

CONGRESS OF THE PHILIPPINES  
EIGHTEENTH CONGRESS  
*Third Regular Session*

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## SENATE

S. No. 2449

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SUBMITTED BY THE COMMITTEES ON WOMEN, CHILDREN,  
FAMILY RELATIONS AND GENDER EQUALITY;  
SCIENCE AND TECHNOLOGY; AND LABOR, EMPLOYMENT  
AND HUMAN RESOURCES DEVELOPMENT WITH  
SENATORS CAYETANO, P., VILLAR, GATCHALIAN,  
HONTIVEROS, DE LIMA, MARCOS, ANGARA, BINAY,  
DELA ROSA, DRILON, GO, GORDON, LACSON, LAPID,  
PACQUIAO, PANGILINAN, PIMENTEL, III, POE, RECTO,  
REVILLA, SOTTO, III, TOLENTINO, VILLANUEVA AND  
ZUBIRI AS AUTHORS

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AN ACT STRENGTHENING PROTECTIONS AGAINST  
TRAFFICKING IN PERSONS, AMENDING FOR  
THIS PURPOSE REPUBLIC ACT NO. 9208, AS  
AMENDED BY REPUBLIC ACT NO. 10364,  
ENTITLED “AN ACT TO INSTITUTE POLICIES TO  
ELIMINATE TRAFFICKING IN PERSONS  
ESPECIALLY WOMEN AND/OR CHILDREN,  
ESTABLISHING THE NECESSARY INSTITUTIONAL  
MECHANISMS FOR THE PROTECTION AND  
SUPPORT OF TRAFFICKED PERSONS”, AND  
OTHER SPECIAL LAWS, PROVIDING PENALTIES  
FOR ITS VIOLATIONS AND FOR OTHER  
PURPOSES

*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  
2 the “Expanded Anti-Trafficking Act of 2021”.

3           SEC. 2. Section 1 of Republic Act No. 9208 is hereby  
4 deleted.

5           SEC. 3. Section 2 of Republic Act No. 9208 is hereby  
6 amended to read as follows:

7                   “SEC. 2. *Declaration of Policy.* – It is  
8           hereby declared that the State values the  
9           dignity of every human person and guarantees  
10          the respect of individual rights. In pursuit of  
11          this policy, the State shall give highest priority  
12          to the enactment of measures and development  
13          of programs that will promote human dignity,  
14          protect the people from any threat of violence  
15          and exploitation, eliminate trafficking in  
16          persons, and mitigate pressures for involuntary  
17          migration and servitude of persons, not only to  
18          support trafficked persons but more  
19          importantly, to ensure their recovery,

1 rehabilitation, and reintegration into the  
2 mainstream of society IN A MANNER THAT  
3 IS GENDER-, AGE-, AND CULTURALLY-  
4 RESPONSIVE, AND DISABILITY-  
5 INCLUSIVE.

6 It shall be a State policy to recognize the  
7 equal rights and inherent human dignity of  
8 women and men as enshrined in the United  
9 Nations Universal Declaration on Human  
10 Rights, United Nations Convention on the  
11 Elimination of All Forms of Discrimination  
12 Against Women, United Nations Convention on  
13 the Rights of the Child AND ITS OPTIONAL  
14 PROTOCOLS, the United Nations Convention  
15 on the Protection of Migrant Workers and their  
16 Families, United Nations Convention Against  
17 Transnational Organized Crime Including its  
18 Protocol to Prevent, Suppress and Punish  
19 Trafficking in Persons, Especially Women and  
20 Children; ILO CONVENTION NO. 182,

1 CONCERNING THE PROHIBITION AND  
2 IMMEDIATE ACTION FOR THE  
3 ELIMINATION OF THE WORST FORMS OF  
4 CHILD LABOR; THE UN GLOBAL  
5 COMPACT ON SAFE AND ORDERLY  
6 MIGRATION; AND THE CONVENTION FOR  
7 THE SUPPRESSION OF THE TRAFFIC IN  
8 PERSONS AND OF THE EXPLOITATION OF  
9 THE PROSTITUTION OF OTHERS; and all  
10 other relevant and universally accepted human  
11 rights instruments and other international  
12 conventions to which the Philippines is a  
13 signatory. IN ALL ACTIONS CONCERNING  
14 CHILDREN, THEIR BEST INTERESTS  
15 SHALL BE THE PARAMOUNT  
16 CONSIDERATION.”

17 SEC. 4. Section 3 Republic Act No. 9208 is hereby  
18 amended to read as follows:

19 “SEC. 3. *Definition of Terms.* – As used in  
20 this Act:

1           “(a) Trafficking in Persons – refers to the  
2           recruitment, obtaining, hiring, providing,  
3           offering, transportation, transfer, maintaining,  
4           harboring, or receipt of persons with or without  
5           the victim’s consent or knowledge, within or  
6           across national borders by means of threat, or  
7           use of force, or other forms of coercion,  
8           abduction, fraud, deception, abuse of power or  
9           of position, taking advantage of the  
10          vulnerability of the person, or, the giving or  
11          receiving of payments or benefits to achieve the  
12          consent of a person having control over another  
13          person, for the purpose of exploitation which  
14          includes at a minimum, the exploitation or the  
15          prostitution of others, OR THE  
16          ENGAGEMENT OF OTHERS FOR CHILD  
17          SEXUAL ABUSE OR EXPLOITATION  
18          MATERIALS, or other forms of sexual  
19          exploitation, forced labor or services, slavery,  
20          servitude or the removal or sale of organs.

1           The recruitment, transportation, transfer,  
2           harboring, adoption or receipt of a child for the  
3           purpose of exploitation or when the adoption is  
4           induced by any form of consideration for  
5           exploitative purposes, shall also be considered  
6           as ‘trafficking in persons’ even if it does not  
7           involve any of the means set forth in the  
8           preceding paragraph.

9           x x x

10           (h) Sexual Exploitation – ~~[refers to~~  
11           ~~participation by a person in prostitution,~~  
12           ~~pornography or the production of pornography,~~  
13           ~~in exchange for money, profit or any other~~  
14           ~~consideration or where the participation is~~  
15           ~~caused or facilitated by any means of~~  
16           ~~intimidation or threat, use of force, or other~~  
17           ~~forms of coercion, abduction, fraud, deception,~~  
18           ~~debt bondage, abuse of power or of position or~~  
19           ~~of legal process, taking advantage of the~~  
20           ~~vulnerability of the person, or giving or~~

1        ~~receiving of payments or benefits to achieve the~~  
2        ~~consent of a person having control over another~~  
3        ~~person; or in sexual intercourse or lascivious~~  
4        ~~conduct caused or facilitated by any means as~~  
5        ~~provided in this Act.] MEANS ANY ACTUAL~~  
6        OR ATTEMPTED ABUSE OF A POSITION  
7        OF VULNERABILITY, DIFFERENTIAL  
8        POWER, OR TRUST, FOR SEXUAL  
9        PURPOSES OR LEWD DESIGNS,  
10       INCLUDING, BUT NOT LIMITED TO,  
11       PROFITING MONETARILY, SOCIALLY OR  
12       POLITICALLY FROM THE SEXUAL  
13       EXPLOITATION OF ANOTHER,  
14       REGARDLESS OF CONSENT.

15                    x x x

16                    (j) Pornography – refers to any  
17       representation through publication, exhibition,  
18       cinematography, indecent shows, information  
19       technology, or by whatever means, of a person  
20       engaged in real or simulated explicit sexual

1 activities or any representation of the sexual  
2 parts of a person primarily for sexual purposes:  
3 *PROVIDED*, THAT WHEN A CHILD IS  
4 INVOLVED, THE MATERIAL SHALL BE  
5 CONSIDERED CHILD SEXUAL ABUSE AND  
6 EXPLOITATION MATERIALS AS DEFINED  
7 UNDER PARAGRAPH L OF THIS SECTION.

8 x x x

9 (L) CHILD SEXUAL ABUSE AND  
10 EXPLOITATION MATERIALS – REFER TO  
11 PHOTOS, IMAGES, VIDEOS, RECORDINGS,  
12 STREAMS, OR ANY OTHER FORM OF  
13 MEDIA, DEPICTING ACTS OF SEXUAL  
14 ABUSE AND EXPLOITATION OF A CHILD  
15 OR REPRESENTATION OF A CHILD AS A  
16 SEXUAL OBJECT, WHETHER GENERATED  
17 DIGITALLY OR NOT. THIS INCLUDES  
18 MATERIALS THAT FOCUS ON THE ANAL  
19 OR GENITAL REGION OF A CHILD;



1                   (M)            INFORMATION            AND  
2            COMMUNICATIONS    TECHNOLOGY    –  
3            SHALL    MEAN    THE    TOTALITY    OF  
4            ELECTRONIC    MEANS    TO    ACCESS,  
5            CREATE,    COLLECT,    STORE,    PROCESS,  
6            RECEIVE,    TRANSMIT,    PRESENT    AND  
7            DISSEMINATE    INFORMATION;

8                   (N)    INTERNET    INTERMEDIARIES    –  
9            REFERS    TO    A    PERSON    OR    ENTITY  
10            THAT    PROVIDES    INFRASTRUCTURE,  
11            PLATFORMS,    ACCESS    TO,    AND    HOST,  
12            TRANSMIT    AND    INDEX    CONTENT,  
13            PRODUCTS    AND    SERVICES    ORIGINATED  
14            BY    THIRD    PARTIES    ON    THE    INTERNET.    IT  
15            INCLUDES    AMONG    OTHERS:

16                   (1)    INTERNET    SERVICE    PROVIDERS  
17            (ISPs);

18                   (2)    DATA    PROCESSING    AND    WEB  
19            HOSTING    PROVIDERS    INCLUDING  
20            DOMAIN    NAME    REGISTRARS;

1 (3) INTERNET SEARCH ENGINES  
2 AND PORTALS;

3 (4) E-COMMERCE INTERMEDIARIES;

4 (5) INTERNET PAYMENT SYSTEM  
5 PROVIDERS, WHETHER SUPERVISED BY  
6 THE BANGKO SENTRAL NG PILIPINAS  
7 (BSP) OR NOT; AND

8 (6) PARTICIPATIVE NETWORK  
9 PLATFORM PROVIDERS/SOCIAL MEDIA  
10 INTERMEDIARIES;

11 (O) ONLINE SEXUAL ABUSE AND  
12 EXPLOITATION OF CHILDREN. – REFERS  
13 TO THE USE OF DIGITAL OR ANALOG  
14 COMMUNICATION, AND ICT, AS A MEANS  
15 TO ABUSE AND EXPLOIT CHILDREN  
16 SEXUALLY, WHICH INCLUDES CASES IN  
17 WHICH CONTACT CHILD ABUSE AND/OR  
18 EXPLOITATION OFFLINE IS COMBINED  
19 WITH AN ONLINE COMPONENT. THIS CAN  
20 ALSO INCLUDE, BUT IS NOT LIMITED TO,

1 THE PRODUCTION, DISSEMINATION AND  
2 POSSESSION OF CHILD SEXUAL ABUSE  
3 AND EXPLOITATION MATERIALS; ONLINE  
4 GROOMING OF CHILDREN FOR SEXUAL  
5 PURPOSES; SEXUAL EXTORTION OF  
6 CHILDREN; SHARING IMAGE-BASED  
7 SEXUAL ABUSE; COMMERCIAL SEXUAL  
8 EXPLOITATION OF CHILDREN;  
9 EXPLOITATION OF CHILDREN THROUGH  
10 ONLINE PROSTITUTION; AND LIVE-  
11 STREAMING OF SEXUAL ABUSE, WITH OR  
12 WITHOUT THE CONSENT OF THE  
13 VICTIM.”

