

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

5710
House Bill No. _____



INTRODUCED BY HONORABLE LIANDA B. BOLILIA

EXPLANATORY NOTE

After more than a decade of enacting Republic Act 9372 otherwise known as the "Human Security Act of 2007", the Philippines is an emerging hot spot of terrorism. According to the 2018 Global Terrorism Index, the Philippines is in the 10th place among 163 countries most affected by terrorism. It is the lone Southeast Asian country to rank, together with Afghanistan, Nigeria, Syria, Pakistan, Somalia, India, Yemen, and Egypt.

According to the report, 326 died from terrorism in the country in 2017. The communist New People's Army (NPA) is responsible for 35% of these deaths, while the Abu Sayyaf is responsible for 37 deaths, and the Maute Group responsible for 26.¹

This proves that the current law is weak against terrorism. The law itself has more provisions limiting the law enforcement agencies to prevent and address terrorism than preventing terrorist individual, organization, or group of persons from destroying the very fabric of our society.

The law only produced one conviction from terrorism charges and a court declaration branding the Abu Sayyaf as a terrorist group, which took five years of proceedings. In the case of the Communist Party of the Philippines-New People's Army (CPP-NPA), tagged by the United States, European Union, Canada, Great Britain, and Australia as a foreign terrorist organization, and proclaimed by President Rodrigo Duterte as a terrorist organization in 2017, there is no judicial affirmation issued yet.

The 2017 siege of Marawi City by the Maute Group proved that the current provisions of RA 9372 constrained the law enforcement agencies from going after terror suspects. Aside from the three days of allowed warrantless detention, the AFP and the PNP have to pay P500,000.00 in damages for every day they detained a suspect who ends up acquitted of terror charges.

Over the past year, there were three instances of suicide bombings in parts of Mindanao. The deadly June 28 attack on an army camp in Indanan, Sulu, was the first case of a suicide bombing by a Filipino confirmed by the police and military.

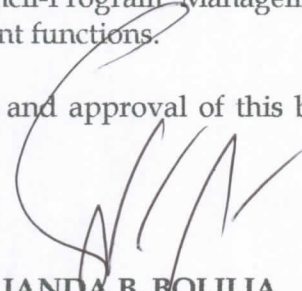
The law currently allows the detention of terror suspects without an arrest warrant from a judicial court for up to 3 days. In Singapore and Malaysia, suspected terrorists can be detained for 30 days without a case. Moreover, the law enforcement agencies may only obtain authorization to surveil, intercept, and record or wiretap suspects' communications from the Court of Appeals.

¹ <https://cnnphilippines.com/news/2018/12/20/philippines-global-terrorism-index-10th.html>

Thus, this measure seeks to amend Republic Act 9372. The salient features of the bill are as follows:

1. Change of Short Title from "Human Security Act of 2007" to "Counter-Terrorism Act of 2019" because the law deals mainly with terrorism.
2. Addition of a new section to define terms used in the proposed measure.
3. Addition of three predicate crimes to the existing twelve (12) on the definition of terrorism, namely:
 - a. Republic Act No. 9208 (Anti-Trafficking in Persons Act of 2003, as amended);
 - b. Republic Act No. 9165 (Comprehensive Dangerous Drugs Act of 2002); and
 - c. Republic Act No. 10175 (Cybercrime Prevention Act of 2012).
4. Inclusion of additional punishable acts, together with the Conspiracy to Commit Terrorism, i.e. Proposal to Commit Terrorism, Inciting to Terrorism, Recruitment to Terrorist Organization, Providing Material Support to Terrorists or Terrorist Organizations, Foreign Terrorist Fighter, and Glorification of Terrorism.
5. The fixed penalty of "forty years of imprisonment" has been changed to "life imprisonment to death".
6. Addition of five (5) relevant cabinet secretaries to the existing composition of seven (7) members of Anti-Terrorism Council (ATC) to expand of governmental involvement in the fight against terrorism. They are the Secretaries of Information and Communication Technology, Transportation, Labor and Employment, and Education.
7. The swift issuance by the court of Preliminary Asset Preservation Order which is twenty four (24) hours and its effectivity of six (6) months. The longer period will give the law enforcement agencies ample time to gather more pieces of evidence to support final order of forfeiture and proscription.
8. Gives the Secretary of Justice the power to compel telecom and internet providers to preserve and produce all customer information and identification records as well as call and text data record and other cellular or internet metadata in cases of actual or imminent terrorist attacks.
9. Adds the Regional Trial Court for Judicial Authorization, thereby giving more access to the courts by law enforcers which shall facilitate securing of documents.
10. A provision on the arrest of unwilling witnesses that causes delay in building the case against the terrorists is included. The extension of detention without judicial warrant is likewise extended to thirty (30) days from three (3) days.
11. Increase in the period for change of custody of intercepted and recorded material from forty-eight (48) hours to ten (10) days to allow more time for law enforcers to gather evidence.
12. Inclusion of the provisions regarding Order of Proscription, Asset Preservation Orders and Request to Proscribe a Terrorist with Foreign Jurisdiction and Supra-National Jurisdiction.
13. Institutionalization of the Anti-Terrorism Council-Program Management Center as Administrative arm of ATC maintaining its current functions.

In view of the foregoing, the immediate enactment and approval of this bill is earnestly sought.



LIANDA B. BOLILIA
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Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

House Bill No. 5710

INTRODUCED BY HONORABLE LIANDA B. BOLILIA

AN ACT
AMENDING R.A. 9372 OTHERWISE KNOWN AS THE ACT TO SECURE THE
STATE AND PROTECT OUR PEOPLE FROM TERRORISM OR THE HUMAN
SECURITY ACT (HSA) OF 2007, APPROPRIATING FUNDS THEREFOR AND
FOR OTHER PURPOSES

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

1 SECTION 1. Section 1 of Republic Act No. 9372, otherwise known as the "Human Security
2 Act of 2007" is hereby amended to read as follows:

3
4 "Section 1. *Short Title.* – This Act shall henceforth be known as the ["Human Security
5 Act of 2007."] **"COUNTER-TERRORISM ACT OF 2019."**

6
7 SECTION 2. Section 2 of the same Act is hereby amended to read as follows:

8
9 "Section 2. *Declaration of Policy.* – It is declared a policy of the State to protect **THE**
10 **RIGHT TO** life, liberty, and property, **INCLUDING** from acts of terrorism, to condemn
11 terrorism as inimical and dangerous to the national security of the country and to the welfare
12 of the people, and to make terrorism a crime against the Filipino people, against humanity,
13 and against the law of nations."

