B. xxx

C. ‘Psychological violence’ refers to acts or omissions that may be committed through physical, verbal, emotional, electronic or information communication technology (ICT)-related means or other means causing or likely to cause mental or emotional suffering of [the victim] a woman and her children such as [but not limited to] intimidation, harassment, stalking, damage to property, public ridicule or humiliation, [repeated] verbal abuse and marital infidelity. It includes the act of causing or [allowing the victim] coercing a woman and her children to witness the physical, sexual or psychological abuse of a member of the family to which the [victim] woman and her children belong[s], or to witness pornography in any form or to witness abusive injury to pets or to unlawful or unwanted deprivation of the right to custody and/or visitation of common children.

D. xxx

E. ‘Electronic violence or ICT-related violence’ refers to any act or omission involving the use or exploitation of data or any form of information and communications technology which causes or is likely to cause mental, emotional, or psychological distress or suffering to the woman and her children, including the following:
“(1) Unauthorized recording, reproduction, distribution, use, sharing or uploading of any photograph, video, or other forms of electronic and/or artistic presentation showing or depicting in any form or manner the genitalia of a woman and those of her children’s genitalia, pubic area, buttocks, breasts, excretory body part or function, nudity, scenes with sexual context or portrayal of sexual conduct such as sexual intercourse, masturbation, kissing, caressing, hugging, and petting;

“(2) Unauthorized recording, reproduction, distribution, use, sharing or uploading of any photograph, video, or any other form of electronic and/or artistic presentation exhibiting any sexually-related verbal or nonverbal expression or gesture of the woman and her children which may be construed as lewd, indecent, or obscene;

“(3) Unauthorized recording, reproduction, distribution, use, sharing or uploading of any photograph, video, or any other form of electronic and/or artistic presentation depicting any purported violent or errant behaviour of the woman and her children, or the use of intoxicating or prohibited substances or drugs;

“(4) Any similar recording, reproduction, distribution, use, sharing or uploading of any audio presentation and data, including sound clips of the same nature as those enumerated in subsection (a) E. (1)-(3);

“(5) Unauthorized use of a photograph, video, voice recording, name or any mark, reference or character identifiable with a woman and her children and suggestive of a wrongdoing, conduct or attribute that tends to besmirch the reputation of the woman and her children;

“(6) Harassing, intimidating, coercing, threatening or vilifying the woman and her children through text messaging or other cyber, electronic, or multimedia technology;

“(7) Stalking, including the hacking of personal accounts on social networking sites and the use of location data from electronic devices;

“(8) Fabrication of fake information or news through text messaging or other cyber, electronic or multimedia technology and

“(9) Creation of fake social media accounts using an alias or a different individual’s personal information with ill intent and malice, to sow intrigue or inflict harm.

“x x x”

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

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

“(a) x x x

“(b) x x x
"(c) x x x
(d) x x x
(e) x x x
(f) x x x
(g) x x x
(h) x x x
(1) x x x
(2) x x x
(3) x x x
(4) Destroying the property and personal belongings or inflicting harm to animals or pets of the woman [or] and her child; [and]
(5) x x x
(6) Unauthorized recording, reproducing or distribution of videos which show the woman and her children naked or in undergarment clad genitals, pubic area, buttocks or breasts;
(7) Sharing without the consent of a woman and her children, any media that contains pictures, voice recording or video of the woman and her children which may be construed as lewd, indecent or of sexual content; and
(8) Using the pictures, video, voice name or any other aspect of the identity of a woman and her children without permission and for malicious purposes including pornography, and other violations stipulated in Republic Act No. 10175, otherwise known as the ‘Cybercrime Prevention Act of 2012’.
(i) x x x

"(J) Inflicting electronic violence against a woman and her children; and
"(K) Threatening to cause electronic violence against a woman and her children."

SEC. 4. Section 6 of Republic Act No. 9262 is hereby amended to read as follows:
"Sec. 6. Penalties. — x x x
(a) x x x
(b) x x x
(c) x x x
(d) x x x
(e) x x x
(f) x x x
(G) Acts falling under Section 5(J) and 5(K) shall be punished by prision mayor.
If the acts are committed while the woman or child is pregnant or committed in the presence of [her] the woman's child, the penalty to be applied shall be the maximum period of penalty prescribed in this section.
In addition to imprisonment, the perpetrator shall (a) pay a fine in the amount of not less than [One] three hundred thousand pesos ([P100,000.00][P300,000.00]) but not more than [Three] five hundred thousand pesos ([P300,000.00][P500,000.00][.]]: Provided, That, in cases of electronic or ICT-related violence, the fine that may be imposed shall not be less than three hundred thousand pesos (P300,000.00) but not more than five hundred thousand pesos.
(P500,000.00); AND (b) undergo mandatory psychological counseling or psychiatric treatment and shall report compliance to the court.”

