



HOUSE OF REPRESENTATIVES

H. No. 8420

BY REPRESENTATIVES CO, TINIO, MONTES, MATIBAG, ZAMORA (Y.M.), MACEDA, ELAGO, CRUZ (A.), MERCADO-REVILLA, REVILLA (B.), REVILLA (R.J.), SALVAME, BENITEZ (J.M.), GORRICETA, ANGELES, BULUT-BEGTANG, YNARES, AGYAO, BAG-AO, CASTRO, CENDAÑA, REMULLA, TAN (K.M.), ROBES, CAGAS, VILLARICA, DIOKNO, YATCO, LAGMAN, RAMA, ZUBIRI, GONZALES (A.), DIMAPORO (S.A.), CHUA-TAI, DEGAMO, VELOSO, ISMULA, ORETA, VERGARA AND SAKALURAN

**AN ACT
DEFINING TECHNOLOGY-FACILITATED 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."

1 SEC. 2. Section 3 of Republic Act No. 9262, otherwise known as the "Anti-
2 Violence Against Women and Their Children Act of 2004," is hereby amended to
3 read as follows:

4 "SEC. 3. *Definition of Terms.* – As used in this Act:

5 "(a) *"Violence against women and their children"* refers to any
6 act or a series of acts committed by any person against a woman
7 who is his wife, former wife, or against a woman with whom the
8 person has or had a sexual or dating relationship, or with whom he
9 has a common child, or against her child whether legitimate or
10 illegitimate, within or without the family abode, which result in or is
11 likely to result in physical, sexual, psychological harm or suffering, or
12 economic abuse including threats of such acts, battery, assault,
13 coercion, harassment or arbitrary deprivation of liberty. **IT ALSO**
14 **REFERS TO PHYSICAL, SEXUAL, AND PSYCHOLOGICAL**
15 **VIOLENCE PERPETRATED OR CONDONED BY THE STATE,**
16 **WHEREVER IT OCCURS, AS PROVIDED IN THE**
17 **'DECLARATION ON THE ELIMINATION OF VIOLENCE**
18 **AGAINST WOMEN'.** It includes, but is not limited to, the following
19 acts:

20 "A. x x x

21 "B. x x x

22 "C. *"Psychological violence"* refers to acts
23 **COMMITTED THROUGH PHYSICAL, VERBAL,**
24 **EMOTIONAL, ELECTRONIC OR INFORMATION AND**

1 **COMMUNICATIONS TECHNOLOGY (ICT) DEVICES OR**
2 **OTHER MEANS** or omissions causing or likely to cause
3 mental or emotional suffering of ~~[the victim]~~ **A WOMAN**
4 **AND/OR HER CHILDREN**, such as ~~[but not limited to]~~
5 intimidation, harassment, stalking, damage to property, public
6 ridicule or humiliation, ~~[repeated]~~ verbal abuse and marital
7 infidelity. It includes **ACTS OF** causing or ~~[allowing the victim]~~
8 **COERCING A WOMAN AND/OR HER CHILDREN** to witness
9 the physical, sexual or psychological abuse of a member of
10 the family to which the ~~[victim belongs]~~ **WOMAN AND/OR**
11 **HER CHILDREN BELONG** or to witness pornography in any
12 form or to witness abusive injury to pets or to unlawful or
13 unwanted deprivation of the right to custody ~~[and/or]~~ **OR**
14 visitation of common children.