14
15 [In the implementation of the policy stated above, the State shall uphold the basic rights and
16 fundamental liberties of the people as enshrined in the Constitution.

17
18 The State recognizes that the fight against terrorism requires a comprehensive approach,
19 comprising political, economic, diplomatic, military, and legal means duly taking into account
20 the root causes of terrorism without acknowledging these as justifications for terrorist and/or
21 criminal activities. Such measures shall include conflict management and post-conflict peace-
22 building, addressing the roots of conflict by building state capacity and promoting equitable
23 economic development.

24
25 Nothing in this Act shall be interpreted as a curtailment, restriction or diminution of
26 constitutionally recognized powers of the executive branch of the government. It is to be
27 understood, however that the exercise of the constitutionally recognized powers of the
28 executive department of the government shall not prejudice respect for human rights which
29 shall be absolute and protected at all times.]
30

1 SECTION 3. A new Section 3 is hereby added to read as follows:

2
3 **"SECTION 3. DEFINITION OF TERMS. - AS USED IN THIS ACT:**

- 4
5 (A) **"CRITICAL INFRASTRUCTURE" SHALL MEAN AN ASSET OR SYSTEM**
6 **WHICH IS ESSENTIAL FOR THE MAINTENANCE OF VITAL SOCIETAL**
7 **FUNCTIONS. "CRITICAL INFRASTRUCTURE" MAY INCLUDE, BUT IS**
8 **NOT LIMITED TO, COMMUNICATIONS, EMERGENCY FACILITIES, FUEL,**
9 **GAS, ENERGY, WATER SUPPLY, DAMS, FINANCE, FOOD, PUBLIC**
10 **SERVICES, INDUSTRY, HEALTH, TRANSPORT, RADIO AND TELEVISION,**
11 **INFORMATION TECHNOLOGY, COMMERCIAL FACILITIES, CHEMICAL,**
12 **BIOLOGICAL AND NUCLEAR SECTORS.**
13
14 (B) **"WEAPONS OF MASS DESTRUCTION" OR WMD SHALL MEAN**
15 **CHEMICAL, BIOLOGICAL, RADIOLOGICAL, OR NUCLEAR WEAPONS**
16 **CAPABLE OF A HIGH ORDER OF DESTRUCTION OR CAUSING MASS**
17 **CASUALTIES, AND EXCLUDING THE MEANS OF TRANSPORTING OR**
18 **PROPELLING THE WEAPON WHERE SUCH MEANS IS A SEPARABLE AND**
19 **DIVISIBLE PART FROM THE WEAPON.**
20
21 (C) **"CONSPIRACY" SHALL MEAN WHEN TWO OR MORE PERSONS COME**
22 **TO AN AGREEMENT CONCERNING THE COMMISSION OF THE CRIME**
23 **OF TERRORISM, AS DEFINED IN SECTION 4 HEREOF, AND DECIDE TO**
24 **COMMIT THE SAME.**
25
26 (D) **"PROPOSAL" SHALL MEAN WHEN THE PERSON WHO HAS DECIDED TO**
27 **COMMIT THE CRIME OF TERRORISM PROPOSES ITS EXECUTION TO**
28 **SOME OTHER PERSON OR PERSONS.**
29
30 (E) **"INDIVIDIAL TERRORIST" REFERS TO ANY NATURAL PERSON WHO**
31 **COMMITTS ANY ACTS DEFINED AND PENALIZED IN SECTIONS 4, 5, 5(A),**
32 **5(B), 5(C), 5(D), AND 5(E) HEREOF, AS A PRINCIPAL, ACCOMPLICE OR**
33 **ACCESSORY, OR THOSE PROSCRIBED UNDER SECTION 17 HEREOF, OR**
34 **DESIGNATED PERSONS UNDER SECTION 3(E) OF R.A. 10168, OTHERWISE**
35 **KOWN AS THE "TERRORISM FINANCING PREVENTION AND**
36 **SUPPRESSION ACT OF 2012".**
37
38 (F) **"TERRORIST ORGANIZATION, ASSOCIATION OR GROUP OF PERSONS"**
39 **REFERS TO ANY ENTITY OWNED OR CONTROLLED BY ANY TERRORIST**
40 **OR GROUP OF TERRORISTS THAT COMMITTS ANY ACTS DEFINED AND**
41 **PENALIZED IN SECTIONS 4, 5, 5(A), 5(B), 5(C), 5(D), AND 5(E) OR THOSE**
42 **PROSCRIBED UNDER SECTION 17 HEREOF, OR DESIGNATED PERSONS**
43 **UNDER SECTION 3(E) OF R.A. 10168, OTHERWISE KOWN AS THE**
44 **"TERRORISM FINANCING PREVENTION AND SUPPRESSION ACT OF**
45 **2012".**
46
47 (G) **"MATERIAL SUPPORT" MEANS PROVIDING PROPERTY OR FUNDS, OR**
48 **ANY FORM OF SERVICE, LODGING, SAFEHOUSES, TRAINING,**
49 **EDUCATION, INDOCTRINATION, EXPERT ADVICE OR ASSISTANCE,**
50 **FALSE DOCUMENTATION OR IDENTIFICATION, COMMUNICATION**
51 **AND TRANSPORTATION EQUIPMENT, FACILITIES, WEAPONS,**
52 **LETHAL SUBSTANCES, EXPLOSIVES AND PERSONNEL, TO INDIVIDUAL**
53 **TERRORIST AND/OR TERRORIST ORGANIZATION, ASSOCIATION OR**

