



HOUSE OF REPRESENTATIVES

H. No. 5869

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BY REPRESENTATIVES BROSAS, CASTRO (F.L.), ELAGO, CULLAMAT, ZARATE, GAITE, FORTUN, TAMBUNTING, RODRIGUEZ, TAN (A.S.), DY (F.), DY (F.M.C.), ROMAN, ACOSTA-ALBA, LABADLABAD, ARROYO, RADAZA, LIMKAICHONG, BAÑAS-NOGRALES, SAULOG, NOGRALES (J.F.F.), AGLIPAY, NAVA, DEL MAR, ROBES, ABANTE, VERGARA, ALONTE, HERRERA-DY AND LAGMAN, PER COMMITTEE REPORT NO. 158

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

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

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

4 "SECTION 1. *Short Title.* – This Act shall be known  
5 as the 'EXPANDED Anti-Violence Against Women and  
6 Their Children [Act of 2004] (E-VAWC) ACT'."

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

10 "SEC. 3. *Definition of Terms.* – x x x (a) x x x

1 "A. x x x

2 "B. x x x

3 "C. '*Psychological violence*' refers to acts or  
4 omissions THAT MAY BE COMMITTED THROUGH  
5 PHYSICAL, VERBAL, EMOTIONAL, ELECTRONIC  
6 OR INFORMATION COMMUNICATION TECHNOLOGY  
7 (ICT)-RELATED MEANS OR OTHER MEANS causing or  
8 likely to cause mental or emotional suffering of [the  
9 victim] A WOMAN AND HER CHILDREN such as [but not  
10 limited to] intimidation, harassment, stalking, damage  
11 to property, public ridicule or humiliation, [repeated]  
12 verbal abuse and marital infidelity. It includes THE ACT  
13 OF causing or [allowing the victim] COERCING A WOMAN  
14 AND HER CHILDREN to witness the physical, sexual or  
15 psychological abuse of a member of the family to which  
16 the [victim] WOMAN AND HER CHILDREN belong[s], or to  
17 witness pornography in any form or to witness abusive  
18 injury to pets or to unlawful or unwanted deprivation of  
19 the right to custody and/or visitation of common children.

20 "D. x x x

21 "E. '*ELECTRONIC VIOLENCE OR ICT-RELATED*  
22 *VIOLENCE*' REFERS TO ANY ACT OR OMISSION INVOLVING  
23 THE USE OR EXPLOITATION OF DATA OR ANY  
24 FORM OF INFORMATION AND COMMUNICATIONS  
25 TECHNOLOGY WHICH CAUSES OR IS LIKELY TO CAUSE  
26 MENTAL, EMOTIONAL, OR PSYCHOLOGICAL DISTRESS OR  
27 SUFFERING TO THE WOMAN AND HER CHILDREN,  
28 INCLUDING THE FOLLOWING:

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

12          “(2) UNAUTHORIZED RECORDING, REPRODUCTION,  
13          DISTRIBUTION, USE, SHARING OR UPLOADING OF ANY  
14          PHOTOGRAPH, VIDEO, OR ANY OTHER FORM OF  
15          ELECTRONIC AND/OR ARTISTIC PRESENTATION  
16          EXHIBITING ANY SEXUALLY-RELATED VERBAL OR  
17          NONVERBAL EXPRESSION OR GESTURE OF THE WOMAN  
18          AND HER CHILDREN WHICH MAY BE CONSTRUED AS  
19          LEWD, INDECENT, OR OBSCENE;

20          “(3) UNAUTHORIZED RECORDING, REPRODUCTION,  
21          DISTRIBUTION, USE, SHARING OR UPLOADING OF ANY  
22          PHOTOGRAPH, VIDEO, OR ANY OTHER FORM OF  
23          ELECTRONIC AND/OR ARTISTIC PRESENTATION  
24          DEPICTING ANY PURPORTED VIOLENT OR ERRANT  
25          BEHAVIOUR OF THE WOMAN AND HER CHILDREN, OR THE  
26          USE OF INTOXICATING OR PROHIBITED SUBSTANCES OR  
27          DRUGS;

28          “(4) ANY SIMILAR RECORDING, REPRODUCTION,  
29          DISTRIBUTION, USE, SHARING OR UPLOADING OF ANY  
30          AUDIO PRESENTATION AND DATA, INCLUDING SOUND

1 CLIPS OF THE SAME NATURE AS THOSE ENUMERATED IN  
2 SUBSECTION (a) E. (1)-(3);

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

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

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

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

21 "(9) CREATION OF FAKE SOCIAL MEDIA ACCOUNTS  
22 USING AN ALIAS OR A DIFFERENT INDIVIDUAL'S  
23 PERSONAL INFORMATION WITH ILL INTENT AND MALICE,  
24 TO SOW INTRIGUE OR INFLICT HARM.

