11          **AND ACCESS TO LEGAL, MEDICAL, AND SOCIAL SERVICES**  
12          **IN THE RECEIVING STATE, DURING TRANSIT AND UPON**  
13          **RETURN, ESPECIALLY DURING REPATRIATION. THESE**  
14          **SERVICES INCLUDE THE PROVISION OF TEMPORARY**  
15          **SHELTERS, PSYCHOSOCIAL SERVICES, AND LEGAL AID, AND**  
16          **PRIORITIZING WOMEN’S AND CHILDREN’S SPECIFIC**  
17          **HEALTH NEEDS AT THE COMMUNITY LEVEL,**  
18          **PARTICULARLY ACCESS TO SEXUAL AND REPRODUCTIVE**  
19          **HEALTH SERVICES, AND ANTI-SEXUAL ASSAULT KITS TO**  
20          **INCLUDE EMERGENCY CONTRACEPTION AND POST**  
21          **EXPOSURE PROPHYLAXIS FOR HIV.**

22          “The DOH shall provide medical assistance to [victims] **WOMEN**  
23          **AND THEIR CHILDREN IN CASES FILED UNDER THIS ACT.**

1           **“THE DSWD, LGUs AND DOH SHALL ENSURE THAT ALL**  
2           **RECORDS OF A WOMAN AND HER CHILDREN OBTAINED IN**  
3           **CONNECTION WITH THE PROVISIONING OF SUCH SERVICES**  
4           **BY THE AGENCIES SHALL BE HELD CONFIDENTIAL UNLESS**  
5           **THERE IS A COURT ORDER AUTHORIZING THE RELEASE OF**  
6           **ANY INFORMATION OR DATA.**

7           **“THE DOJ SHALL ESTABLISH AND ADMINISTER AN**  
8           **IDENTITY AND LOCATION CONFIDENTIALITY PROGRAM TO**  
9           **BE REFERRED TO AS THE “PROGRAM”, WHICH SHALL**  
10          **ENSURE THE PROTECTION AND SAFETY OF WOMEN AND**  
11          **THEIR CHILDREN BY PROVIDING THEM WITH A**  
12          **SUBSTITUTE ADDRESS TO BE USED WHEN INTERACTING**  
13          **WITH GOVERNMENT AGENCIES AND A NEW MAILING**  
14          **ADDRESS WHICH KEEPS THEIR ACTUAL WHEREABOUTS**  
15          **CONFIDENTIAL AND FREE FROM THE RISK OF DISCOVERY**  
16          **BY THIRD PARTIES. THE PROGRAM SHALL CATER TO**  
17          **WOMEN AND THEIR CHILDREN WHO INTEND TO ESTABLISH**  
18          **A NEW RESIDENCE OR THOSE WHO HAVE ALREADY**  
19          **RELOCATED TO ANOTHER PLACE UNKNOWN TO THEIR**  
20          **ASSAILANTS OR ABUSERS WHO MAY USE PUBLIC RECORDS**  
21          **TO FIND THEM.**

22          **“IN THIS REGARD, THE APPLICATION FOR INCLUSION**  
23          **IN THE PROGRAM AS WELL AS OTHER SUPPORTING**  
24          **DOCUMENTS SUBMITTED BY WOMEN AND THEIR CHILDREN**

1           **SHALL NOT BE CONSIDERED AS PUBLIC RECORD AND SHALL**  
2           **BE KEPT CONFIDENTIAL BY THE DOJ AND SHALL ONLY BE**  
3           **RELEASED UPON THE ORDER OF THE COURT.**

4           **“ANY OFFICIAL OR EMPLOYEE WHO WILLFULLY**  
5           **BREACHES THE CONFIDENTIALITY OF THESE RECORDS OR**  
6           **WILLFULLY DISCLOSES THE NAME, RESIDENTIAL OR**  
7           **MAILING ADDRESS OF A WOMAN AND HER CHILDREN IN**  
8           **VIOLATION OF THIS PROVISION OF THIS ACT, SHALL**  
9           **SUFFER THE PENALTY OF ONE (1) YEAR IMPRISONMENT**  
10          **AND A FINE OF NOT LESS THAN THREE HUNDRED**  
11          **THOUSAND PESOS (P300,000.00) BUT NOT MORE THAN FIVE**  
12          **HUNDRED THOUSAND PESOS (P500,000.00).”**