1 **GROUP OF PERSONS ORGANIZED FOR THE PURPOSE OF ENGAGING IN**
2 **TERRORISM.**

3
4 **(H) "PROPERTY OR FUNDS" REFER TO FINANCIAL ASSETS, PROPERTY OF**
5 **EVERY KIND, WHETHER TANGIBLE OR INTANGIBLE, MOVABLE OR**
6 **IMMOVABLE, PERSONAL OR REAL, HOWEVER ACQUIRED, AND LEGAL**
7 **DOCUMENTS OR INSTRUMENTS IN ANY FORM, INCLUDING**
8 **ELECTRONIC OR DIGITAL, EVIDENCING TITLE TO, OR INTEREST IN,**
9 **SUCH FUNDS OR OTHER ASSETS, INCLUDING, BUT NOT LIMITED TO,**
10 **BANK CREDITS, TRAVELERS CHEQUES, BANK CHEQUES, MONEY**
11 **ORDERS, SHARES, SECURITIES, BONDS, DRAFTS, OR LETTERS OF**
12 **CREDIT, AND ANY INTEREST, DIVIDENDS OR OTHER INCOME ON OR**
13 **VALUE ACCRUING FROM OR GENERATED BY SUCH FUNDS OR OTHER**
14 **ASSETS.**

15
16 **(I) "TRAINING" MEANS INSTRUCTION OR TEACHING DESIGNED TO**
17 **IMPART A SPECIFIC SKILL, AS OPPOSED TO GENERAL KNOWLEDGE.**

18
19 **(J) "EXPERT ADVICE OR ASSISTANCE" MEANS ADVICE OR ASSISTANCE**
20 **DERIVED FROM SCIENTIFIC, TECHNICAL OR OTHER SPECIALIZED**
21 **KNOWLEDGE.**

22
23 **(K) "PROBABLE CAUSE" REFERS TO A REASONABLE GROUND OF**
24 **SUSPICION, SUPPORTED BY CIRCUMSTANCES SUFFICIENTLY STRONG**
25 **IN THEMSELVES AS TO WARRANT A REASONABLE MAN IN BELIEVING**
26 **THAT THE INDIVIDUAL, ORGANIZATION, ASSOCIATION OR GROUP**
27 **OF PERSONS WERE OR CONTINUOUSLY ENGAGED IN TERRORISM OR**
28 **HAVE PERFORMED ACTS COMMITTED BY A TERRORIST OR TERRORIST**
29 **ORGANIZATION AS DEFINED IN THIS ACT.**

30
31 **(L) "VIOLENT EXTREMISM" SHALL MEAN ANY ACT ENCOURAGING,**
32 **CONDONING, JUSTIFYING OR SUPPORTING THE COMMISSION OF A**
33 **VIOLENT ACT TO ACHIEVE POLITICAL, IDEOLOGICAL, RELIGIOUS,**
34 **SOCIAL OR ECONOMIC GOALS.**

35
36 **(M) "RECRUIT" SHALL REFER TO ANY ACT TO PROCURE, INDUCE, OR**
37 **INCITE OTHERS TO PARTICIPATE, COMMIT, OR SUPPORT TERRORIST**
38 **ACTS, TERRORIST INDIVIDUALS, OR ORGANIZATIONS.**

39
40 **SECTION 4. Section 3 of this Act is hereby re-numbered and amended to read as follows:**

41
42 **"Section [3] 4. *Terrorism*. - Any person who commits an act punishable under any of**
43 **the following provisions of the Revised Penal Code **REGARDLESS OF ITS STAGE OF****
44 **EXECUTION:**

45
46 a. Article 122 (Piracy in General and Mutiny in the High Seas or in the Philippine
47 Waters);

48
49 b. Article 134 (Rebellion or Insurrection);

50
51 c. Article 134-a (*Coup d' Etat*), including acts committed by private persons;

52
53 d. Article 248 (Murder);

e. Article 267 (Kidnapping and Serious Illegal Detention);

f. Article 324 (Crimes Involving Destruction), [or under]

OR UNDER ANY OF THE FOLLOWING SPECIAL LAWS:

1. Presidential Decree No. 1613 (The Law on Arson);

2. Republic Act No. 6969 (Toxic Substances and Hazardous and Nuclear Waste Control Act of 1990);

3. Republic Act No. 5207 (Atomic Energy Regulatory and Liability Act of 1968);

4. Republic Act No. 6235 (Anti-Hijacking Law);

5. Presidential Decree No. 532 (Anti-Piracy and Anti-Highway Robbery Law of 1974); [and]

6. Presidential Decree No. 1866, (Decree Codifying the Laws on Illegal and Unlawful Possession, Manufacture, Dealing in, Acquisition or Disposition of Firearms, Ammunitions or Explosives), **AS AMENDED BY REPUBLIC ACT NO. 8294, REPUBLIC ACT NO. 9516 AND REPUBLIC ACT NO. 10591;**

7. REPUBLIC ACT NO. 10168 (TERRORISM FINANCING PREVENTION AND SUPPRESSION ACT OF 2012);

8. REPUBLIC ACT NO. 10697 (STRATEGIC MANAGEMENT ACT)

9. REPUBLIC ACT NO. 9208 (ANTI-TRAFFICKING IN PERSONS ACT OF 2003);

10. REPUBLIC ACT NO. 9165 (COMPREHENSIVE DANGEROUS DRUGS ACT); AND

11. REPUBLIC ACT NO. 10175 (CYBERCRIME PREVENTION ACT)

OR ANY OTHER ACT (I) INTENDED TO CAUSE DEATH OR SERIOUS BODILY INJURY TO ANY PERSON, OR (II) INTENDED TO CAUSE RISK TO THE HEALTH, SAFETY OR SECURITY OF THE PUBLIC, OR (III) INTENDED TO SERIOUSLY INTERFERE WITH, DISRUPT OR DESTROY CRITICAL INFRASTRUCTURE, OR (IV) USING WEAPONS OF MASS DESTRUCTION, OR (V) PROSCRIBED UNDER ANY OF THE RELEVANT TREATIES AND CONVENTIONS WHICH THE PHILIPPINES IS A STATE PARTY,

WHEN THE PURPOSE AND/OR EFFECT OF ANY OF THE ABOVE FELONIES, CRIMES OR ACTS, BY THEIR NATURE OR CONTEXT, IS TO INTIMIDATE A POPULATION, OR TO COMPEL A GOVERNMENT, AN INTERNATIONAL ORGANIZATION, OR ANY PERSON OR ENTITY, TO DO OR TO ABSTAIN FROM DOING ANY ACT,

[thereby sowing and creating a condition of widespread and extraordinary fear and panic among the populace, in order to coerce the government to give in to an unlawful demand] shall be guilty of the crime of terrorism and shall suffer the penalty of [forty

(40) years of imprisonment] **LIFE IMPRISONMENT TO DEATH**, without the benefit of parole as provided for under Act No. 4103, otherwise known as the Indeterminate Sentence Law, as amended."