14 SEC. 5. Section 4 of Republic Act No. 9208 is hereby  
15 amended to read as follows:

16 “SEC. 4. *Acts of Trafficking in Persons.* –  
17 It shall be unlawful for any person, natural or  
18 juridical, to commit BY MEANS OF THREAT,  
19 OR USE OF FORCE, OR OTHER FORMS OF  
20 COERCION, ABDUCTION, FRAUD,

1 DECEPTION, ABUSE OF POWER OR OF  
2 POSITION, OR THROUGH TAKING  
3 ADVANTAGE OF THE VULNERABILITY OF  
4 THE PERSON, OR THE GIVING OR  
5 RECEIVING OF PAYMENTS OR BENEFITS  
6 TO ACHIEVE THE CONSENT OF A PERSON  
7 HAVING CONTROL OVER ANOTHER  
8 PERSON, OR any of the following acts:

9 (a) To recruit, obtain, hire, provide, offer,  
10 transport, transfer, maintain, harbor, or  
11 receive a person by any means, including those  
12 done under the pretext of domestic or overseas  
13 employment or training or apprenticeship, for  
14 the purpose of prostitution, pornography, or  
15 sexual exploitation, FORCED LABOR,  
16 SLAVERY, INVOLUNTARY SERVITUDE OR  
17 DEBT BONDAGE;

18 XXX

19 (h) To recruit, hire, adopt, transport,  
20 transfer, obtain, harbor, maintain, provide,

1 offer, receive or abduct a person, [~~by means of~~  
2 ~~threat or use of force, fraud, deceit, violence,~~  
3 ~~coercion, or intimidation]~~ for the purpose of  
4 removal or sale of organs of said person;

5 (i) To recruit, transport, obtain, transfer,  
6 harbor, maintain, offer, hire, provide, receive,  
7 or adopt a child to engage in armed activities  
8 OR PARTICIPATE IN ACTIVITIES IN THE  
9 CONTEXT OF AN ARMED CONFLICT in the  
10 Philippines or abroad;

11 (J)[g] To adopt or facilitate the adoption of  
12 persons for the purpose of prostitution,  
13 pornography, sexual exploitation, forced labor,  
14 slavery, involuntary servitude or debt bondage,  
15 OR TO FACILITATE ILLEGAL ADOPTIONS  
16 AND/OR CHILD-LAUNDERING;

17 XXX

18 (l) To organize, PROVIDE FINANCIAL  
19 SUPPORT, or direct other persons to commit

1 the offenses defined as acts of trafficking under  
2 this Act.”

3 SEC. 6. Section 5 of Republic Act No. 9208 is hereby  
4 amended to read as follows:

5 “SEC. 5. *Acts that Promote Trafficking in*  
6 *Persons.* – The following acts which promote or  
7 facilitate trafficking in persons, shall be  
8 unlawful:

9 (a) To knowingly lease or sublease, use or  
10 allow to be used any house, building or  
11 establishment, OR ANY VEHICLES OR  
12 CARRIERS BY LAND, SEA AND AIR, AND  
13 ANY OF THEIR ONLINE OR DIGITAL  
14 PLATFORMS AND APPLICATIONS, for the  
15 purpose of promoting trafficking in persons;

16 (b) FOR INTERNET INTERMEDIARIES  
17 TO KNOWINGLY OR BY GROSS  
18 NEGLIGENCE ALLOW THEIR  
19 INFRASTRUCTURE TO BE USED FOR THE

1           PURPOSE OF PROMOTING TRAFFICKING  
2           IN PERSONS;

3                   (c) FOR INTERNET CAFES, KIOSKS,  
4           AND           HOTSPOTS,           INCLUDING  
5           ESTABLISHMENTS   OFFERING   WI-FI  
6           ACCESS SERVICES TO THE PUBLIC, TO  
7           KNOWINGLY OR BY GROSS NEGLIGENCE  
8           ALLOW ITS FACILITIES TO BE USED FOR  
9           THE    PURPOSE    OF    PROMOTING  
10          TRAFFICKING IN PERSONS;

11                   (d) FOR FINANCIAL INTERMEDIARIES,  
12          INCLUDING, BUT NOT LIMITED TO BANKS  
13          AND CREDIT CARD COMPANIES AND  
14          MONEY TRANSFER OR REMITTANCE  
15          CENTERS, TO KNOWINGLY OR BY GROSS  
16          NEGLIGENCE ALLOW ITS SERVICES,  
17          INCLUDING ITS ONLINE PLATFORM AND  
18          APPLICATIONS TO BE USED FOR THE  
19          PURPOSE OF PROMOTING TRAFFICKING  
20          IN PERSONS;

1           (E) [~~(b)~~] To produce, print and issue or  
2           distribute unissued, tampered or fake  
3           PASSPORTS, BIRTH CERTIFICATES,  
4           AFFIDAVITS OF DELAYED REGISTRATION  
5           OF BIRTHS, FOUNDLING CERTIFICATES,  
6           TRAVEL CLEARANCES, counseling  
7           certificates, registration stickers and  
8           certificates of any government agency which  
9           issues these certificates and stickers as proof of  
10          compliance with government regulatory and  
11          pre-departure requirements for the purpose of  
12          promoting trafficking in persons;

13          (F) [~~(e)~~] To advertise, publish, print,  
14          broadcast or distribute, or cause the  
15          advertisement, publication, printing,  
16          broadcasting or distribution by any means,  
17          including the use of information technology and  
18          the internet, of any brochure, flyer, or any  
19          propaganda material that promotes trafficking  
20          in persons;



1 (G) ~~[(d)]~~ To assist in the conduct of  
2 misrepresentation or fraud for purposes of  
3 facilitating the acquisition of clearances and  
4 necessary exit documents from government  
5 agencies that are mandated to provide pre-  
6 departure registration and services for  
7 departing persons for the purpose of promoting  
8 trafficking in persons;

9 “(H) ~~[(e)]~~ To facilitate, assist or help in the  
10 exit and entry of persons from/to the country at  
11 international and local airports, territorial  
12 boundaries and seaports [~~who are in possession~~  
13 ~~of unissued, tampered or fraudulent travel~~  
14 ~~documents~~], KNOWING THEY ARE NOT IN  
15 POSSESSION OF REQUIRED TRAVEL  
16 DOCUMENTS, OR ARE IN POSSESSION OF  
17 TAMPERED, FAKE, OR FRAUDULENTLY  
18 ACQUIRED TRAVEL DOCUMENTS, for the  
19 purpose of promoting trafficking in persons;

1           (I) TO KNOWINGLY FACILITATE,  
2           ASSIST OR HELP IN THE ENTRY INTO THE  
3           COUNTRY OF PERSONS WHO ARE  
4           CONVICTED SEX OFFENDERS WHETHER  
5           AT INTERNATIONAL AND LOCAL  
6           AIRPORTS, TERRITORIAL BOUNDARIES  
7           AND SEAPORTS FOR THE PURPOSE OF  
8           PROMOTING TRAFFICKING IN PERSONS;

9           (J) [(£)] To confiscate, conceal, or destroy  
10          the passport, travel documents, or personal  
11          documents or belongings of trafficked persons  
12          in furtherance of trafficking or to prevent them  
13          from leaving the country or seeking redress  
14          from the government or appropriate agencies;

15          (K) [(g)] To knowingly benefit from,  
16          financial or otherwise, or make use of, the labor  
17          or services of a person held to a condition of  
18          involuntary servitude, forced labor, or slavery;

19          (L) [(h)] To tamper with, destroy, or cause  
20          the destruction of evidence, or to influence or

1 attempt to influence witnesses, in an  
2 investigation or prosecution of a case under  
3 this Act;

4 (M) [(4)] To destroy, conceal, remove,  
5 confiscate or possess, or attempt to destroy,  
6 conceal, remove, confiscate or possess, any  
7 actual or purported passport or other travel,  
8 immigration or working permit or document, or  
9 any other actual or purported government  
10 identification, of any person in order to prevent  
11 or restrict, or attempt to prevent or restrict,  
12 without lawful authority, the person's liberty to  
13 move or travel in order to maintain the labor or  
14 services of that person; or

15 (N) [(4)] To utilize his or her office to  
16 impede the investigation, prosecution or  
17 execution of lawful orders in a case under this  
18 Act.”

19 SEC. 7. Section 6 of Republic Act No. 9208 is hereby  
20 amended to read as follows:

1                   “SEC. 6. *Qualified Trafficking in*  
2                   *Persons.* – Violations of Section 4 of this Act  
3                   shall be considered as qualified trafficking:

4                   (a) When the trafficked person is a child,  
5                   PROVIDED THAT ACTS OF ONLINE  
6                   SEXUAL ABUSE AND EXPLOITATION OF  
7                   CHILDREN SHALL BE WITHOUT  
8                   PREJUDICE TO APPROPRIATE  
9                   INVESTIGATION AND PROSECUTION  
10                  UNDER OTHER RELATED LAWS;

11                  xxx

12                  (J) WHEN THE CRIME IS  
13                  COMMITTED DURING A CRISIS, A PUBLIC  
14                  HEALTH CONCERN, A DISASTER, A  
15                  HUMANITARIAN CONFLICT, OR  
16                  EMERGENCY SITUATION, OR WHEN THE  
17                  TRAFFICKED PERSON IS A SURVIVOR OF  
18                  THE SAME;

19                  (K) When the trafficked person belongs to  
20                  an indigenous community or religious minority;

1 (L) When the trafficked person is a person  
2 with disability;

3 (M) When the crime has resulted in  
4 pregnancy;

5 (N) WHEN THE ACT IS COMMITTED  
6 BY OR THROUGH THE USE OF  
7 INFORMATION AND COMMUNICATIONS  
8 TECHNOLOGY OR USING ANY COMPUTER  
9 SYSTEM; or

10 (o) When the trafficked persons suffered  
11 mental and/or emotional disorder as a result of  
12 the trafficking.”

13 SEC. 8. Section 11 of Republic Act No. 10364 is  
14 hereby amended to read as follows:

15 “SEC. 8. [~~Initiation and~~] *Prosecution AND*  
16 *INVESTIGATION of Cases.* –

17 “(a) *Initiation of Investigation.* – Law  
18 enforcement agencies are mandated to  
19 immediately initiate investigation and counter-  
20 trafficking-intelligence gathering MOTU

1           PROPRIO OR WITHIN TEN (10) DAYS upon  
2           receipt of REPORTS, statements or affidavits  
3           from victims of trafficking, migrant workers, or  
4           their families, AND OTHER PERSONS WHO  
5           HAVE PERSONAL knowledge or information  
6           about POSSIBLE VIOLATIONS OF THIS  
7           ACT, INCLUDING THE PRIVATE SECTOR,  
8           AND FOR THIS PURPOSE SHALL CLOSELY  
9           COORDINATE WITH ONE ANOTHER:  
10          *PROVIDED*, THAT IN ALL INSTANCES THE  
11          RIGHT TO PRIVACY OF THE VICTIMS, AND  
12          THEIR FAMILIES, MUST BE RESPECTED  
13          AND PROTECTED;

14                 A LAW ENFORCEMENT OFFICER  
15                 MAY, UPON A WRITTEN ORDER FROM  
16                 THE REGIONAL TRIAL COURT, TRACK,  
17                 INTERCEPT, VIEW, MONITOR, SURVEIL,  
18                 LISTEN TO AND RECORD BY TECHNICAL  
19                 OR ELECTRONIC MEANS, ANY  
20                 COMMUNICATIONS, INFORMATION OR

1           MESSAGES, INCLUDING PROCUREMENT  
2           OF CONTENT DATA, TRANSMITTED BY  
3           MEANS OF A COMPUTER SYSTEM  
4           INVOLVING AT LEAST ONE PERSON  
5           REASONABLY BELIEVED TO HAVE  
6           COMMITTED VIOLATIONS UNDER THIS  
7           ACT.

8           THE ORDER SHALL ONLY BE ISSUED  
9           OR GRANTED UPON WRITTEN  
10          APPLICATION OF A LAW ENFORCEMENT  
11          OFFICER, WHO SHALL BE EXAMINED  
12          UNDER OATH OR AFFIRMATION, AND  
13          THE WITNESSES HE/SHE MAY PRODUCE,  
14          AND THE SHOWING THAT: (1) THERE ARE  
15          REASONABLE GROUNDS TO BELIEVE  
16          THAT ANY OF THE CRIMES ENUMERATED  
17          HEREINABOVE HAS BEEN COMMITTED,  
18          OR IS BEING COMMITTED, OR IS ABOUT  
19          TO BE COMMITTED; (2) THAT THERE ARE  
20          REASONABLE GROUNDS TO BELIEVE

1            THAT EVIDENCE THAT WILL BE  
2            OBTAINED IS ESSENTIAL TO THE  
3            CONVICTION OF ANY PERSON FOR, OR TO  
4            THE SOLUTION OF, OR TO THE  
5            PREVENTION OF, ANY SUCH CRIMES;  
6            AND (3) THAT THERE ARE NO OTHER  
7            MEANS READILY AVAILABLE FOR  
8            OBTAINING SUCH EVIDENCE.