25 "x x x."

26 SEC. 3. Section 5 of Republic Act No. 9262 is hereby amended  
27 to read as follows:

28 "SEC. 5. *Acts of Violence Against Women and Their*  
29 *Children.* - x x x

30 "(a) x x x

31 "(b) x x x

1                   “(c) x x x

2                   “(d) x x x

3                   “(e) x x x

4                   “(f) x x x

5                   “(g) x x x

6                   “(h) x x x

7                   “(1) x x x

8                   “(2) x x x

9                   “(3) x x x

10                  “(4) Destroying the property and personal  
11 belongings or inflicting harm to animals or pets of the  
12 woman [or] AND her child; [and]

13                   “(5) x x x

14                  “(6) UNAUTHORIZED RECORDING, REPRODUCING OR  
15 DISTRIBUTION OF VIDEOS WHICH SHOW THE WOMAN AND  
16 HER CHILDREN NAKED OR IN UNDERGARMENT CLAD  
17 GENITALS, PUBIC AREA, BUTTOCKS OR BREASTS;

18                  “(7) SHARING WITHOUT THE CONSENT OF A  
19 WOMAN AND HER CHILDREN, ANY MEDIA THAT CONTAINS  
20 PICTURES, VOICE RECORDING OR VIDEO OF THE WOMAN  
21 AND HER CHILDREN WHICH MAY BE CONSTRUED AS  
22 LEWD, INDECENT OR OF SEXUAL CONTENT; AND

23                  “(8) USING THE PICTURES, VIDEO, VOICE NAME OR  
24 ANY OTHER ASPECT OF THE IDENTITY OF A WOMAN AND  
25 HER CHILDREN WITHOUT PERMISSION AND FOR  
26 MALICIOUS PURPOSES INCLUDING PORNOGRAPHY, AND  
27 OTHER VIOLATIONS STIPULATED IN REPUBLIC ACT  
28 NO. 10175, OTHERWISE KNOWN AS THE ‘CYBERCRIME  
29 PREVENTION ACT OF 2012’.

30                   “(i) x x x



1           “(J) INFLICTING       ELECTRONIC       VIOLENCE  
2       AGAINST A WOMAN AND HER CHILDREN; AND

3           “(K) THREATENING TO CAUSE ELECTRONIC  
4       VIOLENCE AGAINST A WOMAN AND HER CHILDREN.”

5       SEC. 4. Section 6 of Republic Act No. 9262 is hereby amended  
6       to read as follows:

7           “SEC. 6. *Penalties.* - x x x

8           “(a) x x x

9           “(b) x x x

10          “(c) x x x

11          “(d) x x x

12          “(e) x x x

13          “(f) x x x

14          “(G) ACTS FALLING UNDER SECTION 5(J) AND  
15       5(K) SHALL BE PUNISHED BY *PRISION MAYOR.*

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

20                “In addition to imprisonment, the perpetrator shall  
21       (a) pay a fine in the amount of not less than [One] **THREE**  
22       hundred thousand pesos (~~[P100,000.00]~~**P300,000.00**)  
23       but not more than [Three] **FIVE** hundred thousand pesos  
24       (~~[P300,000.00]~~**P500,000.00**)[;]: *PROVIDED, THAT, IN*  
25       *CASES OF ELECTRONIC OR ICT-RELATED VIOLENCE, THE*  
26       *FINE THAT MAY BE IMPOSED SHALL NOT BE LESS THAN*  
27       **THREE HUNDRED THOUSAND PESOS (P300,000.00) BUT**  
28       **NOT MORE THAN FIVE HUNDRED THOUSAND PESOS**

1 (P500,000.00); AND (b) undergo mandatory  
 2 psychological counseling or psychiatric treatment and  
 3 shall report compliance to the court.”