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

“Sec. 7. Venue. – The Regional Trial Court designated as a Family Court shall have original and exclusive jurisdiction over cases of violence against women and their children under this law. In the absence of such court in the place where the offense was committed, the case shall be filed in the Regional Trial Court where the crime or any of its elements was committed at the option of the complainant. In cases of electronic or ICT-related violence, the case may be filed in the place where the woman and her children resided at the time they learned of the commission of the offense.”

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

“Sec. 8. Protection Orders. – x x x
(a) x x x
(b) x x x
(c) x x x
(d) x x x
(e) x x x
(f) x x x
(g) x x x
(h) x x x
(i) x x x

“(j) x x x; [and]
(k) x x x; [and]
(l) For E-VAWC cases, ordering the immediate blocking, blacklisting, removal, or shutdown of any upload, program, or application that causes or tends to cause violence against a woman and her children. Failure of an internet service provider to cooperate with law enforcement agencies shall constitute the crime of obstruction of justice. The duties of an internet service provider as provided for under Section 9 of Republic Act No. 9775, otherwise known as the ‘Anti-Child Pornography Act of 2009’ shall be applicable.”

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

“Sec. 24. Prescriptive Period. – Acts falling under Sections 5(a) to 5(f) shall prescribe in twenty (20) years. Acts falling under Sections 5(g) to 5(i) shall prescribe in ten (10) years. Acts falling under Section 5(j) and 5(k) shall prescribe in fifteen (15) years.”

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

“Sec. 39. Inter-Agency Council on Violence Against Women and Their Children (IAC-VAWC). – x x x
(a) x x x
"(b) [National Commission on the Role of Filipino
Women (NCRFW)] PHILIPPINE COMMISSION ON
WOMEN (PCW):

"(c) xxx
"(d) xxx
"(e) xxx
"(f) xxx
"(g) xxx
"(h) xxx
"(i) xxx
"(j) xxx
"(k) xxx; [and]
"(l) xxx[/];

"(m) MOVIE AND TELEVISION REVIEW AND
CLASSIFICATION BOARD (MTRCB);

"(n) DEPARTMENT OF SCIENCE AND
TECHNOLOGY (DOST);

"(o) NATIONAL TELECOMMUNICATIONS COMMISSION
(NTC);

"(p) DEPARTMENT OF INFORMATION AND
COMMUNICATION TECHNOLOGY (DICT);

"(q) DEPARTMENT OF FOREIGN AFFAIRS (DFA);

"(r) COMMISSION ON FILIPINOS OVERSEAS
(CFO); AND

"(s) TWO (2) REPRESENTATIVES FROM CIVIL
SOCIETY ORGANIZATIONS (CSOs) WITH PROVEN TRACK
RECORD OF INVOLVEMENT IN THE PREVENTION AND
ELIMINATION OF VIOLENCE AGAINST WOMEN AND
THEIR CHILDREN (VAWC) WHO SHALL BE CHOSEN BY
THE GOVERNMENT AGENCY REPRESENTATIVES OF THE
COUNCIL TO SERVE FOR A TERM OF THREE (3) YEARS.

"xxx"

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

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

"The DOH shall provide medical assistance to
[Victims] WOMEN AND THEIR CHILDREN.

"The DSWD, LGUs and DOH shall ensure
that all records of a woman and her children
obtained in connection with the provisioning of
such services by the agencies shall be held
confidential, unless there is a court order
authorizing the release of any information or
data.

"The DOJ shall establish and administer an
identity and location confidentiality program
to be referred to as the ‘Program’, which shall
ensure the protection and safety of women and
their children by providing them with a
substitute address to be used when interacting
with government agencies and a new mailing
address which keeps their actual whereabouts
confidential and free from the risk of discovery
by third parties. The Program shall cater to
WOMEN AND THEIR CHILDREN WHO INTEND TO
ESTABLISH A NEW RESIDENCE OR THOSE WHO HAVE
ALREADY RELOCATED TO ANOTHER PLACE UNKNOWN TO
THEIR ASSAILANTS OR ABUSERS WHO MAY USE PUBLIC
RECORDS TO FIND THEM.