9            THE ORDER SHALL ONLY BE  
10           EFFECTIVE FOR THE LENGTH OF TIME  
11           AS DETERMINED BY THE COURT, WHICH  
12           SHALL NOT EXCEED A PERIOD OF THIRTY  
13           (30) DAYS FROM ITS ISSUANCE. THE  
14           COURT ISSUING THE ORDER MAY, UPON  
15           MOTION, EXTEND ITS EFFECTIVITY  
16           BASED ONLY ON JUSTIFIABLE REASONS  
17           FOR A PERIOD NOT EXCEEDING THIRTY  
18           (30) DAYS FROM THE EXPIRATION OF THE  
19           ORIGINAL PERIOD.



1           IN INVESTIGATING VIOLATIONS OF  
2           THIS ACT INVOLVING THE USE OF THE  
3           INTERNET AND OTHER DIGITAL  
4           PLATFORMS, LAW ENFORCEMENT  
5           OFFICERS ACTING IN AN UNDERCOVER  
6           CAPACITY WHO RECORD THEIR  
7           COMMUNICATIONS WITH A PERSON OR  
8           PERSONS REASONABLY BELIEVED TO  
9           HAVE COMMITTED, IS COMMITTING, OR  
10          IS ABOUT TO COMMIT ANY OF THE  
11          VIOLATIONS UNDER THIS ACT SHALL  
12          NOT BE CONSIDERED AS WIRETAPPING  
13          OR ILLEGAL INTERCEPTION, AND SHALL  
14          NOT BE LIABLE UNDER THE PROVISIONS  
15          OF REPUBLIC ACT NO. 4200, OR THE  
16          CYBERCRIME PREVENTION ACT OF 2012:  
17          *PROVIDED*, THAT VICTIMS OF  
18          TRAFFICKING IN PERSONS, OF  
19          WHATEVER AGE, SHALL NOT BE LIABLE  
20          UNDER THE PROVISIONS OF REPUBLIC

1           ACT NO. 4200, OR THE ANTI-  
2           WIRETAPPING ACT, AND REPUBLIC ACT  
3           NO. 10175 OR THE CYBERCRIME  
4           PREVENTION ACT OF 2012, IF THEY  
5           RECORD, TRANSMIT, AND PERFORM ANY  
6           OTHER ACTS DIRECTLY OR INDIRECTLY  
7           RELATED TO THE REPORTING OF ANY  
8           VIOLATION OF THIS ACT COMMITTED  
9           AGAINST THEM.

10           (B) *PROSECUTION.* – OFFENSES  
11           PUNISHABLE UNDER THIS ACT ARE  
12           PUBLIC CRIMES. Any person who has  
13           personal knowledge of the commission of any  
14           offense under this Act, such as the trafficked  
15           person, the parents, spouse, siblings, children,  
16           LEGAL GUARDIAN, OFFICER OR SOCIAL  
17           WORKER OR REPRESENTATIVE OF A  
18           LICENSED CHILD-CARING INSTITUTION,  
19           OFFICER OR SOCIAL WORKER OF THE  
20           DEPARTMENT OF SOCIAL WELFARE AND

1 DEVELOPMENT (DSWD), PHILIPPINE  
2 NATIONAL POLICE (PNP) AND NATIONAL  
3 BUREAU OF INVESTIGATION (NBI)  
4 OFFICERS, BARANGAY CHAIRPERSON, AT  
5 LEAST THREE (3) CONCERNED CITIZENS  
6 WHERE THE VIOLATION OCCURRED, may  
7 file a complaint UNDER THIS ACT;

8 (C) *VENUE*. – A CRIMINAL ACTION  
9 ARISING FROM A VIOLATION OF THIS ACT  
10 SHALL BE FILED WHERE THE OFFENSE  
11 WAS COMMITTED, OR WHERE ANY OF ITS  
12 ELEMENTS OCCURRED, OR WHERE THE  
13 TRAFFICKED PERSON ACTUALLY  
14 RESIDES AT THE TIME OF THE  
15 COMMISSION OF THE OFFENSE:  
16 *PROVIDED*, THAT THE COURT WHERE  
17 THE CRIMINAL ACTION IS FIRST FILED  
18 SHALL ACQUIRE JURISDICTION TO THE  
19 EXCLUSION OF OTHER COURTS. CASES  
20 INVOLVING OSAEC SHALL BE HEARD IN

1 THE CHAMBER OF THE REGIONAL TRIAL  
2 COURT DULY DESIGNATED AS FAMILY  
3 COURTS;

4 (D) (e) *Affidavit of Desistance*. – Cases  
5 involving trafficking in persons should not be  
6 dismissed based on the Affidavit of Desistance  
7 executed by the victims or their parents or  
8 legal guardians. Public and private prosecutors  
9 are directed to oppose and manifest objections  
10 to motions for dismissal. ATTEMPTS TO  
11 UNDULY PRESSURE THE COMPLAINANT  
12 TO EXECUTE AN AFFIDAVIT OF  
13 DESISTANCE SHALL BE PUNISHABLE  
14 UNDER THIS ACT;

15 (E) *IMMEDIATE PROTECTION OF*  
16 *TRAFFICKING VICTIMS*. – WHERE  
17 WARRANTED, TRAFFICKING VICTIMS  
18 SHALL IMMEDIATELY BE PLACED UNDER  
19 THE PROTECTIVE CUSTODY OF THE  
20 DSWD, PURSUANT TO R.A. NO. 7610. IN

1 THE REGULAR PERFORMANCE OF THIS  
2 FUNCTION, THE DSWD SHALL BE FREE  
3 FROM ANY ADMINISTRATIVE, CIVIL OR  
4 CRIMINAL LIABILITY. CUSTODY  
5 PROCEEDINGS SHALL BE IN  
6 ACCORDANCE WITH THE PROVISIONS OF  
7 PRESIDENTIAL DECREE NO. 603.

8 VICTIMS OF TRAFFICKING OF ALL  
9 AGES SHALL BE ENTITLED TO  
10 IMMEDIATE TEMPORARY PROTECTIVE  
11 SHELTER FROM THE DSWD: *PROVIDED*,  
12 THAT IF THE TRAFFICKED PERSON IS  
13 OVERSEAS, IT SHALL BE THE RELEVANT  
14 EMBASSY OR CONSULATE THAT SHALL  
15 PROVIDE THE SAME.

16 VICTIMS OF TRAFFICKING AND  
17 THEIR FAMILY MEMBERS SHALL BE  
18 ENTITLED TO PROTECTION AS WELL AS  
19 PREFERENTIAL ENTITLEMENT TO THE  
20 RIGHTS AND BENEFITS OF WITNESSES

1 UNDER REPUBLIC ACT NO. 6981,  
2 OTHERWISE KNOWN AS THE “WITNESS  
3 PROTECTION, SECURITY AND BENEFIT  
4 ACT”: *PROVIDED*, THAT THEY POSSESS  
5 ALL THE QUALIFICATIONS AND NONE OF  
6 THE DISQUALIFICATIONS UNDER THE  
7 SAID LAW.

8 VICTIMS OF TRAFFICKING SHALL  
9 ALSO BE CONSIDERED AS A VICTIM OF A  
10 VIOLENT CRIME DEFINED UNDER  
11 SECTION 3(D) OF REPUBLIC ACT NO. 7309,  
12 OTHERWISE KNOWN AS “AN ACT  
13 CREATING A BOARD OF CLAIMS UNDER  
14 THE DEPARTMENT OF JUSTICE FOR  
15 VICTIMS OF UNJUST IMPRISONMENT OR  
16 DETENTION AND VICTIMS OF VIOLENT  
17 CRIMES AND FOR OTHER PURPOSES”, SO  
18 THAT THE VICTIM MAY CLAIM  
19 COMPENSATION THEREIN.

1           (F) *CONFIDENTIALITY.* – ALL  
2           RECORDS AND PROCEEDINGS UNDER  
3           THIS LAW FROM THE INITIAL CONTACT  
4           UNTIL THE FINAL DISPOSITION OF THE  
5           CASE SHALL BE CONSIDERED  
6           PRIVILEGED AND CONFIDENTIAL. THE  
7           PUBLIC SHALL BE EXCLUDED DURING  
8           THE PROCEEDINGS AND THE RECORDS  
9           SHALL NOT BE DISCLOSED DIRECTLY OR  
10          INDIRECTLY TO ANYONE BY ANY OF THE  
11          PARTIES OR THE PARTICIPANTS IN THE  
12          PROCEEDINGS FOR ANY PURPOSE  
13          WHATSOEVER. WHERE THE TESTIMONY  
14          OF THE CHILD SHALL BE TAKEN IN  
15          ACCORDANCE WITH A.M. NO. 004-07-SC  
16          OR THE RULES ON THE EXAMINATION OF  
17          THE CHILD WITNESS.

18                 IT SHALL BE UNLAWFUL FOR ANY  
19                 EDITOR, PUBLISHER, REPORTER OR  
20                 COLUMNIST IN CASE OF PRINTED

1 MATERIALS, ANNOUNCER OR PRODUCER  
2 IN CASE OF TELEVISION AND RADIO  
3 BROADCASTING AND DIGITAL MEDIA,  
4 AND PRODUCER AND DIRECTOR OF THE  
5 FILM IN CASE OF THE MOVIE INDUSTRY,  
6 TO CAUSE ANY PUBLICITY THAT MAY  
7 RESULT IN THE FURTHER SUFFERING OF  
8 THE VICTIM. ANY PERSON OR AGENCY  
9 INVOLVED IN THE REPORTING,  
10 INVESTIGATION OR TRIAL OF CASES OF  
11 GENDER-BASED VIOLENCE SHALL  
12 REFRAIN FROM ANY ACT OR STATEMENT  
13 THAT MAY BE CONSTRUED AS BLAMING  
14 THE VICTIM OR PLACING  
15 RESPONSIBILITY ON THE VICTIM FOR  
16 THE OFFENSE COMMITTED AGAINST  
17 THEM.”

18 SEC. 9. Section 9 of Republic Act No. 9208 is hereby  
19 deleted, and a new Section 9 shall read as follows:



1                   “SEC. 9. *DUTIES AND RESPONSIBILITIES*  
2                   *OF THE PRIVATE SECTOR.*

3                   (A)     *DUTIES     OF     INTERNET*  
4                   *INTERMEDIARIES.     –     INTERNET*

5                   INTERMEDIARIES INCLUDING, BUT NOT  
6                   LIMITED TO, INTERNET SERVICE  
7                   PROVIDERS, INTERNET CONTENT HOSTS,

8                   PARTICIPATIVE NETWORK PLATFORM  
9                   PROVIDERS, FINANCIAL INTERMEDIARIES,

10                  ELECTRONIC MONEY ISSUERS, SHALL  
11                  PREVENT         THEIR         FACILITIES,

12                  INFRASTRUCTURE     AND     PLATFORMS  
13                  FROM BEING UTILIZED IN VIOLATION OF

14                  THE PROVISIONS OF THIS ACT, SHALL  
15                  COOPERATE AS FAR AS PRACTICABLE

16                  WITH LAW ENFORCEMENT AUTHORITIES  
17                  FOR THE PROSECUTION OF OFFENDERS

18                  AND THE PRESERVATION OF EVIDENCE,  
19                  INCLUDING     THE     PROVISION     OF

20                  SUBSCRIBER     INFORMATION     AND/OR

1 TRAFFIC DATA OF ANY PERSON OR  
2 SUBSCRIBER WHO HAS COMMITTED, IS  
3 COMMITTING, OR IS ATTEMPTING TO  
4 COMMIT ANY VIOLATION OF THIS ACT  
5 UPON FORMAL REQUEST OF DULY  
6 AUTHORIZED LAW ENFORCEMENT  
7 BODIES WITH NO NEED OF WARRANT  
8 AND IN ACCORDANCE WITH DUE  
9 PROCESS.