4 SEC. 5. Section 7 of Republic Act No. 9262 is hereby amended  
 5 to read as follows:

6 “SEC. 7. *Venue.* – The Regional Trial Court  
 7 designated as a Family Court shall have original and  
 8 exclusive jurisdiction over cases of violence against  
 9 women and their children under this law. In the absence  
 10 of such court in the place where the offense was  
 11 committed, the case shall be filed in the Regional Trial  
 12 Court where the crime or any of its elements was  
 13 committed at the option of the complainant. IN CASES OF  
 14 ELECTRONIC OR ICT-RELATED VIOLENCE, THE CASE  
 15 MAY BE FILED IN THE PLACE WHERE THE WOMAN AND  
 16 HER CHILDREN RESIDED AT THE TIME THEY LEARNED OF  
 17 THE COMMISSION OF THE OFFENSE.”

18 SEC. 6. Section 8 of Republic Act No. 9262 is hereby amended  
 19 to read as follows:

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

21 “(a) x x x

22 “(b) x x x

23 “(c) x x x

24 “(d) x x x

25 “(e) x x x

26 “(f) x x x

27 “(g) x x x

28 “(h) x x x

29 “(i) x x x

1           “(j) x x x; [and]

2           “(k) x x x[.]; AND

3           “(L) FOR E-VAWC CASES, ORDERING THE  
4 IMMEDIATE BLOCKING, BLACKLISTING, REMOVAL, OR  
5 SHUTDOWN OF ANY UPLOAD, PROGRAM, OR APPLICATION  
6 THAT CAUSES OR TENDS TO CAUSE VIOLENCE AGAINST A  
7 WOMAN AND HER CHILDREN. FAILURE OF AN INTERNET  
8 SERVICE PROVIDER TO COOPERATE WITH LAW  
9 ENFORCEMENT AGENCIES SHALL CONSTITUTE THE  
10 CRIME OF OBSTRUCTION OF JUSTICE. THE DUTIES OF AN  
11 INTERNET SERVICE PROVIDER AS PROVIDED FOR UNDER  
12 SECTION 9 OF REPUBLIC ACT NO. 9775, OTHERWISE  
13 KNOWN AS THE ‘ANTI-CHILD PORNOGRAPHY ACT OF  
14 2009’ SHALL BE APPLICABLE.”

15           SEC. 7. Section 24 of Republic Act No. 9262 is hereby amended  
16 to read as follows:

17           “SEC. 24. *Prescriptive Period.* – Acts falling  
18 under Sections 5(a) to 5(f) shall prescribe in twenty (20)  
19 years. Acts falling under Sections 5(g) to 5(i) shall  
20 prescribe in ten (10) years. ACTS FALLING UNDER  
21 SECTION 5(J) AND 5(K) SHALL PRESCRIBE IN FIFTEEN  
22 (15) YEARS.”

23           SEC. 8. Section 39 of Republic Act No. 9262 is hereby amended  
24 to read as follows:

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

28           “(a) x x x



1                   “(b) [National Commission on the Role of Filipino  
2 Women (NCRFW)] PHILIPPINE COMMISSION ON  
3 WOMEN (PCW);

4                   “(c) x x x

5                   “(d) x x x

6                   “(e) x x x

7                   “(f) x x x

8                   “(g) x x x

9                   “(h) x x x

10                  “(i) x x x

11                  “(j) x x x

12                  “(k) x x x; [and]

13                  “(l) x x x[.];

14                  “(M) MOVIE AND TELEVISION REVIEW AND  
15 CLASSIFICATION BOARD (MTRCB);

16                  “(N) DEPARTMENT OF SCIENCE AND  
17 TECHNOLOGY (DOST);

18                  “(O) NATIONAL TELECOMMUNICATIONS COMMISSION  
19 (NTC);

20                  “(P) DEPARTMENT OF INFORMATION AND  
21 COMMUNICATIONS TECHNOLOGY (DICT);

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

23                  “(R) COMMISSION ON FILIPINOS OVERSEAS  
24 (CFO); AND

25                  “(S) TWO (2) REPRESENTATIVES FROM CIVIL  
26 SOCIETY ORGANIZATIONS (CSOs) WITH PROVEN TRACK  
27 RECORD OF INVOLVEMENT IN THE PREVENTION AND  
28 ELIMINATION OF VIOLENCE AGAINST WOMEN AND

1 THEIR CHILDREN (VAWC) WHO SHALL BE CHOSEN BY  
2 THE GOVERNMENT AGENCY REPRESENTATIVES OF THE  
3 COUNCIL TO SERVE FOR A TERM OF THREE (3) YEARS.