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

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

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

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

"Any employer who shall prejudice the right of the
person under this section shall be penalized in
accordance with the provisions of the Labor Code and
Civil Service Rules and Regulations. Likewise, an
employer who shall prejudice any person for assisting a
co-employee who is a victim under this Act shall likewise
be liable for discrimination.] TEN (10)-DAY PAID LEAVE
IN ADDITION TO OTHER LEAVE BENEFITS. – DURING
THE APPLICATION OF ANY PROTECTION ORDER,
INVESTIGATION, PROSECUTION, AND/OR TRIAL OF THE
CRIMINAL CASE, A VICTIM OF E-VAWC WHO IS
EMPLOYED SHALL BE ENTITLED TO A PAID LEAVE OF UP
TO TEN (10) DAYS IN ADDITION TO OTHER PAID LEAVES
UNDER THE LABOR CODE, CIVIL SERVICE RULES AND
REGULATIONS AND OTHER EXISTING LAWS AND
COMPANY POLICIES, EXTENDIBLE WHEN THE NECESSITY
ARISES AS SPECIFIED IN THE PROTECTION ORDER. THE
PUNONG BARANGAY/KAGAWAD, PNP WOMEN'S AND
CHILDREN’S DESKS OR PROSECUTOR OR THE CLERK OF
COURT, PHYSICIANS, SOCIAL WORKERS, AND LICENSED
COUNSELORS AS THE CASE MAY BE, SHALL ISSUE A
CERTIFICATION, AT NO COST TO THE WOMAN, THAT
SUCH IS PENDING UNDER THEIR JURISDICTION. THIS
CERTIFICATION SHALL BE THE ONLY REQUIREMENT FOR
THE EMPLOYER TO GRANT THE TEN (10)-DAY PAID LEAVE
APPLICATION. IN ADDITION TO THE AFOREMENTIONED
CERTIFICATION, AN EMPLOYEE OF THE GOVERNMENT
MUST FILE AN APPLICATION FOR LEAVE, CITING THIS
ACT. THE ADMINISTRATIVE ENFORCEMENT OF THIS
LEAVE ENTITLEMENT SHALL BE CONSIDERED WITHIN
THE JURISDICTION OF THE REGIONAL DIRECTOR OF THE
DEPARTMENT OF LABOR AND EMPLOYMENT (DOLE) under Article 129 of the Labor Code of the Philippines, as amended, for employees in the private sector, and the Civil Service Commission (CSC), for government employees.

"The avalement of the ten (10)-day leave of absence shall be at the option of the woman employee, which shall cover the days that she has to attend to medical, legal, and other valid concerns related to the pending case. Leaves not availed of are noncumulative and not convertible to cash.

"The immediate superior of the person applying for a ten (10)-day paid leave must approve the application on the same day it was filed. If the immediate superior is unavailable to act on the application for a leave, the application shall be acted upon by any available senior official of the private company or government agency.

"All private companies and government agencies shall record all applications for leave in a logbook specifically for cases of VAWC. They shall submit a quarterly report on all applications issued to the Regional Director of the DOLE for employees of the private sector, and the CSC, for government employees.

"Failure to act on an application for a ten (10)-day paid leave of absence within the prescribed period without justifiable cause shall render the immediate superior or senior official administratively liable, and the penalty of suspension for fifteen (15) days shall be imposed upon the official. An administrative complaint against the immediate superior or senior official for failure to perform one's duties can be filed by a victim-survivor with the Regional Director of the DOLE for employees of the private sector, and the CSC, for government employees, for gross neglect of duty or malfeasance.

"The immediate superior or senior official who denies the application for leave, and who shall prejudice the victim-survivor or any person for assisting a co-employee who is a victim-survivor under this Act shall be liable for a fine not exceeding Ten thousand pesos (P10,000.00) and suspension for thirty (30) days for discrimination and violation of this Act.

"Any senior official, including the head of the agency, who has knowledge of, but fails to act on, or has in any way influenced the denial of the immediate superior of the leave application of a victim-survivor shall be held administratively liable and shall be suspended for fifteen (15) days."

Sec. 11. Separability Clause. — If any portion or provision of this Act is held unconstitutional or invalid, the remaining portions or provisions shall not be affected.
SEC. 12. Repealing Clause. — All laws, decrees, executive orders, rules and regulations, or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

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

Approved,