SECTION 5. Section 4 of the same Act is hereby re-numbered, amended and new subsections designated as subsections 5(a), 5(b), 5(c), 5(d), 5(e), 5(f), and 5(g) are hereby added to read as follows:

"Section [4] **5. Conspiracy to Commit Terrorism.** - Persons who conspire to commit the crime of terrorism shall suffer the penalty of [forty (40) years of imprisonment] **LIFE IMPRISONMENT TO DEATH**, without the benefit of parole as provided for under Act No. 4103, otherwise known as the Indeterminate Sentence Law, as amended.

[There is conspiracy when two or more persons come to an agreement concerning the commission of the crime of terrorism, as defined in Section 3 hereof, and decide to commit the same.]

SECTION 5(A). PROPOSAL TO COMMIT TERRORISM. - ANY PERSON WHO PROPOSES TO COMMIT THE CRIME OF TERRORISM SHALL SUFFER THE PENALTY OF LIFE IMPRISONMENT TO DEATH, WITHOUT THE BENEFIT OF PAROLE AS PROVIDED FOR UNDER ACT NO. 4103, OTHERWISE KNOWN AS THE INDETERMINATE SENTENCE LAW, AS AMENDED.

SECTION 5(B). INCITING TO TERRORISM. - ANY PERSON WHO INCITES ANOTHER PERSON BY ANY MEANS TO COMMIT TERRORISM, WHETHER OR NOT DIRECTLY ADVOCATING THE COMMISSION OF ANY OF SUCH ACT, THEREBY CAUSING DANGER THAT ONE OR MORE SUCH ACTS MAY BE COMMITTED, SHALL BE PUNISHED WITH THE PENALTY OF LIFE IMPRISONMENT TO DEATH, WITHOUT THE BENEFIT OF PAROLE AS PROVIDED FOR UNDER ACT NO. 4103, OTHERWISE KNOWN AS THE INDETERMINATE SENTENCE LAW, AS AMENDED.

SECTION 5(C). RECRUITMENT TO TERRORIST ORGANIZATION. - ANY PERSON WHO SHALL RECRUIT ANOTHER TO JOIN ANY ORGANIZATION, ASSOCIATION OR GROUP OF PERSONS ORGANIZED FOR THE PURPOSE OF ENGAGING IN TERRORISM , OR WHICH, ALTHOUGH NOT ORGANIZED FOR THAT PURPOSE, ACTUALLY USES THE ACTS ENUMERATED IN SECTION 3 HEREOF TO TERRORIZE, SHALL BE PUNISHED WITH THE PENALTY OF LIFE IMPRISONMENT TO DEATH, WITHOUT THE BENEFIT OF PAROLE AS PROVIDED FOR UNDER 4 ACT NO. 4103, OTHERWISE KNOWN AS THE INDETERMINATE SENTENCE LAW, AS AMENDED.

SECTION 5(D). PROVIDING MATERIAL SUPPORT TO TERRORISTS OR TERRORIST ORGANIZATIONS. - ANY PERSON WHO PROVIDES MATERIAL SUPPORT TO ANY INDIVIDUAL TERRORIST OR TERRORIST ORGANIZATION, ASSOCIATION OR GROUP OF PERSONS ORGANIZED FOR THE PURPOSE OF ENGAGING IN TERRORISM, SHALL BE PUNISHED WITH THE PENALTY OF LIFE IMPRISONMENT TO DEATH, WITHOUT THE BENEFIT OF PAROLE AS PROVIDED FOR UNDER ACT NO. 4103, OTHERWISE KNOWN AS THE INDETERMINATE SENTENCE LAW, AS AMENDED.

SECTION 5(E). FOREIGN TERRORIST FIGHTERS. - AN INDIVIDUAL WHO TRAVEL TO THE PHILIPPINES OTHER THAN THEIR STATE OF RESIDENCE OR NATIONALITY FOR THE PURPOSE OF PERPETRATION, PLANNING OR

1 PREPARATION OF, OR PARTICIPATION IN, TERRORIST ACTS OR THE PROVIDING
2 OR RECEIVING OF TERRORIST TRAINING, INCLUDING IN CONNECTION WITH
3 ARMED CONFLICT, SHALL BE PUNISHED WITH THE PENALTY OF LIFE
4 IMPRISONMENT TO DEATH, WITHOUT THE BENEFIT OF PAROLE AS PROVIDED
5 FOR UNDER ACT NO. 4103, OTHERWISE KNOWN AS THE INDETERMINATE
6 SENTENCE LAW, AS AMENDED.

7
8 ANY ALIEN WHO IS A FUGITIVE FROM JUSTICE FOR ANY ACTS OF
9 TERRORISM COMMITTED ABROAD, BASED ON VERIFIABLE INFORMATION
10 FROM ANY LAWFUL AUTHORITIES ABROAD, SHALL BE CONSIDERED AS AN
11 UNDESIRABLE ALIEN. HE SHALL BE ARRESTED BY VIRTUE OF A MISSION ORDER
12 ISSUED BY THE COMMISSIONER OF IMMIGRATION FOR THE PURPOSE OF
13 INSTITUTING DEPORTATION PROCEEDINGS.

14
15 SEC. 5 (F). *GLORIFICATION OF TERRORISM* - ANY PERSON WHO, NOT BEING
16 A CONSPIRATOR, ACCOMPLICE OR ACCESSORY UNDER SECTIONS 5, 6 AND 7 OF
17 THIS ACT, SHALL BY ANY MEANS ADVERTISE THROUGH ANY MEDIUM TO
18 GLORIFY OR PROMOTE TERRORIST ACTS COMMITTED BY PROSCRIBED OR
19 DESIGNATED INDIVIDUALS OR ORGANIZATIONS SHALL SUFFER THE PENALTY
20 OF TEN (10) YEARS OF IMPRISONMENT."