4 "x x x."

5 SEC. 9. Section 40 of Republic Act No. 9262 is hereby amended  
6 to read as follows:

7 "SEC. 40. *Mandatory Programs and Services for*  
8 *[Victims] WOMEN AND THEIR CHILDREN.* - The DSWD,  
9 and LGUs shall provide the [victims] WOMEN AND THEIR  
10 CHILDREN temporary shelters, provide counseling,  
11 psycho-social services and/or[,] recovery, rehabilitation  
12 programs and livelihood assistance.

13 "The DOH shall provide medical assistance to  
14 [victims] WOMEN AND THEIR CHILDREN.

15 "THE DSWD, LGUs AND DOH SHALL ENSURE  
16 THAT ALL RECORDS OF A WOMAN AND HER CHILDREN  
17 OBTAINED IN CONNECTION WITH THE PROVISIONING OF  
18 SUCH SERVICES BY THE AGENCIES SHALL BE HELD  
19 CONFIDENTIAL UNLESS THERE IS A COURT ORDER  
20 AUTHORIZING THE RELEASE OF ANY INFORMATION OR  
21 DATA.

22 "THE DOJ SHALL ESTABLISH AND ADMINISTER AN  
23 IDENTITY AND LOCATION CONFIDENTIALITY PROGRAM  
24 TO BE REFERRED TO AS THE 'PROGRAM', WHICH SHALL  
25 ENSURE THE PROTECTION AND SAFETY OF WOMEN AND  
26 THEIR CHILDREN BY PROVIDING THEM WITH A  
27 SUBSTITUTE ADDRESS TO BE USED WHEN INTERACTING  
28 WITH GOVERNMENT AGENCIES AND A NEW MAILING  
29 ADDRESS WHICH KEEPS THEIR ACTUAL WHEREABOUTS  
30 CONFIDENTIAL AND FREE FROM THE RISK OF DISCOVERY  
31 BY THIRD PARTIES. THE PROGRAM SHALL CATER TO

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

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

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

22 SEC. 10. Section 43 of Republic Act No. 9262 is hereby  
23 amended to read as follows:

24 "SEC. 43. [*Entitlement to Leave.* - Victims under  
25 this Act shall be entitled to take a paid leave of absence  
26 up to ten (10) days in addition to other paid leaves under  
27 the Labor Code and Civil Service Rules and Regulations,  
28 extendible when the necessity arises as specified in the  
29 protection order.

30 "Any employer who shall prejudice the right of the  
31 person under this section shall be penalized in

1 accordance with the provisions of the Labor Code and  
2 Civil Service Rules and Regulations. Likewise, an  
3 employer who shall prejudice any person for assisting a  
4 co-employee who is a victim under this Act shall likewise  
5 be liable for discrimination.] *TEN (10)-DAY PAID LEAVE*  
6 *IN ADDITION TO OTHER LEAVE BENEFITS.* - DURING  
7 THE APPLICATION OF ANY PROTECTION ORDER,  
8 INVESTIGATION, PROSECUTION, AND/OR TRIAL OF THE  
9 CRIMINAL CASE, A VICTIM OF E-VAWC WHO IS  
10 EMPLOYED SHALL BE ENTITLED TO A PAID LEAVE OF UP  
11 TO TEN (10) DAYS IN ADDITION TO OTHER PAID LEAVES  
12 UNDER THE LABOR CODE, CIVIL SERVICE RULES AND  
13 REGULATIONS AND OTHER EXISTING LAWS AND  
14 COMPANY POLICIES, EXTENDIBLE WHEN THE NECESSITY  
15 ARISES AS SPECIFIED IN THE PROTECTION ORDER. THE  
16 PUNONG BARANGAY/KAGAWAD, PNP WOMEN'S AND  
17 CHILDREN'S DESKS OR PROSECUTOR OR THE CLERK OF  
18 COURT, PHYSICIANS, SOCIAL WORKERS, AND LICENSED  
19 COUNSELORS AS THE CASE MAY BE, SHALL ISSUE A  
20 CERTIFICATION, AT NO COST TO THE WOMAN, THAT  
21 SUCH IS PENDING UNDER THEIR JURISDICTION. THIS  
22 CERTIFICATION SHALL BE THE ONLY REQUIREMENT FOR  
23 THE EMPLOYER TO GRANT THE TEN (10)-DAY PAID LEAVE  
24 APPLICATION. IN ADDITION TO THE AFOREMENTIONED  
25 CERTIFICATION, AN EMPLOYEE OF THE GOVERNMENT  
26 MUST FILE AN APPLICATION FOR LEAVE, CITING THIS  
27 ACT. THE ADMINISTRATIVE ENFORCEMENT OF THIS  
28 LEAVE ENTITLEMENT SHALL BE CONSIDERED WITHIN  
29 THE JURISDICTION OF THE REGIONAL DIRECTOR OF THE