10 NOTHING IN THIS SECTION MAY BE  
11 CONSTRUED TO REQUIRE INTERNET  
12 INTERMEDIARIES TO ENGAGE IN THE  
13 MONITORING OF ANY USER, SUBSCRIBER  
14 OR CUSTOMER, OR THE CONTENT OF ANY  
15 COMMUNICATION OF ANY SUCH PERSON.

16 THESE DUTIES AND OBLIGATIONS  
17 SHALL BE WITHOUT PREJUDICE TO  
18 OTHER DUTIES AND OBLIGATIONS THAT  
19 MAY BE IMPOSED IN OTHER LAWS,  
20 PARTICULARLY WHEN THE VIOLATIONS

1 INVOLVE ONLINE SEXUAL ABUSE AND  
2 EXPLOITATION OF CHILDREN.

3 (B) *DUTIES OF OWNERS AND*  
4 *OPERATORS OF INTERNET CAFES,*  
5 *HOTSPOTS AND KIOSKS, MONEY*  
6 *TRANSFER AND REMITTANCE CENTERS,*  
7 *TRANSPORT SERVICES, TOURISM*  
8 *ENTERPRISES, MALLS AND OTHER*  
9 *BUSINESS ESTABLISHMENTS OPEN AND*  
10 *CATERING TO THE PUBLIC. – THESE*  
11 *PERSONS AND ENTITIES ARE REQUIRED*  
12 *TO NOTIFY THE PNP OR THE NBI WITHIN*  
13 *FORTY EIGHT HOURS (48) HOURS FROM*  
14 *OBTAINING FACTS AND CIRCUMSTANCES*  
15 *THAT VIOLATIONS OF THIS ACT ARE*  
16 *TAKING PLACE WITHIN THEIR PREMISES,*  
17 *OR THAT THEIR FACILITIES AND*  
18 *SERVICES ARE BEING USED TO COMMIT*  
19 *VIOLATIONS OF THIS ACT.*  
20 *ESTABLISHMENTS SHALL PROMOTE*

1           AWARENESS AGAINST TRAFFICKING IN  
2           PERSONS THROUGH CLEAR AND VISIBLE  
3           SIGNAGES IN BOTH ENGLISH AND THE  
4           LOCAL DIALECT, WITH LOCAL AND  
5           NATIONAL HOTLINES POSTED WITHIN  
6           THEIR FACILITIES. MONEY TRANSFER  
7           AND REMITTANCE CENTERS SHALL  
8           REQUIRE INDIVIDUALS TRANSACTING  
9           WITH THEM TO PRESENT VALID  
10          GOVERNMENT IDENTIFICATION CARDS.

11           (C) *BANKS, MONEY SERVICE*  
12          *BUSINESSES, CREDIT CARD COMPANIES,*  
13          *ELECTRONIC MONEY ISSUERS, AND*  
14          *OTHER BSP-SUPERVISED FINANCIAL*  
15          *INSTITUTIONS. – BANKS, MONEY*  
16          *SERVICE BUSINESSES, CREDIT CARD*  
17          *COMPANIES, ELECTRONIC MONEY*  
18          *ISSUERS AND OTHER BSP-SUPERVISED*  
19          *FINANCIAL INSTITUTIONS OR ANY*  
20          *PERSON WHO HAS DIRECT KNOWLEDGE*

1 OF, OR HAS REASONABLE SUSPICION  
2 THAT A FINANCIAL ACTIVITY IS RELATED  
3 TO SUSPECTED TRAFFICKING ACTIVITY  
4 OR TRANSACTION, SHALL HAVE THE  
5 DUTY TO REPORT TO THE PROPER  
6 AUTHORITIES, SUCH AS THE AMLC,  
7 WITHIN SEVEN (7) DAYS FROM  
8 DISCOVERY THEREOF.

9 THE ANTI-MONEY LAUNDERING  
10 COUNCIL (AMLC) SHALL PROMULGATE  
11 THE NECESSARY RULES AND  
12 REGULATIONS FOR THE  
13 IMPLEMENTATION OF THIS PROVISION  
14 WHICH SHALL INCLUDE, AMONG  
15 OTHERS, THE GUIDELINES TO  
16 DETERMINE SUSPICIOUS ACTIVITY AND  
17 INDICATORS THAT OSAEC-RELATED  
18 ACTIVITIES ARE BEING CONDUCTED.  
19 AMLC SHALL PROVIDE THE NECESSARY  
20 GUIDELINES WITH REGARD TO THIS

1           PROVISION WITHIN THREE (3) MONTHS  
2           FROM THE EFFECTIVITY OF THIS ACT.

3           LAW ENFORCEMENT AGENCIES  
4           INVESTIGATING TIP CASES MAY  
5           REQUIRE FINANCIAL INTERMEDIARIES,  
6           INTERNET PAYMENT SYSTEM  
7           PROVIDERS, AND OTHER FINANCIAL  
8           FACILITATORS TO PROVIDE FINANCIAL  
9           DOCUMENTS AND INFORMATION UPON  
10          ORDER OF ANY COMPETENT COURT  
11          BASED ON AN *EX PARTE* APPLICATION IN  
12          CASES OF VIOLATIONS OF THIS ACT,  
13          WHEN IT HAS BEEN ESTABLISHED THAT  
14          THERE IS REASONABLE GROUND TO  
15          BELIEVE THAT THE TRANSACTIONS TO  
16          BE EXAMINED ARE IN ANY WAY RELATED  
17          TO TIP.

18          NOTWITHSTANDING THE PROVISIONS  
19          OF REPUBLIC ACT NO. 1405 AS AMENDED,  
20          REPUBLIC ACT NO. 6426 AS AMENDED,



1            *DORMITORIES AND APARTMENTS OR*  
2            *ANY ANALOGOUS LIVING SPACES. – ALL*  
3            OWNERS, LESSORS, SUB-LESSORS AND  
4            OPERATORS OF HOTELS, TRANSIENT AND  
5            RESIDENTIAL HOUSES, CONDOMINIUMS,  
6            DORMITORIES AND APARTMENTS OR ANY  
7            ANALOGOUS LIVING SPACES SHALL  
8            NOTIFY THE PNP OR THE NBI  
9            IMMEDIATELY BUT NOT LATER THAN 48  
10           HOURS FROM OBTAINING FACTS AND  
11           CIRCUMSTANCES THAT TRAFFICKING  
12           ACTIVITIES AND/OR OSAEC ACTIVITIES  
13           ARE BEING COMMITTED WITHIN THEIR  
14           PREMISES:            *PROVIDED,*            THAT  
15           ACTUAL KNOWLEDGE BY THE  
16           OWNERS/LESSORS/SUB-LESSEES/  
17           OPERATORS AND OWNERS OR LESSORS  
18           OF OTHER BUSINESS ESTABLISHMENTS  
19           IS REQUIRED FOR THERE TO BE A  
20           VIOLATION UNDER THIS ACT: *PROVIDED,*



1           *FURTHER*, THAT THE RECEIPT OF  
2           INFORMATION THAT TRAFFICKING  
3           ACTIVITY HAS TAKEN PLACE IN THE  
4           PREMISES ALSO GIVES RISE TO THE  
5           DUTY TO NOTIFY THE PNP OR THE NBI.

6                         THE DUTIES AND OBLIGATIONS OF  
7           THE ABOVE ENTITIES AS STATED  
8           HEREIN, WHEN REQUESTED BY LAW  
9           ENFORCERS, PROSECUTORS AND OTHER  
10          INVESTIGATIVE BODIES THROUGH  
11          PROPER PROCESSES AND DONE IN GOOD  
12          FAITH, SHALL NOT BE CONSTRUED AS A  
13          VIOLATION OF REPUBLIC ACT NO. 10173,  
14          OR THE “DATA PRIVACY ACT OF 2012”  
15          AND/OR REPUBLIC ACT NO. 10175, OR THE  
16          “CYBERCRIME PREVENTION ACT OF  
17          2012”.

18          SEC. 10. Section 10 of Republic Act No. 9208 is  
19          hereby amended to read as follows:

1           “SEC. 10. *Penalties and Sanctions.* – The  
2 following penalties and sanctions are hereby  
3 established for the offenses enumerated in this  
4 Act:

5           x x x

6           (G) ANY PERSON WHO VIOLATES  
7 SECTION 9 HEREOF SHALL SUFFER THE  
8 PENALTY OF A FINE OF NOT LESS THAN  
9 TWO MILLION PESOS (P2,000,000.00) BUT  
10 NOT MORE THAN FIVE MILLION PESOS  
11 (P5,000,000.00) FOR THE FIRST OFFENSE.  
12 IN CASE OF SUBSEQUENT OFFENSE, THE  
13 PENALTY OF FINE OF NOT LESS THAN  
14 TWO MILLION PESOS (P2,000,000.00) BUT  
15 NOT MORE THAN TEN MILLION PESOS  
16 (P10,000,000.00) AND REVOCATION OF  
17 FRANCHISE AND LICENSE TO OPERATE.  
18 WITHOUT PREJUDICE TO THE CRIMINAL  
19 LIABILITY OF THE PERSON OR PERSONS  
20 WILFULLY REFUSING TO PERFORM THE

1 RESPONSIBILITIES UNDER SECTION 9 OF  
2 THIS ACT, JURIDICAL PERSONS OWNING  
3 OR MANAGING THE AFOREMENTIONED  
4 ENTERPRISES SHALL BE SUBSIDIARILY  
5 LIABLE, AND THEIR LICENSE OR PERMIT  
6 TO OPERATE MAY BE REVOKED.

7 WILFUL AND INTENTIONAL  
8 VIOLATIONS OF SECTION 9 OF THIS ACT  
9 ARE SUBJECT TO THE PENALTIES IN  
10 PARAGRAPH (F) OF THIS SECTION;

11 (H) ANY PERSON FOUND GUILTY OF  
12 VIOLATING PARAGRAPHS D AND G OF  
13 SECTION 8 SHALL SUFFER THE PENALTY  
14 OF IMPRISONMENT OF SIX (6) YEARS AND  
15 A FINE OF NOT LESS THAN FIVE  
16 HUNDRED THOUSAND PESOS  
17 (P500,000.00) BUT NOT MORE THAN ONE  
18 MILLION PESOS (P1,000,000.00),  
19 *PROVIDED*, THAT IF HE OR SHE IS A  
20 GOVERNMENT EMPLOYEE, HE OR SHE

1           SHALL BE HELD ADMINISTRATIVELY  
2           LIABLE, WITHOUT PREJUDICE TO ANY  
3           CRIMINAL LIABILITY UNDER THIS ACT.  
4           THE        CONCERNED        GOVERNMENT  
5           OFFICIAL OR EMPLOYEE MAY, UPON  
6           CONVICTION, BE DISMISSED FROM THE  
7           SERVICE        AND        BE        BARRED  
8           PERMANENTLY TO HOLD PUBLIC OFFICE.  
9           HIS OR HER RETIREMENT AND OTHER  
10          BENEFITS        SHALL        LIKEWISE        BE  
11          FORFEITED.

12                (I) [~~(g)~~] If the offender is a corporation,  
13                partnership, association, club, establishment or  
14                any juridical person, the penalty shall be  
15                imposed upon the owner, president, partner,  
16                manager, and/or any responsible officer who  
17                participated in the commission of the crime or  
18                who shall have knowingly permitted or  
19                KNOWINGLY failed to prevent its commission;

1           (J) [~~(h)~~] The registration with the  
2           Securities and Exchange Commission (SEC)  
3           AND/OR THE DEPARTMENT OF TRADE  
4           AND INDUSTRY (DTI) and license to operate  
5           of the erring agency, corporation, association,  
6           religious group, tour or travel agent, club or  
7           establishment, [~~or~~] any place of entertainment,  
8           OR ANY OF THE ENUMERATED ENTITIES  
9           UNDER SECTION 9, shall be cancelled and  
10          revoked permanently. The owner, president,  
11          partner or manager thereof shall not be  
12          allowed to operate similar establishments in a  
13          different name;

14          (K) [~~(i)~~] If the offender is a foreigner, he or  
15          she shall be immediately deported after serving  
16          his or her sentence and be barred permanently  
17          from entering the country;

18          (L) [~~(j)~~] Any employee or official of  
19          government agencies who shall issue or  
20          approve the issuance of travel exit clearances,

1 passports, registration certificates, counseling  
2 certificates, marriage license, and other similar  
3 documents to persons, whether juridical or  
4 natural, recruitment agencies, establishments  
5 or other individuals or groups, who fail to  
6 observe the prescribed procedures and the  
7 requirement as provided for by laws, rules and  
8 regulations, shall be held administratively  
9 liable, without prejudice to criminal liability  
10 under this Act. The concerned government  
11 official or employee shall, upon conviction, be  
12 dismissed from the service and be barred  
13 permanently to hold public office. His or her  
14 retirement and other benefits shall likewise be  
15 forfeited; and

16 (M) [~~4~~] Conviction, by final judgment of  
17 the adopter for any offense under this Act shall  
18 result in the immediate rescission of the decree  
19 of adoption.”