21
22 SECTION 6. Section 5 of the same Act is hereby re-numbered and amended to read as follows:

23
24 "Section [5] 6. *Accomplice*. - [Any person who, not being a principal under Article 17 of
25 the Revised Penal Code or a conspirator as defined in Section 4 hereof, cooperates in the
26 execution of either the crime of terrorism or conspiracy to commit terrorism by previous or
27 simultaneous acts] AN ACCOMPLICE, AS DEFINED UNDER BOOK I OF ACT NO. 3815,
28 OTHERWISE KNOWN AS THE REVISED PENAL CODE, shall suffer the penalty of from
29 seventeen (17) years, four months one day to twenty (20) years of imprisonment.

30
31 SECTION 7. Section 6 of the same Act is hereby re-numbered and amended to read as follows:

32
33 "Section [6] 7. *Accessory*. - Any person who, having knowledge of the commission of
34 the ANY OF THE [crime of terrorism or conspiracy to commit terrorism,] IN SECTION 4, 5
35 (A), 5(B), 5(C), 5(D), AND 5(E) HEREOF and without having participated therein, either as
36 principal or accomplice under Articles 17 and 18 of the Revised Penal Code, takes part
37 subsequent to its commission in any of the following manner: (a) by profiting himself or
38 assisting the offender to profit by the effects of the crime; (b) by concealing or destroying the
39 body of the crime, or the effects, or instruments thereof, in order to prevent its discovery; (c)
40 by harboring, concealing, or assisting in the escape of the principal or conspirator of the crime,
41 shall suffer the penalty of ten (10) years and one day to twelve (12) years of imprisonment.

42
43 [Notwithstanding the above paragraph, the penalties prescribed for accessories shall not be
44 imposed upon those who are such with respect to their spouses, ascendants, descendants,
45 legitimate, natural, and adopted brothers and sisters, or relatives by affinity within the same
46 degrees, with the single exception of accessories falling within the provisions of subparagraph
47 (a).]"

48
49 SECTION 8. Section 7 of the same Act is hereby re-numbered and amended to read as follows:

50
51 "Section [7] 8. *Surveillance of Suspects and Interception and Recording of*
52 *Communications*. - The provisions of Republic Act No. 4200 (Anti-Wire Tapping Law) AND
53 R.A. 10175 (CYBERCRIME PREVENTION ACT) to the contrary notwithstanding, [a police

1 or law enforcement official and the members of his team] **LAW ENFORCEMENT OR**
2 **MILITARY PERSONNEL** may, upon a written order of the Court of Appeals **AND/OR**
3 **REGIONAL TRIAL COURT**, listen to, intercept and record, with the use of any mode, form,
4 kind or type of electronic or other surveillance equipment or intercepting and tracking
5 devices, or with the use of any other suitable ways and means for that purpose, any
6 communication, message, conversation, discussion, or spoken or written words **(A)** between
7 members of a [judicially declared and outlawed terrorist organization, association, or group
8 of persons or of any person charged with or suspected of the crime of terrorism or conspiracy
9 to commit terrorism] **DESIGNATED PERSON AS DEFINED IN SECTION 3(E) OF R.A.**
10 **10168, OTHERWISE KNOWN AS THE ‘TERRORISM FINANCING PREVENTION AND**
11 **SUPPRESSION ACT OF 2012”, OR (B) ANY PERSON CHARGED OR SUSPECTED OF**
12 **ANY CRIME IN SECTION 4, 5, 5(A), 5(B), 5(C), 5(D), 5(E), AND 5(F) HEREOF.**

13
14 **IN CASE OF IMMINENT DANGER OR ACTUAL TERRORIST ATTACK, THE**
15 **SECRETARY OF THE DEPARTMENT OF JUSTICE, UPON THE CERTIFICATION OF**
16 **THE ANTI-TERRORISM COUNCIL BASED ON REASONABLE GROUND OF**
17 **SUSPICION, SHALL HAVE THE POWER TO COMPEL TELECOM AND INTERNET**
18 **SERVICE PROVIDERS TO PRODUCE ALL CUSTOMER INFORMATION AND**
19 **IDENTIFICATION RECORDS AS WELL AS CALL AND TEXT DATA RECORDS AND**
20 **OTHER CELLULAR OR INTERNET METADATA OF ANY PERSON SUSPECTED OF**
21 **ANY CRIME IN SECTION 4, 5, 5(A), 5(B), 5(C), 5(D), 5(E), AND 5(F) HEREOF.**

22
23 *[Provided, That surveillance, interception and recording of communications between lawyers*
24 *and clients, doctors and patients, journalists and their sources and confidential business*
25 *correspondence shall not be authorized.]*

26
27 **SECTION 9.** Section 8 of the same Act is hereby re-numbered and amended to read as follows:

28
29 *“Section [8] 9. Formal Application for Judicial Authorization. -* The written order of
30 the authorizing division of the Court of Appeals **AND/OR REGIONAL TRIAL COURT** to
31 track down, tap, listen to, intercept, and record communications, messages, conversations,
32 discussions, or spoken or written words of [any person suspected of the crime of terrorism or
33 the crime of conspiracy to commit terrorism] **IN SECTION 8 HEREOF** shall only be granted
34 by the authorizing division of the Court of Appeals **AND/OR REGIONAL TRIAL COURT**
35 upon an *ex parte* written application of a [police or of a law enforcement official] **LAW**
36 **ENFORCEMENT OR MILITARY PERSONNEL** [who has been duly authorized in writing
37 by the Anti-Terrorism Council created in Section 53 of this Act to file such *ex parte* application],
38 and upon examination under oath or affirmation of the applicant and [the] **HIS/HER**
39 witnesses [he may produce to establish]: (a) that there is probable cause to believe based on
40 personal knowledge of facts or circumstances that **ANY OF** the [said] crime**S** [of terrorism or
41 conspiracy to commit terrorism] **IN SECTION 4, 5, 5(A), 5(B), 5(C), 5(D), 5(E), AND 5(F)**
42 **HEREOF** has been committed, or is being committed, or is about to be committed; (b) that
43 there is probable cause to believe based on personal knowledge of facts or circumstances that
44 evidence, which is essential to the conviction of any charged or suspected person for, or to the
45 solution or prevention of, any such crimes, will be obtained; and, (c) that there is no other
46 effective means readily available for acquiring such evidence.

