

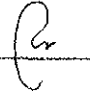
FIFTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



Senate
Office of the Secretary

'11 MAR -3 P3:40

SENATE
P.S. RES. NO. 411

RECEIVED BY: 

Introduced by Senator Mappy B. Villar

RESOLUTION
DIRECTING THE COMMITTEES ON TRADE AND COMMERCE AND SCIENCE AND TECHNOLOGY TO CONDUCT A STUDY, IN AID OF LEGISLATION, ON THE IMPLICATIONS OF THE RISING INCIDENCE OF CYBERCRIMES IN THE PHILIPPINES WITH THE GOAL OF PLUGGING THE LOOPHOLES IN THE CURRENT RELEVANT STATUTES ON THE MATTER

Whereas, Article II Section 24 of the 1987 Constitution states "[t]he State recognizes the vital role of communication and information in nation-building;"

Whereas, in the advent of the internet, communication and information have exponentially improved over the past years which greatly enhanced productivity, effectivity and coverage in the conduct of doing business by the Philippine industries, institutions and even the government;

Whereas, also through the presence of internet, the world became flatter which allowed the business process and knowledge based outsourcing companies, also known as BPO and KPO respectively, to be established in the Philippines;

Whereas, further micro, small and medium enterprises which conduct business in the internet mushroomed as the banking, purchasing and payment schemes are made available online;

Whereas, concomitant with the opening of a new dimension for communication — particularly the internet, is the emergence of sophisticated forms of crimes, called cyber crimes, to target the commerce' growing reliance upon the information infrastructure;

Whereas, the Philippines had made a headway in battling cybercrime through the passage of Republic Act 8484 or the Access Devices Regulation Act in 11 February 1999 and Republic Act No. 8792 or the E-commerce Act in 14 June 2000;

Whereas, the passage of these laws, however, failed to address emerging schemes of cybercrimes such as offenses against confidentiality, integrity and availability of computer data and systems which include illegal access, illegal interception, data interference, system interference, misuse of devices, computer-related offenses which include computer-related forgery and computer-related fraud, content-related offenses such as child pornography, offenses related to infringement of copyright and related rights;

Whereas, the most common forms of cybercrimes, which is not yet penalized by the present laws, are cyber fraud in the form of credential theft, pay-per-install and pay-per-click which involve the installation of fake anti-virus softwares;

Whereas, the estimated use of the Internet by Filipinos steadily increased from 2.6% in 2000 to at least 29.7% in 2010;

Whereas, despite the growing number of Filipino internet users and the rapid growth of the ICT industry, the Philippine laws, however, failed to adjust to the said growth as there has been no Information and Communication Technology (ICT) related law that was passed for the last 10 years;

NOW, THEREFORE, BE IT RESOLVED AS IT IS HEREBY RESOLVED, to direct the Committees on Trade and Commerce and Science and Technology to conduct a study, in aid of legislation, on the implications of the rising incidence of cybercrimes in the Philippines with the goal of plugging the loopholes in the current relevant statutes on the matter.

Adopted,


Manny Villar