1           SEC. 11. Section 15 of Republic Act No. 9208 is  
2 hereby amended to read as follows:

3                   “SEC. 15. *Trust Fund.* – All fines imposed  
4 under this Act and the proceeds and properties  
5 forfeited and confiscated pursuant to Sec. 14  
6 hereof, AS WELL AS THOSE COLLECTED  
7 BY THE AMLC, shall accrue to a Trust Fund  
8 to be administered and managed by the  
9 Council to be used exclusively for programs  
10 that will prevent acts of trafficking and protect,  
11 rehabilitate, reintegrate trafficked persons into  
12 the mainstream o society. Such programs shall  
13 include, but are not limited to, the following:

14                   (a) Provision for mandatory services set  
15 forth in Section 23 of this Act;

16                   (b) Sponsorship of a national research  
17 program on trafficking and establishment of a  
18 data collection system for monitoring and  
19 evaluation purposes;

1 (c) Provision of necessary technical and  
2 material support services to appropriate  
3 government agencies and non-government  
4 organizations (NGOs);

5 (d) Sponsorship of conferences and  
6 seminars to provide venue for consensus  
7 building amongst the public, the academe,  
8 government, NGOs and international  
9 organizations; and

10 (e) Promotion of information and  
11 education campaign on trafficking.”

12 SEC. 12. Section 16 of Republic Act No. 9208 is  
13 hereby amended to read as follows:

14 “SEC. 16. *Programs that Address*  
15 *Trafficking in Persons.* – The government shall  
16 establish and implement preventive, protective  
17 and rehabilitative programs for trafficked  
18 persons. For this purpose, the following  
19 agencies are hereby mandated to implement  
20 the following programs:



1                   (a) Department of Foreign Affairs  
2                   (DFA) – shall make available its resources and  
3                   facilities overseas for trafficked persons  
4                   regardless of their manner of entry to the  
5                   receiving country, and explore means to further  
6                   enhance its assistance in eliminating  
7                   trafficking activities through closer networking  
8                   with government agencies in the country and  
9                   overseas, particularly in the formulation of  
10                  policies and implementation of relevant  
11                  programs. It shall provide Filipino victims of  
12                  trafficking overseas with free legal assistance  
13                  and counsel to pursue legal action against his  
14                  or her traffickers, represent his or her interests  
15                  in any criminal investigation or prosecution,  
16                  and assist in the application for social benefits  
17                  and/or regular immigration status as may be  
18                  allowed or provided for by the host country.  
19                  The DFA shall repatriate trafficked Filipinos  
20                  with the consent of the victims AND ASSIST

1           IN THE PROSECUTION OF THEIR  
2           TRAFFICKERS.

3           The DFA shall take necessary measures  
4           for the efficient implementation of the  
5           Electronic Passporting System to protect the  
6           integrity of Philippine passports, visas and  
7           other travel documents to reduce the incidence  
8           of trafficking through the use of fraudulent  
9           identification documents.

10          In coordination with the Department of  
11          Labor and Employment, it shall provide free  
12          temporary shelters and other services to  
13          Filipino victims of trafficking overseas through  
14          the Migrant Workers and other Overseas  
15          Filipinos Resource Centers established  
16          overseas under Republic Act No. 8042, as  
17          amended.

18          IN COORDINATION WITH THE  
19          BUREAU OF IMMIGRATION (BI) AND THE  
20          DEPARTMENT OF JUSTICE (DOJ), THE

1           DFA SHALL ENSURE, AS FAR AS  
2           PRACTICABLE, THAT ALL CONVICTED  
3           SEX OFFENDERS IN ALL JURISDICTIONS,  
4           OR THOSE LISTED IN THE REGISTRY OF  
5           SEX OFFENDERS IN THEIR OWN  
6           COUNTRIES SHALL NOT BE ALLOWED  
7           ENTRY IN THE PHILIPPINES.

8           FURTHERMORE, THE DFA, THE BI,  
9           AND THE DOJ SHALL DEVELOP  
10          MECHANISMS TO ENSURE THE TIMELY,  
11          COORDINATED, AND EFFECTIVE  
12          RESPONSE TO CROSS-BORDER CASES OF  
13          TRAFFICKING; RECOMMEND MEASURES  
14          AND UNDERTAKE JOINT ACTIVITIES TO  
15          ENHANCE COOPERATIVE EFFORTS AND  
16          MUTUAL ASSISTANCE AMONG FOREIGN  
17          COUNTRIES THROUGH BILATERAL  
18          AND/OR MULTI-LATERAL ARRANGEMENTS  
19          TO PROMOTE THE REGISTRATION OF  
20          TRAFFICKING AND SEX OFFENDERS AND

1           THEIR NOTIFICATION TO PERSONS  
2           CONCERNED; ADOPT MEASURES AND  
3           POLICIES TO PROTECT THE RIGHTS AND  
4           NEEDS OF VICTIMS WHO ARE FOREIGN  
5           NATIONALS OR THOSE ASYLUM  
6           SEEKERS, REFUGEES, STATELESS  
7           APPLICANTS AND STATELESS PERSONS  
8           IN THE PHILIPPINES AND FOREIGN NGOs  
9           CARING FOR AND PROTECTING VICTIMS;  
10          INITIATE TRAINING PROGRAMS IN  
11          IDENTIFYING AND PROVIDING THE  
12          NECESSARY MEASURES FOR  
13          INTERVENTION OR ASSISTANCE TO  
14          VICTIMS OR NGOs PROTECTING VICTIMS.

15                 (b) Department of Social Welfare and  
16          Development (DSWD) – shall implement  
17          rehabilitative and protective programs for  
18          trafficked persons. It shall provide counseling  
19          and temporary shelter to trafficked persons  
20          and develop a system for accreditation among

1           NGOs for purposes of establishing centers and  
2           programs for intervention in various levels of  
3           the community. It shall establish free  
4           temporary shelters, for the protection and  
5           housing of trafficked persons to provide the  
6           following basic services:

7                   (1) Temporary housing and food facilities;

8                   (2) Psychological support and counseling;

9                   (3) 24-hour call center for crisis calls and  
10           technology-based counseling and referral  
11           system;

12                   (4) Coordination with local law  
13           enforcement entities; and

14                   (5) Coordination with the Department of  
15           Justice, among others.

16           The DSWD must conduct information  
17           campaigns in communities and schools  
18           teaching parents and families that receiving  
19           consideration in exchange for adoption is  
20           punishable under the law. Furthermore,

1 information campaigns must be conducted with  
2 the police AND LOCAL GOVERNMENT  
3 OFFICIALS that they must not induce poor  
4 women to give their children up for adoption in  
5 exchange for consideration.

6 (c) Department of Labor and Employment  
7 (DOLE) – shall ensure the strict  
8 implementation and compliance with the rules  
9 and guidelines relative to STANDARD LABOR  
10 CONDITIONS AND the employment of  
11 persons locally and overseas ACROSS ALL  
12 SECTORS. It shall likewise monitor, document  
13 and report cases of trafficking in persons  
14 involving employers and FORMAL/INFORMAL  
15 labor recruiters ACROSS ALL SECTORS,  
16 PROVIDE EMPLOYMENT FACILITATION  
17 AND LIVELIHOOD OPPORTUNITIES TO  
18 TRAFFICKED VICTIMS AND SURVIVORS.  
19 IT SHALL ASSIST IN THE PROSECUTION

1 OF EMPLOYERS HIRING TRAFFICKED  
2 FOREIGN NATIONALS. IN COORDINATION  
3 WITH THE DFA, IT SHALL PROVIDE FREE  
4 TEMPORARY SHELTERS AND OTHER  
5 SERVICES TO FILIPINO VICTIMS OF  
6 TRAFFICKING THROUGH THE MWOFR  
7 UNDER REPUBLIC ACT NO. 8042. IT SHALL  
8 ALSO PROVIDE REINTEGRATION  
9 SUPPORT TO THESE VICTIMS UPON  
10 THEIR REPATRIATION.

11 (d) Department of Justice (DOJ) – shall  
12 ensure the prosecution of persons accused of  
13 trafficking and designate and train special  
14 prosecutors who shall handle and prosecute  
15 cases of trafficking. It shall also establish a  
16 mechanism for free legal assistance for  
17 trafficked persons, in coordination with the  
18 DSWD, Integrated Bar of the Philippines (IBP)  
19 and other NGOs and volunteer groups. THE  
20 DOJ SHALL CONDUCT TRAININGS AND

1 CONTINUOUS EDUCATION PROGRAMS ON  
2 INVESTIGATION AND PROSECUTION FOR  
3 TRAFFICKING IN PERSONS AND OTHER  
4 RELATED OFFENSES FOR PROSECUTORS  
5 AND LAW ENFORCEMENT OFFICERS;  
6 MAKE AND/OR PROCESS REQUESTS FOR  
7 MUTUAL LEGAL ASSISTANCE OR  
8 EXTRADITION; COORDINATION WITH  
9 INTERNATIONAL LAW ENFORCEMENT  
10 AND PROSECUTION AUTHORITIES FOR  
11 THE PROSECUTION OF HUMAN  
12 TRAFFICKERS WITH A CROSS-BORDER  
13 ELEMENT; INSTITUTIONALIZE BORDER  
14 CONTROL MECHANISMS TO ENFORCE  
15 THE PROVISIONS OF THIS ACT; AND  
16 COORDINATE WITH AND PROVIDE  
17 ASSISTANCE TO THE ANTI-MONEY  
18 LAUNDERING COUNCIL (AMLC) ON CASES  
19 OF TRAFFICKING IN PERSONS WITH



1 POSSIBLE MONEY LAUNDRY  
2 UNDERPINNINGS.

3 (e) Philippine Commission on Women  
4 (PCW) – shall actively participate and  
5 coordinate in the formulation and monitoring  
6 of policies addressing the issue of trafficking in  
7 persons in coordination with relevant  
8 government agencies. It shall likewise advocate  
9 for the inclusion of the issue of trafficking in  
10 persons in both its local and international  
11 advocacy for women’s issues.

12 (f) Bureau of Immigration (BI) – shall  
13 strictly administer and enforce immigration  
14 and alien administration laws. IT SHALL  
15 DISALLOW ENTRY OF FOREIGN  
16 NATIONALS WHO HAVE BEEN  
17 BLACKLISTED OR PLACED IN THE  
18 WATCHLIST STATUS FOR HAVING  
19 COMMITTED SEX OFFENSES AGAINST  
20 WOMEN AND CHILDREN, OR SIMILAR

1           ACTIVITIES AS TRAFFICKING IN  
2           PERSONS AND OSAEC IN ANY  
3           JURISDICTION. It shall adopt measures for  
4           the apprehension of suspected traffickers both  
5           at the place of arrival and departure, ENSURE  
6           STRONGER BORDER PROTECTION  
7           AGAINST HUMAN TRAFFICKING  
8           INCLUDING BUT NOT LIMITED TO THE  
9           REGULATION OF VISA UPON ARRIVALS,  
10          and shall ensure compliance by the Filipino  
11          fiancés/fiancées and spouses of foreign  
12          nationals with the guidance and counseling  
13          requirement as provided for in this Act.