47
48 **SECTION 10.** Section 9 of the same Act is hereby re-numbered and amended to read as
49 follows:

50
51 *“Section [9] 10. Classification and Contents of the Order of the Court. -* The written
52 order granted by the authorizing division of the Court of Appeals **AND/OR REGIONAL**
53 **TRIAL COURT** as well as its order, if any, to extend or renew the same, the original

1 application of the applicant, including his application to extend [or renew], if any, [and the
2 written authorizations of the Anti-Terrorism Council] shall be deemed and are hereby
3 declared as classified information: [Provided, That the person being surveilled or whose
4 communications, letters, papers, messages, conversations, discussions, spoken or written
5 words and effects have been monitored, listened to, bugged or recorded by law enforcement
6 authorities has the right to be informed of the acts done by the law enforcement authorities in
7 the premises or to challenge, if he or she intends to do so, the legality of the interference before
8 the Court of Appeals which issued the written order.] The written order of the authorizing
9 division of the Court of Appeals **AND/OR REGIONAL TRIAL COURT** shall specify the
10 following: (a) the identity, such as name and address, if known, of the [charged or suspected]
11 person whose communications, messages, conversations, discussions, or spoken or written
12 words are to be tracked down, tapped, listened to, intercepted, and recorded and, in the case
13 of radio, electronic, or telephonic (whether wireless or otherwise) communications, messages,
14 conversations, discussions, or spoken or written words, the electronic transmission systems
15 or the telephone numbers to be tracked down, tapped, listened to, intercepted, and recorded
16 and their locations or if the person suspected of the crime of terrorism or conspiracy to commit
17 terrorism is not fully known, such person shall be subject to continuous surveillance provided
18 there is a reasonable ground to do so; (b) the identity [(name, address, and the police or law
19 enforcement organization) of the police or of the law enforcement official, including the
20 individual identity (names, addresses, and the police or law enforcement organization) of the
21 members of his team] **OF THE LAW ENFORCEMENT OR MILITARY PERSONNEL**,
22 judicially authorized to track down, tap, listen to, intercept, and record the communications,
23 messages, conversations, discussions, or spoken or written words; (c) the offense or offenses
24 committed, or being committed, or sought to be prevented; and, (d) the length of time within
25 which the authorization shall be used or carried out.

26
27 SECTION 11. Section 10 of the same Act is hereby re-numbered and amended to read as
28 follows:

29
30 “Section [10] **11. Effective Period of Judicial Authorization.** - Any authorization
31 granted by the authorizing division of the Court of Appeals **AND/OR REGIONAL TRIAL**
32 **COURT**, pursuant to Section [9] 10(d) of this Act, shall only be effective for the length of time
33 specified in the written order [of the authorizing division of the Court of Appeals], which shall
34 not exceed a period of [thirty (30)] **NINETY (90)** days from the date of receipt of the written
35 order [of the authorizing division of the Court of Appeals] by the applicant [police or law
36 enforcement official] **LAW ENFORCEMENT OR MILITARY PERSONNEL”.**

37
38 [The authorizing division of the Court of Appeals may extend or renew the said authorization
39 for another non-extendible period, which shall not exceed thirty (30) days from the expiration
40 of the original period: Provided, That the authorizing division of the Court of Appeals is
41 satisfied that such extension or renewal is in the public interest: and *Provided, further*, That the
42 *ex parte* application for extension or renewal, which must be filed by the original applicant,
43 has been duly authorized in writing by the Anti-Terrorism Council.

44
45 In case of death of the original applicant or in case he is physically disabled to file the
46 application for extension or renewal, the one next in rank to the original applicant among the
47 members of the team named in the original written order of the authorizing division of the
48 Court of Appeals shall file the application for extension or renewal: Provided, That, without
49 prejudice to the liability of the police or law enforcement personnel under Section 20 hereof,
50 the applicant police or law enforcement official shall have thirty (30) days after the termination
51 of the period granted by the Court of Appeals as provided in the preceding paragraphs within

1 which to file the appropriate case before the Public Prosecutor's Office for any violation of this
2 Act.

3
4 If no case is filed within the thirty (30)-day period, the applicant police or law enforcement
5 official shall immediately notify the person subject of the surveillance, interception and
6 recording of the termination of the said surveillance, interception and recording. The penalty
7 of ten (10) years and one day to twelve (12) years of imprisonment shall be imposed upon the
8 applicant police or law enforcement official who fails to notify the person subject of the
9 surveillance, monitoring, interception and recording as specified above.]

10
11 SECTION 12. Section 11 of the same Act is hereby re-numbered and amended to read as
12 follows:

13
14 "Section [11] **12. Custody of Intercepted and Recorded Communications.** - All tapes,
15 discs, and recordings made pursuant to the authorization of the authorizing division of the
16 Court of Appeals **AND/OR REGIONAL TRIAL COURT**, [including all excerpts and
17 summaries thereof as well as all written notes or memoranda made in connection therewith,
18 shall,] within [forty-eight (48) hours] **TEN (10) DAYS** after the expiration of the period fixed
19 in the written order [of the authorizing division of the Court of Appeals or within forty-eight
20 (48) hours after the expiration] of any extension or renewal granted [by the authorizing
21 division of the Court of Appeals], be deposited with the authorizing Division of the Court of
22 Appeals **AND/OR REGIONAL TRIAL COURT** in a sealed envelope or sealed package, as
23 the case may be, and shall be accompanied by [a] **THE** [joint] affidavit of the applicant [police
24 or law enforcement official and the members of his team] **LAW ENFORCEMENT OR**
25 **MILITARY PERSONNEL.**

26
27 [In case of death of the applicant or in case he is physically disabled to execute the required
28 affidavit, the one next in rank to the applicant among the members of the team named in the
29 written order of the authorizing division of the Court of Appeals shall execute with the
30 members of the team that required affidavit.]

31
32 It shall be unlawful for any person, police officer or any custodian of the tapes, discs and
33 recording, [and their excerpts and summaries, written notes or memoranda to copy in
34 whatever form], to **INTENTIONALLY ALTER**, remove, delete, expunge, incinerate, shred or
35 destroy in any manner the items enumerated above in whole or in part under any pretext
36 whatsoever.

37
38 Any person who **INTENTIONALLY ALTERS**, removes, deletes, expunges, incinerates,
39 shreds or destroys the items enumerated above shall suffer a penalty of not less than six years
40 and one day to twelve (12) years of imprisonment.