15 "D. x x x

16 "E. **"TECHNOLOGY-FACILITATED VIOLENCE"**

17 **REFERS TO ANY ACT OR OMISSION INVOLVING THE**
18 **USE, ASSISTANCE, AGGRAVATION, AMPLIFICATION,**
19 **OR EXPLOITATION OF DATA OR ANY FORM OF**
20 **ELECTRONIC OR ICT DEVICES OR DIGITAL MEDIA THAT**
21 **CAUSES, OR IS LIKELY TO CAUSE, MENTAL,**
22 **EMOTIONAL, OR PSYCHOLOGICAL DISTRESS OR**
23 **SUFFERING, OR PHYSICAL, SEXUAL, OR ECONOMIC**
24 **HARM OR BOTH, TO THE WOMAN AND/OR HER**

1 CHILDREN, AS FURTHER DEMONSTRATED BY THE
2 FOLLOWING OFFENSES AND THREATS OF SUCH ACTS:

3 “(1) RECORDING, REPRODUCTION,
4 DISTRIBUTION, USE, SHARING OR UPLOADING
5 OF ANY PHOTOGRAPH, VIDEO, DEEPFAKE, OR
6 OTHER FORMS OF ELECTRONIC OR ARTISTIC
7 PRESENTATION SHOWING OR DEPICTING IN ANY
8 FORM OR MANNER THE GENITALIA OF A WOMAN
9 OR THOSE OF HER CHILDREN’S GENITALIA,
10 PUBIC AREA, BUTTOCKS, BREASTS,
11 EXCRETORY BODY PART OR FUNCTION, NUDITY,
12 SCENES WITH SEXUAL CONTEXT OR
13 PORTRAYAL OF SEXUAL CONDUCT SUCH AS
14 SEXUAL INTERCOURSE, MASTURBATION,
15 KISSING, CARESSING, HUGGING, AND PETTING;

16 “(2) RECORDING, REPRODUCTION,
17 DISTRIBUTION, USE, SHARING OR UPLOADING
18 OF ANY PHOTOGRAPH, VIDEO, DEEPFAKE, OR
19 ANY OTHER FORM OF ELECTRONIC OR ARTISTIC
20 PRESENTATION EXHIBITING ANY SEXUALLY-
21 RELATED VERBAL OR NONVERBAL
22 EXPRESSION OR GESTURE OF THE WOMAN
23 AND/OR HER CHILDREN WHICH MAY BE

1 CONSTRUED AS LEWD, INDECENT, OR
2 OBSCENE;

3 “(3) RECORDING, REPRODUCTION,
4 DISTRIBUTION, USE, SHARING OR UPLOADING
5 OF ANY PHOTOGRAPH, VIDEO, DEEPPFAKE, OR
6 ANY OTHER FORM OF ELECTRONIC OR ARTISTIC
7 PRESENTATION DEPICTING ANY PURPORTED
8 VIOLENT OR ERRANT BEHAVIOUR OF THE
9 WOMAN AND/OR HER CHILDREN, OR THE USE OF
10 INTOXICATING OR PROHIBITED SUBSTANCES
11 OR DRUGS;

12 “(4) ANY SIMILAR RECORDING,
13 REPRODUCTION, DISTRIBUTION, USE, SHARING
14 OR UPLOADING OF ANY AUDIO PRESENTATION
15 AND DATA, INCLUDING SOUND CLIPS OF THE
16 SAME NATURE AS THOSE ENUMERATED IN
17 PARAGRAPH (a) E. 1-3 OF THIS SECTION;

18 “(5) USE OF A PHOTOGRAPH, VIDEO, VOICE
19 RECORDING, NAME OR ANY MARK, REFERENCE
20 OR CHARACTER IDENTIFIABLE WITH A WOMAN
21 AND/OR HER CHILDREN AND SUGGESTIVE OF A
22 WRONGDOING, CONDUCT OR ATTRIBUTE THAT
23 TENDS TO BESMIRCH THE REPUTATION OF THE
24 WOMAN AND/OR HER CHILDREN;

1 “(6) HARASSING, INTIMIDATING,
2 COERCING, THREATENING OR VILLIFYING THE
3 WOMAN AND/OR HER CHILDREN THROUGH TEXT
4 MESSAGING OR OTHER CYBER, ELECTRONIC,
5 OR MULTIMEDIA TECHNOLOGY;