14                   XXX

15                   (i) Department of the Interior and Local  
16                   Government (DILG) – shall institute a  
17                   systematic information and prevention  
18                   campaign in coordination with pertinent  
19                   agencies of government as provided for in this  
20                   Act. IN COORDINATION WITH THE IACAT,

1           it shall provide training CAPACITY-  
2           BUILDING AND AWARENESS-RAISING  
3           programs to local government units, in  
4           coordination with the Council TO SUPPORT  
5           THE EFFECTIVE IMPLEMENTATION OF A  
6           COMMUNITY-BASED           TRAFFICKING  
7           EDUCATION PROGRAM, [~~in-ensuring~~] AND  
8           TO ENSURE wide understanding and  
9           application of this Act at the local level.

10           IT SHALL MANDATE LOCAL  
11           GOVERNMENT UNITS TO PASS AN  
12           ORDINANCE TO COMBAT TRAFFICKING  
13           IN PERSONS AND OTHER FORMS OF  
14           EXPLOITATION AT THE LOCAL LEVEL.

15           (j) Commission on Filipinos Overseas –  
16           shall conduct pre-departure counseling services  
17           for Filipinos in intermarriages, INCLUDING  
18           AN ORIENTATION ON HUMAN  
19           TRAFFICKING AND OTHER FORMS OF  
20           EXPLOITATION, REPORTING MECHANISMS

1           AND SERVICES AVAILABLE TO THE  
2           VICTIMS AND SURVIVORS, MAINTAIN A  
3           WATCH LIST DATABASE OF FOREIGN  
4           NATIONALS WITH A HISTORY OF  
5           DOMESTIC VIOLENCE, INVOLVEMENT IN  
6           TRAFFICKING IN PERSONS, MAIL-ORDER-  
7           BRIDE SCHEMES, CHILD ABUSE, AND  
8           SEXUAL ABUSE. It shall develop a system of  
9           accreditation of NGOs that may be mobilized  
10          for purposes of conducting pre-departure  
11          counseling services for Filipinos in  
12          intermarriages. As such, it shall ensure that  
13          the counselors contemplated under this Act  
14          shall have the minimum qualifications and  
15          training of guidance counselors as provided for  
16          by law.

17                 It shall likewise assist in the conduct of  
18          information campaigns against trafficking in  
19          coordination with local government units, the  
20          Philippine Information Agency, and NGOs.

1           (k) Local government units (LGUs) – shall  
2           monitor and document cases of trafficking in  
3           persons in their areas of jurisdiction, effect the  
4           cancellation of licenses of establishments which  
5           violate the provisions of this Act and ensure  
6           effective prosecution of such cases. They shall  
7           also undertake an information campaign  
8           against trafficking in persons through the  
9           establishment of the Migrants Advisory and  
10          Information Network (MAIN) desks in  
11          municipalities or provinces in coordination  
12          with the DILG, Philippine Information Agency  
13          (PIA), Commission on Filipinos Overseas  
14          (CFO), NGOs and other concerned agencies.  
15          They shall encourage and support community-  
16          based initiatives which address the trafficking  
17          in persons, PROVIDE A SYSTEM OF  
18          REPORTING HUMAN TRAFFICKING  
19          CASES; PROVIDE BASIC SERVICES FOR  
20          THE PREVENTION, RESCUE, RECOVERY,

1 REHABILITATION, AND REINTEGRATION  
2 AND AFTER-CARE SUPPORT TO VICTIMS  
3 OF TRAFFICKING AND THEIR FAMILIES;  
4 AND ESTABLISH A SEPARATE AND  
5 SPECIALIZED CENTRE FOR TRAFFICKED  
6 VICTIMS.

7 LGUs SHALL ALSO ENACT  
8 ORDINANCES OR ISSUANCES AIMED AT  
9 PROVIDING PROTECTION AND SUPPORT  
10 TO TRAFFICKED PERSONS AND THEIR  
11 FAMILIES; CREATE EDUCATION  
12 PROGRAMS FOR COMMUNITY-BASED  
13 YOUTH; PRESCRIBE COMPLIANCE WITH  
14 THIS ACT AS REQUISITE FOR THE  
15 ISSUANCE AND RENEWAL OF LICENSES  
16 AND PERMITS TO ESTABLISHMENTS  
17 WITHIN ITS JURISDICTION, WHICH MAY  
18 INCLUDE INTERNET SERVICE  
19 PROVIDERS, INTERNET CONTENT HOSTS,

1 INTERNET CAFES AND ESTABLISHMENTS  
2 OFFERING WIFI SERVICES, TOURISM  
3 ENTERPRISES AND MALLS,  
4 TRANSPORTATION SERVICES, FINANCIAL  
5 INTERMEDIARIES, AND TO EFFECT  
6 CANCELLATION OF LICENCES FOR  
7 VIOLATIONS. IT SHALL ALSO  
8 STRENGTHEN, ACTIVATE AND MOBILIZE  
9 EXISTING COMMITTEES AND COUNCILS  
10 AGAINST TRAFFICKING IN PERSON AT  
11 EVERY LGU LEVEL.

12 LGUs SHALL ALSO UNDERTAKE  
13 INFORMATION CAMPAIGNS AGAINST  
14 TRAFFICKING IN PERSONS, INCLUDING  
15 BUT NOT LIMITED TO THE CONDUCT,  
16 ORIENTATION, AND SEMINARS, AND THE  
17 ESTABLISHMENT OF THE MIGRANTS  
18 ADVISORY AND INFORMATION NETWORK  
19 (MAIN) DESKS IN MUNICIPALITIES OR  
20 PROVINCES IN COORDINATION WITH

1 DILG, PIA, CFO, NGOs AND OTHER  
2 CONCERNED AGENCIES AND SHALL  
3 ENCOURAGE AND SUPPORT COMMUNITY-  
4 BASED INITIATIVES WHICH ADDRESS  
5 TRAFFICKING IN PERSONS STARTING AT  
6 THE BARANGAY LEVEL, THROUGH A  
7 HUMAN TRAFFICKING PREVENTIVE  
8 EDUCATION PROGRAM THAT AIMS TO  
9 EDUCATE AND ORIENT THE PUBLIC  
10 AGAINST HUMAN TRAFFICKING AND THE  
11 SERVICES THAT MAY BE AVAILED OF FOR  
12 VICTIMS AND SURVIVORS.

13 In implementing this Act, the agencies  
14 concerned may seek and enlist the assistance of  
15 NGOs, people's organizations (POs), civic  
16 organizations and other volunteer groups.

17 (L) DEPARTMENT OF HEALTH  
18 (DOH) – SHALL MAKE AVAILABLE  
19 RESOURCES AND FACILITIES IN  
20 PROVIDING HEALTH CARE TO VICTIMS



1 OF TRAFFICKING, WHICH SHALL AT ALL  
2 TIMES BE HELD CONFIDENTIAL. IT  
3 SHALL LIKEWISE DEVELOP A  
4 COMPREHENSIVE PROGRAM TO PREVENT  
5 THE TRAFFICKING OF PERSONS FOR THE  
6 REMOVAL OR SALE OF ORGANS, AND  
7 RENDER ASSISTANCE IN THE  
8 INVESTIGATION AND PROSECUTION OF  
9 THE SAME. IT SHALL ALSO UNDERTAKE  
10 ACTIVITIES TO INCREASE PUBLIC  
11 AWARENESS ON TRAFFICKING IN  
12 PERSONS FOR THE REMOVAL OR SALE OF  
13 ORGANS, WHICH MAY INCLUDE, BUT IS  
14 NOT LIMITED TO, AWARENESS AMONG  
15 MEDICAL PRACTITIONERS, FAMILY AND  
16 PATIENT INFORMATION AND  
17 EDUCATION, PUBLIC EDUCATION, AND  
18 ADVOCACY CAMPAIGNS. IT SHALL ALSO  
19 PROVIDE ASSISTANCE IN THE  
20 INVESTIGATION AND PROSECUTION OF

1           TRAFFICKERS OF INFANTS BORN IN  
2           HEALTH FACILITIES.

3                   (M) DEPARTMENT OF INFORMATION  
4           AND COMMUNICATIONS TECHNOLOGY  
5           (DICT) – SHALL EXTEND IMMEDIATE  
6           ASSISTANCE FOR THE PREVENTION OF  
7           THE COMMISSION OF CYBERCRIME  
8           OFFENSES RELATED TO TRAFFICKING IN  
9           PERSONS, PARTICULARLY ONLINE  
10          SEXUAL ABUSE AND EXPLOITATION OF  
11          CHILDREN, AND ASSIST LAW  
12          ENFORCEMENT AUTHORITIES IN THE  
13          INVESTIGATION OF TRAFFICKING IN  
14          PERSONS THROUGH THE USE OF ICT;

15                   (N) DEPARTMENT OF TRANSPORTATION  
16          (DOTR) – SHALL DEVELOP A  
17          COMPREHENSIVE PROGRAM AND  
18          AWARENESS CAMPAIGN TO ASSIST ALL  
19          TRANSPORTATION SECTORS, INCLUDING  
20          TRANSPORT NETWORK VEHICLE

1 SERVICES (TNVS), AND TRANSPORTATION  
2 PERSONNEL, SUCH AS AIRLINE FLIGHT  
3 ATTENDANTS, AIRPORT AGENTS, TAXI  
4 AND BUS DRIVERS, TNVS DRIVERS,  
5 TRUCKERS, TRAIN AND DELIVERY  
6 DRIVERS, AND PASSENGER BOAT CREW  
7 IN IDENTIFYING VICTIMS OF  
8 TRAFFICKING IN PERSONS AND  
9 REPORTING INCIDENTS OF TRAFFICKING  
10 IN PERSONS;

11 (O) DEPARTMENT OF TOURISM (DOT)  
12 – IN COORDINATION WITH THE IACAT  
13 AND OTHER RELEVANT GOVERNMENT  
14 AGENCIES, SHALL FORMULATE AND  
15 IMPLEMENT PREVENTIVE MEASURES  
16 AGAINST SEX TOURISM PACKAGES AND  
17 THE USE OF TOURISM ENTERPRISES AS  
18 SITUS OF HUMAN TRAFFICKING;  
19 DEVELOP A COMPREHENSIVE PROGRAM,  
20 INCLUDING POLICIES AND GUIDELINES,

1 TO ADDRESS AND PREVENT  
2 TRAFFICKING IN PERSONS IN THE  
3 TRAVEL AND TOURISM INDUSTRY AND IN  
4 PLACES OF AMUSEMENT;

5 IT SHALL ALSO ENSURE THAT  
6 RELEVANT NATIONAL AND LOCAL LABOR  
7 STANDARDS AND PRACTICES ARE BEING  
8 FOLLOWED AND ADOPTED WITHIN THE  
9 TRAVEL AND TOURISM INDUSTRY AND IN  
10 PLACES OF AMUSEMENT.