41
42 SECTION 13. Section 12 of the same Act is hereby re-numbered and amended to read as
43 follows:

44
45 "Section [12] **13. Contents of [Joint] THE Affidavit.** - The [joint] affidavit of the [police
46 or of the law enforcement official and the individual members of his team] **LAW**
47 **ENFORCEMENT OR MILITARY PERSONNEL** shall state: (a) the number of tapes, discs,
48 and recordings that have been made, [as well as the number of excerpts and summaries
49 thereof and the number of written notes and memoranda, if any, made in connection
50 therewith]; **AND** (b) the dates and times covered by each of such tapes, discs, and recordings.
51 [; (c) the number of tapes, discs, and recordings, as well as the number of excerpts and
52 summaries thereof and the number of written notes and memoranda made in connection

1 therewith that have been included in the deposit; and (d) the date of the original written
2 authorization granted by the Anti-Terrorism Council to the applicant to file the *ex parte*
3 application to conduct the tracking down, tapping, intercepting, and recording, as well as the
4 date of any extension or renewal of the original written authority granted by the authorizing
5 division of the Court of Appeals.]

6
7 [The joint affidavit shall also certify under oath that no duplicates or copies of the whole or
8 any part of any of such tapes, discs, and recordings, and that no duplicates or copies of the
9 whole or any part of any of such excerpts, summaries, written notes, and memoranda, have
10 been made, or, if made, that all such duplicates and copies are included in the sealed envelope
11 or sealed package, as the case may be, deposited with the authorizing division of the Court of
12 Appeals.]

13
14 [It shall be unlawful for any person, police or law enforcement official to omit or exclude from
15 the joint affidavit any item or portion thereof mentioned in this Section.]

16
17 [Any person, police or law enforcement officer who violates any of the acts prescribed in the
18 preceding paragraph shall suffer the penalty of not less than ten (10) years and one day to
19 twelve (12) years of imprisonment.]

20
21 SECTION 14. Section 13 of the same Act is hereby re-numbered and amended to read as
22 follows:

23
24 “Section [13] **14. Disposition of Deposited Material.** -The sealed envelope or sealed
25 package and the contents thereof, which are deposited [with the authorizing division of the
26 Court of Appeals,] **IN ACCORDANCE WITH SECTION 12 HEREOF**, shall be deemed and
27 are hereby declared classified information, and the sealed envelope or sealed package shall
28 not be opened and its contents [(including the tapes, discs, and recordings and all the excerpts
29 and summaries thereof and the notes and memoranda made in connection therewith)] shall
30 not be divulged, revealed, read, replayed, or used as evidence unless authorized by [written
31 order of] the authorizing division of the Court of Appeals **OR THE REGIONAL TRIAL**
32 **COURT**, which [written order] shall be granted only upon a written application of the
33 Department of Justice [filed before the authorizing division of the Court of Appeals and only
34 upon a showing that the Department of Justice has been duly authorized in writing by the
35 Anti-Terrorism Council to file the application with proper written notice the person whose
36 conversation, communication, message discussion or spoken or written words have been the
37 subject of surveillance, monitoring, recording and interception to open, reveal, divulge, and
38 use the contents of the sealed envelope or sealed package as evidence.].

39
40 [Any person, law enforcement official or judicial authority who violates his duty to notify in
41 writing the persons subject of the surveillance as defined above shall suffer the penalty of six
42 years and one day to eight years of imprisonment.]

43
44 SECTION 15. Section 14 of the same Act is hereby re-numbered and amended to read as
45 follows:

46
47 “Section [14] **15. Application to Open Deposited Sealed Envelope or Sealed Package.** -
48 The written application [with notice to the party concerned] to open the deposited sealed
49 envelope or sealed package shall [clearly] state the purpose or reason: (a) for ITS opening [the
50 sealed envelope or sealed package; (b) for revealing or disclosing its classified contents; (c)]
51 **(B)** for replaying, divulging, and or reading any of the listened to, intercepted, and recorded
52 communications, messages, conversations, discussions, or spoken or written words

1 [(including any of the excerpts and summaries thereof and any of the notes or memoranda
2 made in connection therewith)]; and, [(d)] (C) for using any of said listened to, intercepted,
3 and recorded communications, messages, conversations, discussions, or spoken or written
4 words [(including any of the excerpts and summaries thereof and any of the notes or
5 memoranda made in connection therewith)] as evidence.

6
7 [Any person, law enforcement official or judicial authority who violates his duty to notify as
8 defined above shall suffer the penalty of six years and one day to eight years of
9 imprisonment.]

10
11 SECTION 16. Section 15 of the same Act is hereby re-numbered and amended to read as
12 follows:

13
14 “Section [15] 16. *Evidentiary Value of Deposited Materials.* - Any listened to,
15 intercepted, and recorded communications, messages, conversations, discussions, or spoken
16 or written words, or any part or parts thereof, or any information or fact contained therein,
17 including their existence, content, substance, purport, effect, or meaning, which have been
18 secured in violation of the [pertinent] provisions of this Act, shall [absolutely] not be
19 admissible [and usable] as evidence against anybody in any judicial, quasi-judicial, legislative,
20 or administrative investigation, inquiry, proceeding, or hearing.

21
22 SECTION 17. Section 16 of the same Act is hereby **REPEALED**.

23
24 SECTION 18. Section 17 of the same Act is hereby amended and new subsections designated
25 as subsections 17-A and 17-B are hereby added to read as follows:

26
27 “Section 17. *Proscription of INDIVIDUAL TERRORIST, Terrorist Organizations,*
28 *Association, or Group of Persons.* - Any INDIVIDUAL, organization, association, or group of
29 persons **WHO VIOLATE SECTION 4, 5, 5(A), 5(B), 5(C), 5(D), 5(E), AND ANY**
30 **INDIVIDUAL, ORGANIZATION, OR GROUP OF PERSONS** organized for the purpose of
31 engaging in terrorism, [or which, although not organized for that purpose, actually uses the
32 acts to terrorize mentioned in this Act or to sow and create a condition of widespread and
33 extraordinary fear and panic among the populace in order to coerce the government to give
34 in to an unlawful demand] shall, upon application of the Department of Justice before a
35 competent Regional Trial Court, [with due notice and opportunity to be heard given to the
36 organization, association, or group of persons concerned,] be declared as a terrorist and/OR
37 outlawed organization, association, or group of persons by the said [Regional Trial] Court.