13          SEC. 11. Section 43 of the same Act is amended to read as follows:

14                 ~~“SEC. 43. [Entitlement to Leave.—Victims under this Act shall be~~  
15                 ~~entitled to take a paid leave of absence up to ten (10) days in addition to~~  
16                 ~~other paid leaves under the Labor Code and Civil Service Rules and~~  
17                 ~~Regulations, extendible when the necessity arises as specified in the~~  
18                 ~~protection order.~~

19                 ~~“Any employer who shall prejudice the right of the person under this~~  
20                 ~~section shall be penalized in accordance with the provisions of the Labor~~  
21                 ~~Code and Civil Service Rules and Regulations. Likewise, an employer who~~  
22                 ~~shall prejudice any person for assisting a co-employee who is a victim under~~  
23                 ~~this Act shall likewise be liable for discrimination.]~~ **ADDITIONAL LEAVE**

24                 **BENEFITS. – DURING THE APPLICATION OF ANY**

1 PROTECTION ORDER, INVESTIGATION, PROSECUTION,  
2 AND/OR TRIAL OF THE CRIMINAL CASE, A VICTIM OF E-  
3 VAWC WHO IS EMPLOYED SHALL BE ENTITLED TO A PAID  
4 LEAVE OF ABSENCE OF UP TO TWENTY (20) DAYS IN  
5 ADDITION TO OTHER PAID LEAVES UNDER THE LABOR  
6 CODE, CIVIL SERVICE RULES AND REGULATIONS AND  
7 OTHER EXISTING LAWS AND COMPANY POLICIES,  
8 EXTENDIBLE WHEN THE NECESSITY ARISES AS SPECIFIED  
9 IN THE PROTECTION ORDER. THE *PUNONG*  
10 *BARANGAY/KAGAWAD*, PNP WOMEN'S AND CHILDREN'S  
11 DESKS OR PROSECUTOR OR THE CLERK OF COURT,  
12 PHYSICIANS, SOCIAL WORKERS, AND LICENSED  
13 COUNSELORS AS THE CASE MAY BE, SHALL ISSUE A  
14 CERTIFICATION, AT NO COST TO THE WOMAN, THAT SUCH  
15 IS PENDING UNDER THEIR JURISDICTION. THIS  
16 CERTIFICATION SHALL BE THE ONLY REQUIREMENT FOR  
17 THE EMPLOYER TO GRANT THE TWENTY (20)-DAY PAID  
18 LEAVE APPLICATION. IN ADDITION TO THE  
19 AFOREMENTIONED CERTIFICATION, AN EMPLOYEE OF THE  
20 GOVERNMENT MUST FILE AN APPLICATION FOR LEAVE,  
21 CITING THIS ACT. THE ADMINISTRATIVE ENFORCEMENT OF  
22 THIS LEAVE ENTITLEMENT SHALL BE CONSIDERED WITHIN  
23 THE JURISDICTION OF THE REGIONAL DIRECTOR OF THE  
24 DEPARTMENT OF LABOR AND EMPLOYMENT (DOLE) UNDER

1           **ARTICLE 129 OF THE LABOR CODE OF THE PHILIPPINES, AS**  
2           **AMENDED, FOR EMPLOYEES IN THE PRIVATE SECTOR, AND**  
3           **THE CIVIL SERVICE COMMISSION (CSC), FOR GOVERNMENT**  
4           **EMPLOYEES.**

5           **“THE AVAILMENT OF THE TWENTY (20)-DAY LEAVE**  
6           **OF ABSENCE SHALL BE AT THE OPTION OF THE WOMAN**  
7           **EMPLOYEE, WHICH SHALL COVER THE DAYS THAT SHE HAS**  
8           **TO ATTEND TO MEDICAL, LEGAL, AND OTHER VALID**  
9           **CONCERNS RELATED TO THE PENDING CASE. LEAVES NOT**  
10          **AVAILED OF ARE NON-CUMULATIVE AND NOT**  
11          **CONVERTIBLE TO CASH.**

