

**Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City**

**SEVENTEENTH CONGRESS
FIRST REGULAR SESSION**

HOUSE BILL NO. 3733



Introduced By Honorable Cristal L. Bagatsing

EXPLANATORY NOTE

The illegal drug trade in the Philippines remains a serious national concern. According to Reuters, “President Duterte has predicted the country could become a narco-state if the country’s tide of drug addiction is not pushed back on 2012” where there are estimated 1.3 million drug users in the country (DDB Estimate of Philippine Drug Users).

The United Nations said the Philippines had the highest rate of metamphenamine use in East Asia and according to US State Department report 2.1 percent of Filipinos aged 16 to 64 use the drug. In Metro Manila, most barangays are being affected by illegal drugs.

In 2002, Congress passed RA 9165 otherwise known as the Comprehensive Dangerous Drug Act of 2002, its intention is to eradicate drug proliferation. However, the data of 2012 as issued by DANGEROUS Drug Board is very alarming. The State must act to help our law

enforcers. As fast as the change in telecommunication technology, so the State must cope with the changes.

We have our law on wire tapping where our law enforcers could effectively solve cases of drug dealing and trafficking by allowing them to use wire-tapping provided that they will be authorized by a written order of the court.

Hence, the immediate passage of this measure is earnestly sought.

A handwritten signature in black ink, appearing to be 'Cristal L. Bagatsing', written over the printed name.

CRISTAL L. BAGATSING
Representative
5th District, Manila

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AN ACT

**AUTHORIZING WIRE TAPPING IN CASES INVOLVING VIOLATIONS OF
REPUBLIC ACT NO. 9165, OTHERWISE KNOWN AS THE
“COMPREHENSIVE DANGEROUS DRUGS ACT OF 2002”, AMENDING FOR
THE PURPOSE SECTION 3 OF REPUBLIC ACT NO. 4200 ENTITLED “AN ACT
TO PROHIBIT AND PENALIZE WIRE TAPPING AND OTHER RELATED
VIOLATIONS OF THE PRIVACY OF COMMUNICATION, AND FOR OTHER
PURPOSES”**

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

SECTION 1. Section 3 of Republic Act No. 4200, entitled “An Act to
Prohibit and Penalize Wirer Tapping and Other Related Violations of the

Privacy of Communication, and for Other Purposes”, is hereby amended to read as follows:

“Sec. 3. Nothing contained in this Act, however, shall render it unlawful or punishable for any peace officer **AND LAW ENFORCER**, who is authorized by a written order of the Court, to execute any of the acts declared to be unlawful in the two preceding sections in cases involving the crimes of treason, espionage, provoking war and disloyalty in case of war, piracy, mutiny in the high seas, rebellion, conspiracy and proposal to commit rebellion, inciting to rebellion, sedition, conspiracy to commit sedition, inciting to sedition, kidnapping as defined by the Revised Penal Code, **VIOLATIONS OF REPUBLIC ACT NO. 9165, OTHERWISE KNOWN AS THE COMPREHENSIVE DANGEROUS DRUGS ACT OF 2002**, and violations of Commonwealth Act No. 616, punishing espionage and other offenses against national security: Provided, That such written order shall only be issued or granted upon written application and the examination under oath or affirmation of the applicant and the witnesses he may produce and a showing: (1) that there are reasonable grounds to believe that any of the crimes enumerated hereinabove has been committed or being committed or is about to be committed: Provided, however, That in cases involving the offenses of rebellion. Conspiracy and proposal to commit rebellion, inciting to rebellion. sedition, conspiracy to commit sedition, and inciting to sedition, such authority shall be granted only upon prior proof that a rebellion or acts of sedition, as the case may be, have actually been or are being committed; (2) that there are reasonable grounds to believe that evidence will be obtained essential to the conviction of any person for, or to the solution of,

or to the prevention of, any of such crimes; and (3) that there are no other means readily available for obtaining such evidence.

“x x x “

“The court referred to in this section shall be understood to mean the [Court of First Instance] REGIONAL TRIAL COURT within whose territorial jurisdiction the acts for which authority is applied for are to be executed.”

SEC. 2. If any provision or part hereof is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

SEC. 3. Section 3 of Republic Act No. 4200 and all other laws, presidential decrees or issuances, executive orders, letters of instruction, administrative orders, rules and regulations contrary to or inconsistent with the provisions of this Act are hereby repeated, modified or amended accordingly.

SEC. 4. This Act shall take effect fifteen (15) days after its complete publication in at least two (2) newspapers of general circulation.

Approved,