6 “(7) STALKING, INCLUDING THE
7 HACKING OF PERSONAL ACCOUNTS ON SOCIAL
8 NETWORKING SITES AND THE USE OF LOCATION
9 DATA FROM ELECTRONIC DEVICES;

10 “(8) FABRICATION OF FAKE INFORMATION
11 OR NEWS THROUGH TEXT MESSAGING OR
12 OTHER CYBER, ELECTRONIC, OR MULTIMEDIA
13 TECHNOLOGY; AND

14 “(9) CREATION OF FAKE SOCIAL MEDIA
15 ACCOUNTS USING AN ALIAS OR A DIFFERENT
16 INDIVIDUAL’S PERSONAL INFORMATION
17 RESULTING IN HARM TO THE WOMAN AND/OR
18 HER CHILDREN’S REPUTATION.”

19 “X X X.”

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

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

1 “(h) Engaging in purposeful, knowing, or reckless conduct,
2 personally or through another, that alarms or causes substantial
3 emotional or psychological distress to the woman or her child. This
4 shall include, but not be limited to, the following acts:

5 “(1) x x x

6 “(2) x x x

7 “(3) x x x

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

11 “(5) x x x

12 **“(6) RECORDING, REPRODUCTION OR**
13 **DISTRIBUTION OF VIDEOS WHICH SHOW THE WOMAN**
14 **AND/OR HER CHILDREN NAKED OR IN**
15 **UNDERGARMENT-CLAD GENITALS, PUBIC AREA,**
16 **BUTTOCKS OR BREASTS;**

17 **“(7) SHARING ANY MEDIA THAT CONTAINS**
18 **PICTURES, VOICE RECORDING OR VIDEO OF THE**
19 **WOMAN AND/OR HER CHILDREN WHICH MAYBE**
20 **CONSTRUED AS LEWD, INDECENT OR OF SEXUAL**
21 **CONTENT; AND**

22 **“(8) USING THE PICTURES, VIDEO, VOICE NAME**
23 **OR ANY OTHER ASPECT OF THE IDENTITY OF A**
24 **WOMAN AND/OR HER CHILDREN FOR MALICIOUS**

1 PURPOSES INCLUDING PORNOGRAPHY, OTHER
2 SEXUALLY-RELATED CRIMES, AND VIOLATIONS
3 UNDER REPUBLIC ACT NO. 10175, OTHERWISE KNOWN
4 AS THE 'CYBERCRIME PREVENTION ACT OF 2012.'

5 “(i) x x x

6 “(J) INFLICTING OR COMMITTING TECHNOLOGY-
7 FACILITATED VIOLENCE AGAINST A WOMAN AND/OR HER
8 CHILDREN; AND

9 “(K) THREATENING TO CAUSE TECHNOLOGY-
10 FACILITATED VIOLENCE AGAINST A WOMAN AND/OR HER
11 CHILDREN.”

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

13 “SEC. 6. *Penalties.* – x x x

14 x x x

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

17 “If the acts are committed while the woman or child is pregnant
18 or committed in the presence of [her] **THE WOMAN’S** child, the
19 penalty to be applied shall be the maximum period of penalty
20 prescribed in this section.

21 “In addition to imprisonment, the perpetrator shall (a) pay a
22 fine in the amount of not less than [~~One~~] **THREE** hundred thousand
23 pesos ([~~P100,000.00~~] **P300,000.00**) but not more than [~~Three~~] **FIVE**
24 hundred thousand pesos ([~~P300,000.00~~] **P500,000.00**; AND (b)

1 **SHALL** undergo mandatory psychological counseling or psychiatric
2 treatment and shall report compliance to the court[-]: **PROVIDED,**
3 **THAT MANDATORY PSYCHOLOGICAL COUNSELING OR**
4 **PSYCHIATRIC TREATMENT SHALL BE UNDERTAKEN IN**
5 **ACCORDANCE WITH EXISTING LAWS ON INFORMED**
6 **CONSENT AND PROFESSIONAL STANDARDS OF MEDICAL**
7 **PRACTICE, AND SHALL NOT BE CONSTRUED TO COMPEL**
8 **TREATMENT AGAINST THE WILL OF THE OFFENDER ABSENT**
9 **A FINAL JUDICIAL DETERMINATION OF NECESSITY.**