12          **“THE IMMEDIATE SUPERIOR OF THE PERSON**  
13          **APPLYING FOR A TWENTY (20)-DAY PAID LEAVE SHALL**  
14          **APPROVE THE APPLICATION ON THE SAME DAY IT WAS**  
15          **FILED. IF THE IMMEDIATE SUPERIOR IS UNAVAILABLE TO**  
16          **ACT ON THE APPLICATION FOR A LEAVE, THE APPLICATION**  
17          **SHALL BE ACTED UPON BY ANY AVAILABLE SENIOR**  
18          **OFFICIAL OF THE PRIVATE COMPANY OR GOVERNMENT**  
19          **AGENCY.**

20          **“ALL PRIVATE COMPANIES AND GOVERNMENT**  
21          **AGENCIES SHALL RECORD ALL APPLICATIONS FOR LEAVE**  
22          **IN A LOGBOOK SPECIFICALLY FOR CASES OF E-VAWC. THEY**  
23          **SHALL SUBMIT A QUARTERLY REPORT ON ALL**  
24          **APPLICATIONS ISSUED TO THE REGIONAL DIRECTOR OF**

1 THE DOLE FOR EMPLOYEES OF THE PRIVATE SECTOR, AND  
2 THE CSC, FOR GOVERNMENT EMPLOYEES.

3 “FAILURE TO ACT ON AN APPLICATION FOR A  
4 TWENTY (20)-DAY PAID LEAVE OF ABSENCE WITHIN THE  
5 PRESCRIBED PERIOD WITHOUT JUSTIFIABLE CAUSE SHALL  
6 RENDER THE IMMEDIATE SUPERIOR OR SENIOR OFFICIAL  
7 ADMINISTRATIVELY LIABLE, AND THE PENALTY OF  
8 SUSPENSION FOR FIFTEEN (15) DAYS SHALL BE IMPOSED  
9 UPON THE OFFICIAL. AN ADMINISTRATIVE COMPLAINT  
10 AGAINST THE IMMEDIATE SUPERIOR OR SENIOR OFFICIAL  
11 FOR FAILURE TO PERFORM ONE’S DUTIES CAN BE FILED BY  
12 A VICTIM-SURVIVOR WITH THE REGIONAL DIRECTOR OF  
13 THE DOLE FOR EMPLOYEES OF THE PRIVATE SECTOR, AND  
14 THE CSC, FOR GOVERNMENT EMPLOYEES, FOR GROSS  
15 NEGLECT OF DUTY OR MALFEASANCE.

16 “THE IMMEDIATE SUPERIOR OR SENIOR OFFICIAL  
17 WHO DENIES THE APPLICATION FOR LEAVE, AND WHO  
18 SHALL PREJUDICE THE VICTIM-SURVIVOR OR ANY PERSON  
19 FOR ASSISTING A CO-EMPLOYEE WHO IS A VICTIM-  
20 SURVIVOR UNDER THIS ACT SHALL BE LIABLE FOR A FINE  
21 NOT EXCEEDING TEN THOUSAND PESOS (P10,000.00) AND  
22 SUSPENSION FOR THIRTY (30) DAYS FOR DISCRIMINATION  
23 AND VIOLATION OF THIS ACT.

1                   **“ANY SENIOR OFFICIAL, INCLUDING THE HEAD OF**  
2                   **THE AGENCY WHO HAS KNOWLEDGE OF, BUT FAILS TO ACT**  
3                   **ON, OR HAS IN ANY WAY INFLUENCED THE DENIAL OF THE**  
4                   **IMMEDIATE SUPERIOR OF THE LEAVE APPLICATION OF A**  
5                   **VICTIM-SURVIVOR, SHALL BE HELD ADMINISTRATIVELY**  
6                   **LIABLE AND SHALL BE SUSPENDED FOR FIFTEEN (15) DAYS.”**

7                   SEC. 12. *Separability Clause.* – If any portion or provision of this Act is held  
8                   unconstitutional or invalid, the remaining portions or provisions shall not be affected.

9                   SEC. 13. *Repealing Clause.* – All laws, decrees, executive orders and rules and  
10                  regulations, or parts thereof, inconsistent with the provisions of this Act are hereby  
11                  repealed or modified accordingly.

12                  SEC. 14. *Effectivity.* – This Act shall take effect fifteen (15) days after its  
13                  publication in the *Official Gazette* or in a newspaper of general circulation.