11 (P) DEPARTMENT OF EDUCATION  
12 (DEPED) – SHALL PROVIDE MEASURES TO  
13 PREVENT TRAFFICKING IN PERSONS IN  
14 EDUCATIONAL INSTITUTIONS, SUCH AS  
15 THE CONDUCT OF INFORMATION  
16 CAMPAIGNS AND THE ESTABLISHMENT  
17 OF REPORTING MECHANISMS IN THE  
18 SCHOOL SYSTEM CONSISTENT WITH ITS  
19 CHILD PROTECTION AND GENDER AND  
20 DEVELOPMENT PROGRAMS. THE DEPED

1 SHALL ALSO DEVELOP A TEACHER  
2 TRAINING MANUAL AND  
3 MODULES/CURRICULUM FOR STUDENTS  
4 AIMED AT AWARENESS-RAISING AND  
5 THE PREVENTION OF CASES OF  
6 TRAFFICKING IN PERSONS;

7 IN COORDINATION WITH THE IACAT,  
8 THE COMMISSION ON HIGHER  
9 EDUCATION (CHED), THE TECHNICAL  
10 EDUCATION AND SKILLS DEVELOPMENT  
11 AUTHORITY (TESDA), AND CIVIL SOCIETY  
12 ACTORS, THE DEPED SHALL IMPLEMENT  
13 A SCHOOL-BASED ANTI-TRAFFICKING  
14 AND OSAEC PREVENTIVE EDUCATION  
15 PROGRAM;

16 (Q) DEPARTMENT OF AGRICULTURE  
17 (DA) AND BUREAU OF FISHERIES AND  
18 AQUATIC RESOURCES (BFAR) – SHALL  
19 INSTITUTE A SYSTEMATIC INFORMATION

1           AND    PREVENTION    CAMPAIGN    IN  
2           COORDINATION    WITH    PERTINENT  
3           AGENCIES    OF    GOVERNMENT    AS  
4           PROVIDED FOR IN THIS ACT. IT SHALL  
5           PROVIDE    CAPACITY    BUILDING  
6           PROGRAMS TO ITS REGIONAL, CITY, AND  
7           MUNICIPAL UNITS, IN COORDINATION  
8           WITH    THE    IACAT    AND    OTHER  
9           CONCERNED AGENCIES, IN ENSURING  
10          WIDE    UNDERSTANDING    AND  
11          APPLICATION OF THIS ACT TO THE  
12          AGRICULTURE AND FISHERIES SECTOR  
13          AT THE LOCAL LEVEL. THEY SHALL  
14          ENCOURAGE    AND    SUPPORT    ANTI-  
15          TRAFFICKING INITIATIVES FROM THE  
16          NATIONAL TO THE LOCAL LEVELS. THEY  
17          SHALL ALSO ESTABLISH A SYSTEM TO  
18          RECEIVE COMPLAINTS AND CALLS TO  
19          ASSIST    TRAFFICKED    PERSONS    AND

1 FACILITATE REFERRAL TO THE  
2 APPROPRIATE AGENCY;

3 (R) PHILIPPINE COAST GUARD (PCG)

4 – CONSISTENT WITH ITS MANDATE TO

5 PERFORM MARITIME SEARCH AND

6 RESCUE, MARITIME LAW ENFORCEMENT,

7 MARITIME SAFETY, AND MARITIME

8 SECURITY, IT SHALL UNDERTAKE

9 REGULAR INSPECTIONS, SURVEILLANCE,

10 INVESTIGATION AND ARREST OF

11 INDIVIDUALS OR PERSONS SUSPECTED

12 TO BE ENGAGED IN TRAFFICKING AT

13 SEA. THEY SHALL CLOSELY COORDINATE

14 WITH OTHER LAW ENFORCEMENT

15 AGENCIES TO SECURE CONCERTED

16 EFFORTS FOR EFFECTIVE

17 INVESTIGATION AND APPREHENSION OF

18 SUSPECTED TRAFFICKERS. THEY SHALL

19 ALSO ESTABLISH A SYSTEM TO RECEIVE

20 COMPLAINTS AND CALLS TO ASSIST

1           TRAFFICKED PERSONS AND CONDUCT  
2           RESCUE OPERATIONS. IT SHALL PROVIDE  
3           CAPACITY BUILDING PROGRAMS TO ITS  
4           REGIONAL, CITY, AND MUNICIPAL UNITS,  
5           IN COORDINATION WITH OTHER  
6           CONCERNED AGENCIES, IN ENSURING  
7           WIDE UNDERSTANDING AND  
8           APPLICATION OF THIS ACT AT THE  
9           LOCAL LEVEL. THEY SHALL ENCOURAGE  
10          AND SUPPORT ANTI-TRAFFICKING  
11          INITIATIVES FROM THE NATIONAL TO  
12          THE LOCAL LEVELS;

13               (S) NATIONAL COUNCIL ON  
14          DISABILITY AFFAIRS – IN COORDINATION  
15          WITH THE IACAT, SHALL DEVELOP A  
16          PROGRAM FOR THE PREVENTION OF  
17          TRAFFICKING OF PERSONS WITH  
18          DISABILITIES AND FOR THE ASSISTANCE  
19          OF PWDs WHO ARE VICTIMS OF  
20          TRAFFICKING;



1           (T) NATIONAL COMMISSION ON  
2           INDIGENOUS PEOPLES – IN  
3           COORDINATION WITH THE IACAT, SHALL  
4           DEVELOP A PROGRAM FOR THE  
5           PREVENTION OF TRAFFICKING IN  
6           INDIGENOUS PERSONS AND IN  
7           INDIGENOUS CULTURAL COMMUNITIES:  
8           *PROVIDED*, THAT TRAFFICKING IN  
9           PERSONS CASES ARE MATTERS THAT  
10          CANNOT BE THE SUBJECT OF  
11          SETTLEMENT IN ACCORDANCE WITH  
12          TRIBAL CUSTOMS;

13          (U) OFFICE OF CIVIL DEFENSE -  
14          NATIONAL DISASTER RISK REDUCTION  
15          AND MANAGEMENT COUNCIL (OCD-  
16          NDRRMC) – IN COORDINATION WITH  
17          IACAT, THE OCD-NDRRMC SHALL  
18          DEVELOP GUIDELINES FOR THE  
19          PREVENTION OF TRAFFICKING IN  
20          PERSONS IN EMERGENCY, DISASTER,

1 PANDEMIC AND CRISIS SITUATIONS, AS  
2 WELL AS MANDATE THE LOCAL  
3 DISASTER RISK REDUCTION  
4 MANAGEMENT OFFICE (LDRRMO) AND  
5 COUNCIL (LDRRMC) TO DEVELOP  
6 PROGRAMS TO PREVENT AND PROTECT  
7 THE SURVIVORS OF DISASTER OR  
8 CONFLICT FROM TRAFFICKING IN  
9 PERSONS;

10 (V) PHILIPPINE AMUSEMENT AND  
11 GAMING CORPORATION (PAGCOR) – IN  
12 COORDINATION WITH IACAT AND THE  
13 DOLE, SHALL DEVELOP GUIDELINES TO  
14 MONITOR PHILIPPINE OFF-SHORE  
15 GAMING OPERATOR (POGO) OUTFITS TO  
16 ENSURE COMPLIANCE WITH THE  
17 PROVISIONS OF THIS ACT. IT SHALL ALSO  
18 MONITOR GAMING AND AMUSEMENT  
19 VENUES TO PREVENT SEX TRAFFICKING  
20 AND PROSECUTE VIOLATORS;

1                   (W)   PHILIPPINE   CENTER   ON  
2   TRANSNATIONAL   CRIME   –   SHALL  
3   UNDERTAKE STRATEGIC RESEARCH ON  
4   THE STRUCTURE AND DYNAMICS OF  
5   TRAFFICKING   IN   PERSONS   WITH  
6   TRANSNATIONAL   CRIME   DIMENSION,  
7   PREDICT TRENDS AND ANALYZE GIVEN  
8   FACTORS FOR THE FORMULATION OF  
9   INDIVIDUAL   AND   COLLECTIVE  
10   STRATEGIES FOR THE PREVENTION AND  
11   DETECTION   OF   TRAFFICKING   IN  
12   PERSONS AND THE APPREHENSION OF  
13   CRIMINAL   ELEMENTS   INVOLVED;  
14   STRENGTHEN INFORMATION EXCHANGE  
15   ON TRAFFICKING IN PERSONS WITH  
16   GOVERNMENT   AGENCIES,   FOREIGN  
17   COUNTERPARTS AND INTERNATIONAL  
18   ORGANIZATIONS; SERVE AS THE FOCAL  
19   POINT        IN       INTERNATIONAL  
20   ENFORCEMENT   COORDINATION   ON

1           TRAFFICKING           IN           PERSONS  
2           PARTICULARLY WITH THE INTERPOL  
3           AND COOPERATION WITH REGIONAL AND  
4           INTERNATIONAL FOREIGN COUNTERPARTS;  
5           AND, PROMOTE FORMULATION AND  
6           DEVELOPMENT OF TRAINING COURSES  
7           IN RELATION TO COMBATING  
8           TRAFFICKING IN PERSONS;

9           (X) COUNCIL FOR THE WELFARE OF  
10          CHILDREN (CWC) – SHALL INTEGRATE IN  
11          ITS DEVELOPMENT AND STRATEGIC  
12          FRAMEWORKS ISSUES AND CONCERNS  
13          AFFECTING TRAFFICKING IN CHILDREN  
14          AND ENSURE THE ADOPTION OF SUCH  
15          FRAMEWORKS BY THE LGUs AND OTHER  
16          STAKEHOLDERS; VIGOROUSLY ADVOCATE  
17          AGAINST TRAFFICKING OF CHILDREN;  
18          IMPROVE DATA ON TRAFFICKING IN  
19          CHILDREN THROUGH INTEGRATION OF  
20          CRITICAL AND RELEVANT INDICATORS

1 INTO THE MONITORING SYSTEM FOR  
2 CHILDREN; ADOPT POLICIES AND  
3 MEASURES THAT WILL PROTECT AND  
4 PROMOTE THE RIGHTS AND WELFARE OF  
5 CHILDREN VICTIMS OF TRAFFICKING  
6 AND COORDINATE AND MONITOR THEIR  
7 IMPLEMENTATION; AND, ADDRESS  
8 ISSUES ON TRAFFICKING OF CHILDREN  
9 THROUGH POLICY AND PROGRAM  
10 INTERVENTIONS;

11 (Y) PHILIPPINE PORTS AUTHORITY  
12 (PPA) – CONSISTENT WITH ITS MANDATE,  
13 SHALL ENHANCE ITS SECURITY  
14 MEASURES AND SHALL UNDERTAKE  
15 REGULAR INSPECTIONS OF THE  
16 COUNTRY'S PORTS AND HARBORS,  
17 COORDINATE WITH OTHER LAW  
18 ENFORCEMENT AGENCIES FOR  
19 EFFECTIVE INVESTIGATION AND  
20 APPREHENSION OF SUSPECTED

1           TRAFFICKERS AND DEVELOP PROGRAMS  
2           TO       ADDRESS       AND       PREVENT  
3           TRAFFICKING IN PERSONS COMMITTED  
4           WITHIN THE PORTS UNDER THEIR  
5           JURISDICTION.”

6           SEC. 13. Section 19 of Republic Act No. 9208 is  
7 hereby amended as follows:

8                   “SEC. 19. *Trafficked Persons Who are*  
9           *Foreign Nationals.* – Subject to the guidelines  
10          issued by the Council, trafficked persons in the  
11          Philippines who are nationals of a foreign  
12          country shall also be entitled to appropriate  
13          protection, assistance and services available to  
14          trafficked persons under this Act, INCLUDING  
15          THE PROVISION OF INTERPRETERS, AND  
16          COORDINATION        WITH        THEIR  
17          RESPECTIVE EMBASSIES WITH THE  
18          EXPRESS CONSENT OF THE VICTIMS:  
19          *Provided,* That they shall be permitted

1 continued presence in the Philippines for a  
2 length of time prescribed by the Department of  
3 Justice as necessary to effect the prosecution of  
4 offenders.

5 SEC. 14. Section 20 of Republic Act No. 9208 is  
6 hereby amended to read as follows:

7 “SEC. 20. *Inter-Agency Council Against*  
8 *Trafficking*. – There is hereby established an  
9 inter-agency council against trafficking, to be  
10 composed of the Secretary of the Department of  
11 Justice as Chairperson and the Secretary of the  
12 Department of Social Welfare and  
13 Development as co-chairperson and shall have  
14 the following as members:

15 (a) Secretary, Department of Foreign  
16 Affairs;

17 (b) Secretary, Department of Labor and  
18 Employment;

1 (c) Secretary, Department of the Interior  
2 and Local Government;

3 (D) SECRETARY, DEPARTMENT OF  
4 HEALTH

5 (E) SECRETARY, DEPARTMENT OF  
6 INFORMATION AND COMMUNICATIONS  
7 TECHNOLOGY;

8 (F) SECRETARY, DEPARTMENT OF  
9 TRANSPORTATION;

10 (G) SECRETARY, DEPARTMENT OF  
11 TOURISM;

12 (H) SECRETARY, DEPARTMENT OF  
13 EDUCATION;

14 (I)[d] Administrator, Philippine Overseas  
15 Employment Administration;

16 (J) ADMINISTRATOR, OVERSEAS  
17 WORKERS WELFARE ADMINISTRATOR;

18 (K) [e] Commissioner, Bureau of  
19 Immigration;



1                   (L)    COMMANDANT,    PHILIPPINE  
2    COAST GUARD;

3                   (M)[f] Chief, Philippine National Police;

4                   (N)    [g]    Chairperson,    Philippine  
5    Commission on Women;

6                   (O)    [h]   Chairperson,   Commission on  
7    Filipinos Overseas;

8                   (P)    [i]   Executive Director, Philippine  
9    Center for Transnational Crimes;

10                  (Q) EXECUTIVE DIRECTOR, COUNCIL  
11    FOR THE WELFARE OF CHILDREN;

12                  (R) DIRECTOR, NATIONAL BUREAU  
13    OF INVESTIGATION;

14                  (S) THE NATIONAL COMMISSION ON  
15    INDIGENOUS PEOPLES;

16                  (T)    [j]   Three (3) representatives from  
17    NGOs, who shall include one (1) representative  
18    each from among the sectors representing  
19    women, overseas Filipinos, and children, with a  
20    proven record of involvement in the prevention

1           and suppression of trafficking in persons, AND  
2           WITH A VIEW TOWARDS EVEN  
3           GEOGRAPHICAL REPRESENTATION. These  
4           representatives shall be nominated by the  
5           government agency representatives of the  
6           Council, for appointment by the President for a  
7           term of three (3) years.