10 **“THE PROVISIONS OF THIS ACT ON TECHNOLOGY-**
11 **FACILITATED VIOLENCE AGAINST WOMEN AND THEIR**
12 **CHILDREN SHALL BE WITHOUT PREJUDICE TO LIABILITY**
13 **UNDER REPUBLIC ACT NO. 10175, OTHERWISE KNOWN AS**
14 **THE “CYBERCRIME PREVENTION ACT OF 2012,” REPUBLIC**
15 **ACT NO. 11930, OTHERWISE KNOWN AS THE “ANTI-ONLINE**
16 **SEXUAL ABUSE OR EXPLOITATION OF CHILDREN (OSAEC)**
17 **AND ANTI-CHILD SEXUAL ABUSE OR EXPLOITATION**
18 **MATERIALS (CSAEM) ACT,” REPUBLIC ACT NO. 10173,**
19 **OTHERWISE KNOWN AS THE “DATA PRIVACY ACT OF 2012,”**
20 **AND OTHER APPLICABLE LAWS. IN CASE OF OVERLAP,**
21 **PROSECUTION UNDER THIS ACT SHALL NOT BAR**
22 **PROSECUTION UNDER OTHER LAWS, SUBJECT TO THE**
23 **CONSTITUTIONAL PROHIBITION AGAINST DOUBLE**
24 **JEOPARDY.”**

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

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

1 WOMAN AND/OR HER CHILDREN RESIDE AT THE TIME THEY
2 LEARN OF THE COMMISSION OF THE OFFENSE.”

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

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

5 “(j) Directing the DSWD or any appropriate agency to provide
6 petitioner temporary shelter and other social services that the
7 petitioner may need; ~~and~~

8 “(k) ORDERING THE IMMEDIATE BLOCKING,
9 BLACKLISTING, SHUTDOWN, REMOVAL, OR DISABLING
10 OF ANY UPLOAD, PROGRAM, OR APPLICATION THAT
11 CAUSES, FACILITATES, OR IS LIKELY TO RESULT IN
12 VIOLENCE AGAINST A WOMAN AND/OR HER
13 CHILDREN. FAILURE OF AN INTERNET SERVICE
14 PROVIDER TO COOPERATE WITH LAW ENFORCEMENT
15 AGENCIES SHALL CONSTITUTE THE CRIME OF
16 OBSTRUCTION OF JUSTICE. THE DUTIES OF AN
17 INTERNET SERVICE PROVIDER AS PROVIDED FOR
18 UNDER SECTION 9(B) OF REPUBLIC ACT NO. 11930,
19 OTHERWISE KNOWN AS THE “ANTI-ONLINE SEXUAL
20 ABUSE OR EXPLOITATION OF CHILDREN (OSAEC) AND
21 ANTI-CHILD SEXUAL ABUSE OR EXPLOITATION
22 MATERIALS (CSAEM) ACT”, SHALL BE APPLICABLE:
23 PROVIDED, THAT ANY ORDER DIRECTING THE
24 BLOCKING, BLACKLISTING, SHUTDOWN, REMOVAL,