14                  Approved,

# House of Representatives

## Committee Affairs Department

### FACT SHEET

House Bill No. **8009**

(In Substitution of House Bills Numbered 86, 403, 3849 and 4054)

### AN ACT

DEFINING ELECTRONIC VIOLENCE AGAINST WOMEN AND THEIR CHILDREN, PROVIDING PROTECTIVE MEASURES, AND PRESCRIBING PENALTIES FOR VIOLATIONS THEREOF, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 9262, OTHERWISE KNOWN AS THE “ANTI-VIOLENCE AGAINST WOMEN AND THEIR CHILDREN ACT OF 2004”

*Introduced by: REPS. MARJORIE ANN A. TEODORO, ARLENE D. BROSAS, FRANCE L. CASTRO, RAOUL DANNIEL A. MANUEL, GUS S. TAMBUNTING, JOSEPHINE VERONIQUE "JAYE" R. LACSON-NOEL, BAI DIMPLE I. MASTURA, EDCEL C. LAGMAN, AMPARO MARIA J. ZAMORA, MA. LUCILLE L. NAVA, M.D., MA. RENE ANN LOURDES G. MATIBAG, GERALDINE B. ROMAN, MA. CYNTHIA K. CHAN, DORIS E. MANQUIZ, MARGARITA "ATTY. MIGS" B. NOGRALES, LINABELLE RUTH R. VILLARICA, MILAGROS AQUINO-MAGSAYSAY, RICHELLE SINGSON, MARIA THERESA V. COLLANTES, SITTIE AMINAH Q. DIMAPORO, JOSEFINA B. TALLADO, RACHEL MARGUERITE B. DEL MAR, YSABEL MARIA J. ZAMORA, IRENE GAY F. SAULOG, JOCELYN P. TULFO, KRISTINE ALEXIE B. TUTOR, MARIA RACHEL J. ARENAS, MARIA JAMINA KATHERINE B. AGARAO, CHARISSE ANNE C. HERNANDEZ, MA. ALANA SAMANTHA T. SANTOS, PATRICK MICHAEL D. VARGAS, MIDYN. CUA, OLGA "ARA" T. KHO, RUTH MARIANO-HERNANDEZ, EDUARDO "BRO. EDDIE" C. VILLANUEVA, GLONA G. LABADLABAD, AMPARO MARIA J. ZAMORA, MARIE BERNADETTE G. ESCUDERO, JOCELYN SY LIMKAICHONG, MERCEDES K. ALVAREZ, ELEANOR C. BULUT-BEGTANG, LORNA C. SILVERIO, ANNA MARIE VILLARAZA-SUAREZ, BIENVENIDO M. ABANTE, JR., JUAN CARLOS "ARJO" C. ATAYDE, ANTONIO B. LEGARDA, JR., EDWIN L. OLIVAREZ, CHRISTOPHER V.P. DE VENECIA, RALPH G. RECTO, FLORIDA "RIDA" P. ROBES, ROSEMARIE CONEJOS PANOTES, AND MANUEL JOSE "MANNIX" M. DALIPE*

*Committee Referral: COMMITTEE ON WOMEN AND GENDER EQUALITY*

*Committee Chairperson: REP. GERALDINE B. ROMAN*

#### OBJECTIVE:

- To protect women and children from all forms of electronic violence, including those that involve the manipulation of technology to perpetrate violence against women

#### KEY PROVISIONS:

- Defines *psychological violence* as acts or omissions that may be committed through physical, verbal, emotional, electronic or information and communications technology (ICT) devices, or other means causing or likely to cause mental or emotional suffering of a woman and/or her children such as intimidation, harassment, stalking, damage to property, public ridicule or humiliation, verbal abuse, and marital infidelity;