8           The members of the council may  
9           designate their permanent representatives who  
10          shall have a rank not lower than an assistant  
11          secretary or its equivalent to meetings, and  
12          shall receive emoluments as may be  
13          determined by the Council in accordance with  
14          existing budget and accounting rules and  
15          regulations.”

16          SEC. 15. Section 21 of Republic Act No. 9208 is  
17 hereby amended to read as follows:

18                   “SEC. 21. *Functions of the Council.*

19           The Council shall have the following  
20 powers and functions:

1           (a) Formulate a comprehensive and  
2 integrated program to prevent and suppress  
3 the trafficking in persons, INCLUDING THE  
4 DEVELOPMENT OF SCHOOL-BASED AND  
5 COMMUNITY-BASED HUMAN TRAFFICKING  
6 PREVENTIVE EDUCATION PROGRAMS;

7           (b) Promulgate rules and regulations as  
8 may be necessary for the effective  
9 implementation of this Act;

10          (c) Monitor and oversee the strict  
11 implementation of this Act;

12          (d) Coordinate the programs and projects  
13 of the various member agencies to effectively  
14 address the issues and problems attendant to  
15 trafficking in persons;

16          (e) Coordinate the conduct of massive  
17 information dissemination and campaign on  
18 the existence of the law and the various issues  
19 and problems attendant to trafficking through  
20 the LGUs, concerned agencies, and NGOs;

1           (f) Direct other agencies to immediately  
2 respond to the problems brought to their  
3 attention and report to the Council on action  
4 taken;

5           (g) Assist in filing of cases against  
6 individuals, agencies, institutions or  
7 establishments that violate the provisions of  
8 this Act;

9           (h) Formulate a program for the  
10 reintegration of trafficked persons in  
11 cooperation with DOLE, DSWD, Technical  
12 Education and Skills Development Authority  
13 (TESDA), Commission on Higher Education  
14 (CHED), LGUs and NGOs;

15           (i) Secure from any department, bureau,  
16 office, agency, or instrumentality of the  
17 government or from NGOs and other civic  
18 organizations such assistance as may be  
19 needed to effectively implement this Act;

1           (j) Complement the shared government  
2 information system for migration established  
3 under Republic Act No. 8042, otherwise known  
4 as the “Migrant Workers and Overseas  
5 Filipinos Act of 1995” with data on cases of  
6 trafficking in persons, and ensure that the  
7 proper agencies conduct a continuing research  
8 and study on the patterns and scheme of  
9 trafficking in persons which shall form the  
10 basis for policy formulation and program  
11 direction;

12           (k) Develop the mechanism to ensure the  
13 timely, coordinated, and effective response to  
14 cases of trafficking in persons;

15           (l) Recommend measures to enhance  
16 cooperative efforts and mutual assistance  
17 among foreign countries through bilateral  
18 and/or multilateral arrangements to prevent  
19 and suppress international trafficking in  
20 persons;

1                   (M) COORDINATE WITH THE  
2 DEPARTMENT OF INFORMATION AND  
3 COMMUNICATIONS TECHNOLOGY (DICT),  
4 DEPARTMENT OF TRADE AND INDUSTRY  
5 (DTI). IN MONITORING ADVERTISEMENTS  
6 THAT TEND TO PROMOTE TRAFFICKING  
7 IN PERSONS;

8                   (n) Adopt measures and policies to protect  
9 the rights and needs of trafficked persons who  
10 are foreign nationals in the Philippines;

11                   (o) Initiate training programs in  
12 identifying and providing the necessary  
13 intervention or assistance to trafficked persons;  
14 and

15                   (p) Exercise all the powers and perform  
16 such other functions necessary to attain the  
17 purposes and objectives of this Act.”

18                   SEC. 16. Section 22 of Republic Act No. 9208 is  
19 hereby amended to read as follows:

1                   “SEC. 22. *Secretariat to the Council.* –

2           The Department of Justice shall establish the  
3           necessary Secretariat for the Council.

4                   The secretariat shall provide support for  
5           the functions and projects of the Council. The  
6           secretariat shall be headed by an executive  
7           director, who shall be appointed by the  
8           Secretary of the DOJ upon the  
9           recommendation of the Council. The executive  
10          director must have adequate knowledge on,  
11          training and experience in the phenomenon of  
12          and issues involved in trafficking in persons  
13          and in the field of law, law enforcement, social  
14          work, criminology, or psychology.

15                  The executive director shall be under the  
16          supervision of the Inter-Agency Council  
17          Against Trafficking through its Chairperson  
18          and Co-Chairperson, and shall perform the  
19          following functions:

1 (a) Act as secretary of the Council and  
2 administrative officer of its secretariat;

3 (b) Advise and assist the Chairperson in  
4 formulating and implementing the objectives,  
5 policies, plans and programs of the Council,  
6 including those involving mobilization of  
7 government offices represented in the Council  
8 as well as other relevant government offices,  
9 task forces, and mechanisms;

10 (c) Serve as principal assistant to the  
11 Chairperson in the overall supervision of  
12 council administrative business;

13 (d) Oversee all council operational  
14 activities;

15 (e) Ensure an effective and efficient  
16 performance of council functions and prompt  
17 implementation of council objectives, policies,  
18 plans and programs;



1           (f) Propose effective allocations of  
2 resources for implementing council objectives,  
3 policies, plans and programs;

4           (g) Submit periodic reports to the Council  
5 on the progress of council objectives, policies,  
6 plans and programs;

7           (h) Prepare annual reports of all council  
8 activities; and

9           (i) Perform other duties as the Council  
10 may assign.

11           THE SECRETARY OF JUSTICE SHALL  
12 DETERMINE THE ORGANIZATIONAL  
13 STRUCTURE AND STAFFING PATTERN OF  
14 THE SECRETARIAT. SUCH  
15 ORGANIZATIONAL STRUCTURE AND  
16 STAFFING PATTERN SHALL BE  
17 SUBMITTED TO THE DEPARTMENT OF  
18 BUDGET AND MANAGEMENT FOR  
19 APPROVAL.”

1           SEC. 17. Section 24 of Republic Act No. 9208 is  
2 hereby amended to read as follows:

3                   “SEC. 24. *Other Services for Trafficked*  
4 *Persons.* –

5                   (a) Legal Assistance. – Trafficked persons  
6 shall be considered under the category  
7 "Overseas Filipino in Distress" and may avail  
8 of the legal assistance created by Republic Act  
9 No. 8042, subject to the guidelines as provided  
10 by law.

11                   (b) Overseas Filipino Resource Centers. –  
12 The services available to overseas Filipinos as  
13 provided for by Republic Act No. 8042 shall  
14 also be extended to trafficked persons  
15 regardless of their immigration status in the  
16 host country.

17                   (c) The Country Team Approach. – The  
18 country team approach under Executive Order  
19 No. 74 of 1993, shall be the operational scheme  
20 under which Philippine embassies abroad shall

1 provide protection to trafficked persons insofar  
2 as the promotion of their welfare, dignity and  
3 fundamental rights are concerned.

4 (D) RECOVERY AND REINTEGRATION  
5 PROGRAM FOR TRAFFICKED  
6 PERSONS (RRPTP). – THE DSWD SHALL  
7 IMPLEMENT A RECOVERY AND  
8 REINTEGRATION PROGRAM FOR  
9 TRAFFICKED PERSONS, WHICH  
10 INCLUDES A COMPREHENSIVE PACKAGE  
11 OF SERVICES FOR INDIVIDUAL VICTIM-  
12 SURVIVORS OF TRAFFICKING IN  
13 PERSONS, FOR THE IMMEDIATE FAMILY,  
14 AND FOR THE COMMUNITY AT  
15 LARGE. THE RRPTP MUST INCLUDE THE  
16 FOLLOWING MAJOR PROGRAM  
17 COMPONENTS:

18 (1) CAPABILITY ENHANCEMENT  
19 FOR SERVICE PROVIDERS;

1                   (2)     DIRECT     SERVICES     TO  
2     TRAFFICKED PERSONS, WHICH SHALL  
3     COVER COSTS FOR AUXILIARY SERVICES  
4     TO     VICTIMS/WITNESSES,     WHICH  
5     INCLUDES     TRANSPORTATION,     BOARD  
6     AND LODGING, DOCUMENTATION AND  
7     OTHER INCIDENTAL EXPENSES;

8                   (3)     UPGRADE     OF     TEMPORARY  
9     SHELTERS;

10                  (4)     IMPLEMENTATION     OF     THE  
11     NATIONAL     REFERRAL     SYSTEM     AND  
12     UPDATING AND MAINTENANCE OF THE  
13     NATIONAL             RECOVERY             AND  
14     REINTEGRATION DATABASE; AND

15                  (5)     ADVOCACY.”

16             SEC. 18. Section 26-A of Republic Act No. 9208 as  
17     amended, is hereby amended to read as follows:

18                   “SEC. 26-A. *Extra-Territorial Jurisdiction.* –

19             The State shall exercise jurisdiction over any  
20     act defined and penalized under this Act, even

1 if committed outside the Philippines and  
2 whether or not such act or acts constitute an  
3 offense at the place of commission, IF the  
4 [~~crime~~] OFFENSE, being a continuing offense,  
5 [~~having been~~] WAS EITHER commenced in the  
6 Philippines; [~~and other elements having been~~]  
7 OR committed in another country, [~~if~~]  
8 *PROVIDED*, THAT IN THE CASE OF THE  
9 *LATTER*, the suspect or accused:

10 (a) Is a Filipino citizen; or

11 (b) Is a permanent resident of the  
12 Philippines; or

13 (c) Has committed the act against a  
14 citizen of the Philippines.

15 No prosecution may be commenced  
16 against a person under this section if a foreign  
17 government, in accordance with jurisdiction  
18 recognized by the Philippines, has prosecuted  
19 or is prosecuting such person for the conduct

1           constituting such offense, except upon the  
2           approval of the Secretary of Justice.

3           The government may surrender or  
4           extradite persons accused of trafficking in the  
5           Philippines to the appropriate international  
6           court if any, or to another State pursuant to  
7           the applicable extradition laws and treaties.”

8           SEC. 19. Section 32, or the Repealing Clause, is  
9           hereby amended to read as follows:

10           “SEC. 32. *Repealing Clause.* – Article 202  
11           of the Revised Penal Code, as amended BY  
12           REPUBLIC ACT NO. 10158, IS DEEMED  
13           REPEALED. All laws, acts, presidential  
14           decrees, executive orders, administrative  
15           orders, rules and regulations inconsistent with  
16           or contrary to the provisions of this Act are  
17           deemed amended, modified, or repealed  
18           accordingly: *Provided*, That this Act shall not  
19           in any way amend or repeal the provisions of  
20           Republic Act No. 7610, otherwise known as the

1           ‘Special Protection of Children Against Child  
2           Abuse, Exploitation and Discrimination Act.’”

3           SEC. 20. *Effectivity.* – This Act shall take effect  
4           fifteen (15) days after publication in the *Official Gazette* or  
5           in at least two (2) newspapers of general circulation.

Approved,