1 OR DISABLING OF ANY UPLOAD, PROGRAM, OR
2 APPLICATION SHALL BE ISSUED ONLY AFTER NOTICE
3 AND HEARING, SUBJECT TO DUE PROCESS
4 REQUIREMENTS AND TECHNICAL FEASIBILITY, AND
5 SHALL SPECIFY THE SCOPE AND DURATION OF SUCH
6 ORDER. INTERNET SERVICE PROVIDERS SHALL BE
7 GIVEN REASONABLE TIME TO COMPLY, AND LIABILITY
8 SHALL ATTACH ONLY UPON WILLFUL REFUSAL
9 WITHOUT JUSTIFIABLE CAUSE: *PROVIDED, FURTHER,*
10 THAT ANY SUCH ORDER SHALL INDICATE THE
11 SPECIFIC CONTENT COVERED, DURATION OF
12 EFFECTIVITY, AND SHALL BE SUBJECT TO A MOTION
13 FOR MODIFICATION OR LIFTING BY THE AFFECTED
14 PARTY: *PROVIDED, FINALLY,* THAT INTERNET SERVICE
15 PROVIDERS OR PLATFORMS ACTING IN GOOD FAITH
16 COMPLIANCE SHALL NOT INCUR LIABILITY; AND

17 “[~~(k)~~] (L) Provision of such other forms of relief as the court
18 deems necessary to protect and provide for the safety of the
19 petitioner and any designated family or household member,
20 provided petitioner and any designated family or household
21 member consents to such relief.

22 “x x x.”

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

1 “**SEC. 24. Prescriptive Period.** – Acts falling under Sections
2 5(a) to 5(f) **OF THIS ACT** shall prescribe in twenty (20) years. Acts
3 falling under Sections 5(g) to 5(i) **OF THIS ACT** shall prescribe in ten
4 (10) years. **ACTS FALLING UNDER SECTIONS 5(J) AND 5(K) OF**
5 **THIS ACT SHALL BE IMPRESCRIPTIBLE WHEN COMMITTED**
6 **AGAINST WOMEN AND/OR THEIR CHILDREN INVOLVING**
7 **SEXUAL EXPLOITATION, TRAFFICKING, OR OFFENSES**
8 **AGAINST MINORS.”**

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

10 “**SEC. 32. Duties of Other Government Agencies and LGUs.**
11 – Other government agencies and LGUs, **INCLUDING PHILIPPINE**
12 **EMBASSIES AND CONSULAR OFFICES**, shall establish programs
13 such as, but not limited to, education and information campaign and
14 seminars or symposia on **SEXUAL AND REPRODUCTIVE**
15 **HEALTH, AND** the nature, causes, incidence and consequences of
16 such violence **AGAINST WOMEN AND/OR THEIR CHILDREN**
17 particularly towards educating the public on its social impacts.

18 “x x x.”

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

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

22 “(a) x x x

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

1 X X X

2 “(k) Department of Labor and Employment (DOLE); [and]

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

4 “(M) MOVIE AND TELEVISION REVIEW AND
5 CLASSIFICATION BOARD (MTRCB);

6 “(N) DEPARTMENT OF SCIENCE AND TECHNOLOGY
7 (DOST);

8 “(O) NATIONAL TELECOMMUNICATIONS COMMISSION
9 (NTC);

10 “(P) DEPARTMENT OF INFORMATION AND
11 COMMUNICATIONS TECHNOLOGY;

12 “(Q) DEPARTMENT OF FOREIGN AFFAIRS;

13 “(R) COMMISSION ON FILIPINOS OVERSEAS;

14 “(S) DEPARTMENT OF MIGRANT WORKERS;

15 “(T) OVERSEAS WORKERS WELFARE ADMINISTRATION
16 (OWWA); AND

17 “(U) TWO (2) REPRESENTATIVES FROM WOMEN’S
18 RIGHTS ORGANIZATIONS WITH A PROVEN TRACK RECORD
19 OF INVOLVEMENT IN THE PREVENTION AND ELIMINATION OF
20 VIOLENCE AGAINST WOMEN AND THEIR CHILDREN (VAWC)
21 WHO SHALL BE CHOSEN BY THE GOVERNMENT AGENCY
22 REPRESENTATIVES OF THE COUNCIL TO SERVE FOR A TERM
23 OF THREE (3) YEARS.

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

7 “X X X.”