- States that *electronic violence or ICT-related violence* refers to any act or omission involving the use or exploitation of data or any form of ICT which causes or is likely to cause mental, emotional or psychological distress or suffering to the woman and/or her children, including the following:
  1. Recording, reproducing, distributing, using, sharing or uploading of any photograph, video or other form of electronic and/or artistic presentation, without authorization that:
    - a) showing or depicting in any form or manner the genitalia of a woman and/or her children's, their pubic area, buttocks, breasts, excretory body part or function; scenes with sexual context, or those portraying sexual conduct such as sexual intercourse, masturbation, kissing, caressing, hugging and petting, and scenes displaying nudity;
    - b) exhibiting any sexually-related verbal or non-verbal expression or gesture of the woman and/or her children which may be construed as lewd, indecent, obscene or of sexual content;
    - c) depicting any purported violent or errant behavior of the woman and/or her children or the use of intoxicating or prohibited substances or drugs.
  2. Any similar recording, reproduction, distribution, use, sharing or uploading of any audio presentation and data, including sound clips, of the same nature presentation as described above;
  3. Using, without authorization, the woman's and/or her children's photograph, video, voice, name or any mark, reference or character identifiable with the woman and/or her children, and suggestive of any wrongdoing or any conduct or attribute tending to smear their reputation;
  4. Harassing, intimidating, coercing, threatening or vilifying the woman and/or her children through text messaging or other cyber, electronic or multimedia means;
  5. Stalking which includes the hacking of personal accounts on social networking sites and the use of location data from electronic devices;
  6. Fabricating fake information or news through text messaging or other cyber, electronic or multi-media means; and
  7. Creating fake social media accounts using a different individual's personal information with ill intent and/or show of malice, intrigue or other harm.
- Includes the following as additional acts of violence against women and their children (VAWC):
  - (a) recording, reproduction or distribution of videos showing the woman's and/or her children's naked or undergarment-clad genitals, pubic area, buttocks or breasts,
  - (b) sharing any media that contains pictures, voice or video of the woman and/or her children which may be construed as lewd, indecent or of sexual content,
  - (c) using the woman's and/or her children's pictures,

video, voice name or any other aspect of the woman's and/or her children's identity, (d) inflicting electronic violence against a woman and/or her children, (e) threatening to cause electronic violence against a woman and/or her children, and (f) other similar acts enumerated under this provision that may cause or likely to cause violence against a woman and/or her children;

- Imposes the penalty of *reclusion temporal* for acts causing and threatening electronic violence *against* a woman and/or her children;
- Mandates the application of the maximum period of penalty if the act of electronic violence is committed while the woman or child is pregnant, or in the presence of her child, and, in addition to imprisonment, imposes upon the perpetrator the penalty of (a) a fine in the amount of not less than Three hundred thousand pesos (P300,000.00) but not more than Five hundred thousand pesos (P500,000.00): *Provided*, That in cases of electronic or ICT-related violence, the fine that may be imposed shall not be less than Three hundred thousand pesos (P300,000.00) but not more than Five hundred thousand pesos (P500,000.00); (b) mandatory psychological counseling or psychiatric treatment, compliance of which shall be reported to the court;
- Clarifies that the liability under this Act shall be without prejudice to any liability for violation of any provision of the Revised Penal Code, as amended, or special laws;
- Stipulates that in cases of electronic or ICT-related violence, the Court acquires jurisdiction if any of the elements is committed within the Philippines, or committed with the use of any computer system that is wholly or partly situated in the country, or when such commission causes any damage to a woman and/or her children who, at the time of the commission of the offense, are in the Philippines. Furthermore, criminal action for violation of this Act shall be filed with the Regional Trial court designated as a Family court where the offense was committed;
- Specifies that in cases of electronic or ICT-related violence, the case may be filed in the place 1) where any part of the computer system used is situated, 2) where any of the damage caused to the woman and/or her children took place, or 3) where the woman and/or her children reside at the time they learn of the commission of the offense;
- Requires the immediate blocking, blacklisting, removal or shutdown of any upload, program or application that causes or tends to cause violence against a woman and/or her children;
- Orders that the failure of an internet service provider to cooperate with law enforcement agencies constitutes crime of obstruction of justice;
- Provides that the acts causing and threatening electronic violence against a woman and/or her children shall be imprescriptible;
- Includes as additional members of the Inter-Agency Council on Violence Against Women and Their Children the Movie and Television Review and Classification Board, Department of Science and Technology, National Telecommunications Commission, Department of Information and Communications Technology, Department of Foreign Affairs, Commission on Filipinos Overseas, Department of Migrant Workers, Overseas Workers Welfare Administration, and two (2) representatives from women's rights organizations with proven track record of involvement in the prevention and elimination of VAWC;