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

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

13 "THE IMMEDIATE SUPERIOR OF THE PERSON  
14 APPLYING FOR A TEN (10)-DAY PAID LEAVE MUST  
15 APPROVE THE APPLICATION ON THE SAME DAY IT WAS  
16 FILED. IF THE IMMEDIATE SUPERIOR IS UNAVAILABLE  
17 TO ACT ON THE APPLICATION FOR A LEAVE, THE  
18 APPLICATION SHALL BE ACTED UPON BY ANY  
19 AVAILABLE SENIOR OFFICIAL OF THE PRIVATE  
20 COMPANY OR GOVERNMENT AGENCY.

21 "ALL PRIVATE COMPANIES AND GOVERNMENT  
22 AGENCIES SHALL RECORD ALL APPLICATIONS FOR LEAVE  
23 IN A LOGBOOK SPECIFICALLY FOR CASES OF VAWC.  
24 THEY SHALL SUBMIT A QUARTERLY REPORT ON ALL  
25 APPLICATIONS ISSUED TO THE REGIONAL DIRECTOR OF  
26 THE DOLE FOR EMPLOYEES OF THE PRIVATE SECTOR,  
27 AND THE CSC, FOR GOVERNMENT EMPLOYEES.

28 "FAILURE TO ACT ON AN APPLICATION FOR A TEN  
29 (10)-DAY PAID LEAVE OF ABSENCE WITHIN THE  
30 PRESCRIBED PERIOD WITHOUT JUSTIFIABLE CAUSE  
31 SHALL RENDER THE IMMEDIATE SUPERIOR OR SENIOR



1 OFFICIAL ADMINISTRATIVELY LIABLE, AND THE PENALTY  
2 OF SUSPENSION FOR FIFTEEN (15) DAYS SHALL BE  
3 IMPOSED UPON THE OFFICIAL. AN ADMINISTRATIVE  
4 COMPLAINT AGAINST THE IMMEDIATE SUPERIOR OR  
5 SENIOR OFFICIAL FOR FAILURE TO PERFORM ONE'S  
6 DUTIES CAN BE FILED BY A VICTIM-SURVIVOR WITH THE  
7 REGIONAL DIRECTOR OF THE DOLE FOR EMPLOYEES  
8 OF THE PRIVATE SECTOR, AND THE CSC, FOR  
9 GOVERNMENT EMPLOYEES, FOR GROSS NEGLIGENCE OF  
10 DUTY OR MALFEASANCE.

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

19 "ANY SENIOR OFFICIAL, INCLUDING THE HEAD OF  
20 THE AGENCY, WHO HAS KNOWLEDGE OF, BUT FAILS TO  
21 ACT ON, OR HAS IN ANY WAY INFLUENCED THE DENIAL  
22 OF THE IMMEDIATE SUPERIOR OF THE LEAVE  
23 APPLICATION OF A VICTIM-SURVIVOR SHALL BE HELD  
24 ADMINISTRATIVELY LIABLE AND SHALL BE SUSPENDED  
25 FOR FIFTEEN (15) DAYS."

26 SEC. 11. *Separability Clause.* - If any portion or provision of  
27 this Act is held unconstitutional or invalid, the remaining portions or  
28 provisions shall not be affected.

1           SEC. 12. *Repealing Clause.* – All laws, decrees, executive  
2 orders, rules and regulations, or parts thereof inconsistent with the  
3 provisions of this Act are hereby repealed or modified accordingly.

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

Approved,

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