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

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

15 “**IN THE CASE OF WOMEN MIGRANT WORKERS AND/OR**
16 **THEIR CHILDREN, RELEVANT EMBASSIES AND FOREIGN**
17 **AFFAIRS PERSONNEL AND EMPLOYEES SHALL ENSURE**
18 **THAT THEY ARE GIVEN ADEQUATE RESOURCES AND**
19 **ACCESS TO LEGAL, MEDICAL, AND SOCIAL SERVICES IN THE**
20 **RECEIVING STATE, DURING TRANSIT AND UPON RETURN,**
21 **ESPECIALLY DURING REPATRIATION. THESE SERVICES**
22 **INCLUDE THE PROVISION OF TEMPORARY SHELTERS,**
23 **PSYCHOSOCIAL SERVICES, AND LEGAL AID, AND**
24 **PRIORITIZING WOMEN’S AND CHILDREN’S SPECIFIC HEALTH**

1 NEEDS AT THE COMMUNITY LEVEL, PARTICULARLY ACCESS
2 TO SEXUAL AND REPRODUCTIVE HEALTH SERVICES, AND
3 ANTI-SEXUAL ASSAULT KITS TO INCLUDE EMERGENCY
4 CONTRACEPTION AND POST EXPOSURE PROPHYLAXIS FOR
5 HIV.

6 “The DOH shall provide medical assistance to [victims]
7 WOMEN AND THEIR CHILDREN IN CASES FILED UNDER THIS
8 ACT.

9 “THE DSWD, LGUs AND DOH SHALL ENSURE THAT ALL
10 RECORDS OF A WOMAN AND HER CHILDREN OBTAINED IN
11 CONNECTION WITH THE PROVISION OF SUCH SERVICES BY
12 THE AGENCIES SHALL BE HELD CONFIDENTIAL UNLESS
13 THERE IS A COURT ORDER AUTHORIZING THE RELEASE OF
14 ANY INFORMATION OR DATA.

15 “THE DOJ SHALL ESTABLISH AND ADMINISTER AN
16 IDENTITY AND LOCATION CONFIDENTIALITY PROGRAM TO
17 BE REFERRED TO AS THE “PROGRAM”, WHICH SHALL
18 ENSURE THE PROTECTION AND SAFETY OF WOMEN AND
19 THEIR CHILDREN BY PROVIDING THEM WITH A SUBSTITUTE
20 ADDRESS TO BE USED WHEN INTERACTING WITH
21 GOVERNMENT AGENCIES AND A NEW MAILING ADDRESS
22 WHICH KEEPS THEIR ACTUAL WHEREABOUTS
23 CONFIDENTIAL AND FREE FROM THE RISK OF DISCOVERY BY
24 THIRD PARTIES. THE PROGRAM SHALL CATER TO WOMEN

1 AND THEIR CHILDREN WHO INTEND TO ESTABLISH A NEW
2 RESIDENCE OR THOSE WHO HAVE ALREADY RELOCATED TO
3 ANOTHER PLACE UNKNOWN TO THEIR ASSAILANTS OR
4 ABUSERS WHO MAY USE PUBLIC RECORDS TO FIND THEM.

5 "IN THIS REGARD, THE APPLICATION FOR INCLUSION
6 IN THE PROGRAM AS WELL AS OTHER SUPPORTING
7 DOCUMENTS SUBMITTED BY WOMEN AND THEIR CHILDREN
8 SHALL NOT BE CONSIDERED AS PUBLIC RECORD AND
9 SHALL BE KEPT CONFIDENTIAL BY THE DOJ AND SHALL
10 ONLY BE RELEASED UPON THE ORDER OF THE COURT.