- Includes Philippine Embassies and Consular Offices among other government agencies and local government units (LGUs) to establish programs such as, but not limited to, education and information campaigns and seminars or symposia on sexual and reproductive health, and the nature, causes, incidence and consequences of violence against women and/or their children particularly towards educating the public on its social impacts;
- Assigns the Department of Social Welfare and Development, the LGUs, the Department of Health (DOH) and the Department of Justice (DOJ) to provide respectively mandatory programs and services such as temporary shelters, counseling, psycho-social services and/or recovery, rehabilitation programs, livelihood assistance, medical assistance, and identity and location confidentiality program to women-victims of electronic violence and their children;
- Instructs the DOH to provide medical assistance to women-victims of electronic violence, and their children;
- Establishes that in the case of women migrant workers and/or their children, relevant embassies and foreign affairs personnel and employees shall ensure that they are given adequate resources and access to legal, medical, and social services in the receiving state, during transit and upon return, especially during repatriation. These services include the provision of temporary shelters, psychosocial services, and legal aid, and prioritizing women's and children's specific health needs at the community level, particularly access to sexual and reproductive health services, and anti-sexual assault kits to include emergency contraception and post exposure prophylaxis for HIV.
- Mandates that all records pertaining to a case or complaint by women and their children shall be held confidential unless there is a court order for the release of the same;
- Directs the DOJ to establish and administer an identity and location confidentiality program for VAWC victims to ensure their protection and safety;
- Provides that the application for inclusion in the program as well as other supporting documents submitted by the women and their children be considered confidential by the DOJ and shall only be released upon the order of the court;
- Penalizes any official or employee who willfully breaches the confidentiality of these records or willfully discloses the name, residential or mailing address of a victim in violation of this provision with a penalty of one (1) year imprisonment 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);
- Entitles a victim of E-VAWC to a paid leave of absence of up to twenty (20) days in addition to other paid leaves under the Labor Code, Civil Service rules and regulations, and other existing laws and company policies, which shall be extendible when the necessity arises as specified in the protection order, to cover the days that the victim has to attend to medical, legal, and other valid concerns related to the pending case. Leaves not availed of are non-cumulative and not convertible to cash;
- Obligates the *Punong Barangay/Kagawad*, Philippine National Police Women's and Children's Desks or prosecutor, clerk of court, physicians, social workers, and licensed counsellors, as the

case may be, to issue a certification at no cost to the woman as may be required by the employer, that it is necessary for the woman to take a twenty (20)-day paid leave;

- Obliges the immediate superior of the victim to approve the application for a twenty (20)-day leave of absence within the same day the application was filed;
- Compels every private company and government agency to record all applications for leave in a logbook, specifically for cases of E-VAWC, and shall submit a quarterly report of all such applications to the regional director of the Department of Labor and Employment for employees of the private sector, and the Civil Service Commission for government employees;
- Renders the immediate superior or senior official including the head of the agency administratively liable for the failure to act on an application for a twenty (20)-day paid leave of absence within the prescribed period without justifiable cause, which failure shall be penalized by suspension for fifteen (15) days;
- Declares that the immediate superior or senior official who denies the application for leave, and who shall prejudice the victim-survivor or any person for assisting a co-employee who is a victim-survivor under the Act shall be liable for a fine not exceeding Ten thousand pesos (P10,000.00) and suspension for thirty (30) days for discrimination and violation of this Act; and
- Ascertains that any senior official who has knowledge of, but who fails to act on, or has in any way influenced the denial of the immediate superior to grant leave to a victim-survivor shall be administratively liable and shall be penalized with suspension for fifteen (15) days.

#### RELATED LAWS:

- Republic Act No. 9262 (Anti-Violence Against Women and Their Children Act of 2004)
- Republic Act No. 9710 (The Magna Carta of Women)
- Republic Act No. 9995 (Anti-Photo and Video Voyeurism Act of 2009)
- The Revised Penal Code
- Republic Act No. 10175 (Cybercrime Prevention Act of 2012)
- Republic Act No. 11930 (Anti-Online Sexual Abuse or Exploitation of Children (OSAEC) and Anti-Child Sexual Abuse or Exploitation Materials (CSAEM) Act)