11 "ANY OFFICIAL OR EMPLOYEE WHO WILLFULLY
12 BREACHES THE CONFIDENTIALITY OF THESE RECORDS OR
13 WILLFULLY DISCLOSES THE NAME, RESIDENTIAL OR
14 MAILING ADDRESS OF A WOMAN AND HER CHILDREN IN
15 VIOLATION OF THIS PROVISION OF THIS ACT, SHALL SUFFER
16 THE PENALTY OF ONE (1) YEAR IMPRISONMENT AND A FINE
17 OF NOT LESS THAN THREE HUNDRED THOUSAND PESOS
18 (P300,000.00) BUT NOT MORE THAN FIVE HUNDRED
19 THOUSAND PESOS (P500,000.00)."

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

21 "SEC. 43. ~~[Entitlement to Leave. Victims under this Act shall~~
22 ~~be entitled to take a paid leave of absence up to ten (10) days in~~
23 ~~addition to other paid leaves under the Labor Code and Civil Service~~

1 ~~Rules and Regulations, extendible when the necessity arises as~~
2 ~~specified in the protection order.~~

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

9 **BENEFITS. – DURING THE APPLICATION OF ANY**
10 **PROTECTION ORDER, INVESTIGATION, PROSECUTION,**
11 **AND/OR TRIAL OF THE CRIMINAL CASE, A VICTIM OF TFVAWC**
12 **WHO IS EMPLOYED SHALL BE ENTITLED TO A PAID LEAVE**
13 **OF ABSENCE OF UP TO TWENTY (20) DAYS IN ADDITION TO**
14 **OTHER PAID LEAVES UNDER THE LABOR CODE, CIVIL**
15 **SERVICE RULES AND REGULATIONS AND OTHER EXISTING**
16 **LAWS AND COMPANY POLICIES, EXTENDIBLE WHEN THE**
17 **NECESSITY ARISES AS SPECIFIED IN THE PROTECTION**
18 **ORDER. THE PUNONG BARANGAY/KAGAWAD, PNP WOMEN’S**
19 **AND CHILDREN’S DESKS OR PROSECUTOR OR THE CLERK**
20 **OF COURT, PHYSICIANS, SOCIAL WORKERS, AND LICENSED**
21 **COUNSELORS AS THE CASE MAY BE, SHALL ISSUE A**
22 **CERTIFICATION, AT NO COST TO THE WOMAN, THAT SUCH IS**
23 **PENDING UNDER THEIR JURISDICTION. THIS CERTIFICATION**
24 **SHALL BE THE ONLY REQUIREMENT FOR THE EMPLOYER TO**

1 GRANT THE TWENTY (20)-DAY PAID LEAVE APPLICATION. IN
2 ADDITION TO THE AFOREMENTIONED CERTIFICATION, AN
3 EMPLOYEE OF THE GOVERNMENT MUST FILE AN
4 APPLICATION FOR LEAVE, CITING THIS ACT. THE
5 ADMINISTRATIVE ENFORCEMENT OF THIS LEAVE
6 ENTITLEMENT SHALL BE CONSIDERED WITHIN THE
7 JURISDICTION OF THE REGIONAL DIRECTOR OF THE
8 DEPARTMENT OF LABOR AND EMPLOYMENT (DOLE) UNDER
9 ARTICLE 129 OF THE LABOR CODE OF THE PHILIPPINES, AS
10 AMENDED, FOR EMPLOYEES IN THE PRIVATE SECTOR, AND
11 THE CIVIL SERVICE COMMISSION, FOR GOVERNMENT
12 EMPLOYEES.

13 "THE AVAILMENT OF THE TWENTY (20)-DAY LEAVE OF
14 ABSENCE SHALL BE AT THE OPTION OF THE WOMAN
15 EMPLOYEE, WHICH SHALL COVER THE DAYS THAT SHE HAS
16 TO ATTEND TO MEDICAL, LEGAL, AND OTHER VALID
17 CONCERNS RELATED TO THE PENDING CASE. LEAVES NOT
18 AVAILED OF ARE NON-CUMULATIVE AND NOT CONVERTIBLE
19 TO CASH.

20 "THE IMMEDIATE SUPERIOR OF THE PERSON
21 APPLYING FOR A TWENTY (20)-DAY PAID LEAVE SHALL
22 APPROVE THE APPLICATION ON THE SAME DAY IT WAS
23 FILED. IF THE IMMEDIATE SUPERIOR IS UNAVAILABLE TO
24 ACT ON THE APPLICATION FOR A LEAVE, THE APPLICATION

1 SHALL BE ACTED UPON BY ANY AVAILABLE SENIOR
2 OFFICIAL OF THE PRIVATE COMPANY OR GOVERNMENT
3 AGENCY.

4 "ALL PRIVATE COMPANIES AND GOVERNMENT
5 AGENCIES SHALL RECORD ALL APPLICATIONS FOR LEAVE
6 IN A LOGBOOK SPECIFICALLY FOR CASES OF TFVAWC. THEY
7 SHALL SUBMIT A QUARTERLY REPORT ON ALL
8 APPLICATIONS ISSUED TO THE REGIONAL DIRECTOR OF THE
9 DOLE FOR EMPLOYEES OF THE PRIVATE SECTOR, AND THE
10 CSC, FOR GOVERNMENT EMPLOYEES: *PROVIDED*, THAT
11 REPORTS SUBMITTED TO GOVERNMENT AGENCIES SHALL
12 CONTAIN ONLY AGGREGATED AND ANONYMIZED DATA AND
13 SHALL NOT INCLUDE THE IDENTITY OR PERSONAL DETAILS
14 OF THE VICTIM-SURVIVOR.

15 "FAILURE TO ACT ON AN APPLICATION FOR A TWENTY
16 (20)-DAY PAID LEAVE OF ABSENCE WITHIN THE PRESCRIBED
17 PERIOD WITHOUT JUSTIFIABLE CAUSE SHALL RENDER THE
18 IMMEDIATE SUPERIOR OR SENIOR OFFICIAL
19 ADMINISTRATIVELY LIABLE, AND THE PENALTY OF
20 SUSPENSION FOR FIFTEEN (15) DAYS SHALL BE IMPOSED
21 UPON THE OFFICIAL. AN ADMINISTRATIVE COMPLAINT
22 AGAINST THE IMMEDIATE SUPERIOR OR SENIOR OFFICIAL
23 FOR FAILURE TO PERFORM ONE'S DUTIES CAN BE FILED BY
24 A VICTIM-SURVIVOR WITH THE REGIONAL DIRECTOR OF THE

1 DOLE FOR EMPLOYEES OF THE PRIVATE SECTOR, AND THE
2 CSC, FOR GOVERNMENT EMPLOYEES, FOR GROSS NEGLECT
3 OF DUTY OR MALFEASANCE.

4 "THE IMMEDIATE SUPERIOR OR SENIOR OFFICIAL WHO
5 DENIES THE APPLICATION FOR LEAVE, AND WHO SHALL
6 PREJUDICE THE VICTIM-SURVIVOR OR ANY PERSON FOR
7 ASSISTING A CO-EMPLOYEE WHO IS A VICTIM-SURVIVOR
8 UNDER THIS ACT SHALL BE LIABLE FOR A FINE NOT
9 EXCEEDING TEN THOUSAND PESOS (P10,000.00) AND
10 SUSPENSION FOR THIRTY (30) DAYS FOR DISCRIMINATION
11 AND VIOLATION OF THIS ACT.

12 "ANY SENIOR OFFICIAL, INCLUDING THE HEAD OF THE
13 AGENCY WHO HAS KNOWLEDGE OF, BUT FAILS TO ACT ON,
14 OR HAS IN ANY WAY INFLUENCED THE DENIAL OF THE
15 IMMEDIATE SUPERIOR OF THE LEAVE APPLICATION OF A
16 VICTIM-SURVIVOR, SHALL BE HELD ADMINISTRATIVELY
17 LIABLE AND SHALL BE SUSPENDED FOR FIFTEEN (15)
18 DAYS."

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

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

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

Approved,