38
39 **THE EX PARTE APPLICATION SHALL BE FILED WITH AN URGENT PRAYER**
40 **FOR THE ISSUANCE OF A PRELIMINARY ASSET PRESERVATION ORDER AND/OR**
41 **A PREMILINARY ORDER OF PROSCRIPTION.**

42
43 **NO APPLICATION FOR PROSCRIPTION WILL BE FILED WITHOUT THE**
44 **AUTHORITY OF THE ANTI-TERRORISM COUNCIL UPON THE**
45 **RECOMMENDATION OF THE NATIONAL INTELLIGENCE COORDINATING**
46 **AGENCY (NICA).**

47
48 **SECTION 17-A. ORDER OF PROSCRIPTION. - ASSET PRESERVATION ORDER.**
49 **WHERE THE REGIONAL TRIAL COURT JUDGE HAS DETERMINED THAT**
50 **PROBABLE CAUSE EXISTS ON THE BASIS OF THE VERIFIED EX PARTE PETITION**
51 **SUFFICIENT IN FORM AND SUBSTANCE, THE COURT WITHIN TWENTY FOUR (24)**
52 **HOURS FROM THE FILING OF THE APPLICATION MAY ISSUE A PRELIMINARY**
53 **ORDER OF PROSCRIPTION DECLARING THAT THE RESPONDENT THEREIN IS A**

1 TERRORIST OR TERRORIST ORGANIZATION WITHIN THE MEANING OF THIS
2 ACT.

3
4 THE PRELIMINARY ASSET PRESERVATION ORDER SHALL, EFFECTIVE
5 IMMEDIATELY, FORBID THE TRANSACTION, WITHDRAWAL, DEPOSIT,
6 TRANSFER, REMOVAL, CONVERSION, CONCEALMENT OR OTHER DISPOSITION
7 OF ANY PROPERTY OR FUNDS OWNED OR CONTROLLED BY THE PROSCRIBED
8 TERRORIST, ORGANIZATION, ASSOCIATION OR GROUP OF PERSONS, SUCH
9 ORDER SHALL BE EFFECTIVE FOR A PERIOD OF SIX (6) MONTHS FROM THE
10 RESPECTIVE DATES OF SERVICE TO RESPONDENT OR ANY PERSON ACTING IN
11 HIS BEHALF, AND UPON EACH INSTITUTION OR GOVERNMENT AGENCY IN
12 POSSESSION OF THE SUBJECT PROPERTY OR FUNDS.

13
14 THE COURT WILL SCHEDULE A SUMMARY HEARING AT A DATE AND TIME
15 WITHIN THE SIX-MONTH PERIOD AT WHICH THE RESPONDENT MAY FOR GOOD
16 CAUSE SHOW WHY THE ORDER OF PROSCRIPTION BE SET ASIDE, AND THE
17 ASSET PRESERVATION ORDER SHOULD BE LIFTED, THE COURT SHALL
18 DETERMINE WITHIN THE SAME PERIOD WHETHER THE QUESTIONED ORDERS
19 SHOULD BE MADE PERMANENT, SET ASIDE, MODIFIED OR BE LIFTED AS THE
20 CASE MAY BE.

21
22 SECTION 17-B. REQUEST TO PROSCRIBE FROM FOREIGN JURISDICTIONS
23 AND SUPRA-NATIONAL JURISDICTIONS. - CONSISTENT WITH THE NATIONAL
24 INTEREST, ALL REQUESTS FOR PROSCRIPTION MADE BY ANOTHER
25 JURISDICTION OR SUPRA-NATIONAL JURISDICTION SHALL BE REFERRED BY
26 THE DEPARTMENT OF FOREIGN AFFAIRS TO THE ANTI-TERRORISM COUNCIL
27 (ATC) TO DETERMINE, WITH THE ASSISTANCE OF THE NICA, IF PROSCRIPTION
28 UNDER SEC. 17 OF THIS ACT IS WARRANTED AND, IF SO, THE ATC SHALL
29 CORRESPONDINGLY COMMENCE PROSCRIPTION PROCEEDINGS THROUGH
30 THE DEPARTMENT OF JUSTICE."

31
32 SECTION 19. Section 18 of the same Act is hereby amended to read as follows:

33
34 "*Section 18. Period of Detention Without Judicial Warrant of Arrest.* - The provisions
35 of Article 125 of the Revised Penal Code to the contrary notwithstanding, any [police or] law
36 enforcement OR MILITARY personnel [, who, having been duly authorized in writing by the
37 Anti-Terrorism Council] has taken custody of a person [charged with or] suspected [of the
38 crime of terrorism or the crime of conspiracy to commit terrorism] OF COMMITTING ANY
39 CRIME IN SECTION 4, 5, 5(A), 5(B), 5(C), 5(D), 5(E), AND 5(F) HEREOF shall, without
40 incurring any criminal liability for delay in the delivery of detained persons to the proper
41 judicial authorities, deliver said [charged or suspected] ARRESTED person to the proper
42 judicial authority within a period of [three] THIRTY (30) days counted from the moment the
43 said [charged or suspected] person has been [apprehended or] arrested EXCLUDING
44 SATURDAYS, SUNDAYS, AND HOLIDAYS. [, detained, and taken into custody by the said
45 police, or law enforcement personnel: Provided, That the arrest of those suspected of the crime
46 of terrorism or conspiracy to commit terrorism must result from the surveillance under
47 Section 7 and examination of bank deposits under Section 27 of this Act.]

48
49 [The police or law enforcement personnel concerned shall, before detaining the person
50 suspected of the crime of terrorism, present him or her before any judge at the latter's
51 residence or office nearest the place where the arrest took place at any time of the day or night.
52 It shall be the duty of the judge, among other things, to ascertain the identity of the police or
53 law enforcement personnel and the person or persons they have arrested and presented before

1 him or her, to inquire of them the reasons why they have arrested the person and determine
2 by questioning and personal observation whether or not the suspect has been subjected to any
3 physical, moral or psychological torture by whom and why. The judge shall then submit a
4 written report of what he/she had observed when the subject was brought before him to the
5 proper court that has jurisdiction over the case of the person thus arrested. The judge shall
6 forthwith submit his/her report within three calendar days from the time the suspect was
7 brought to his/her residence or office.]

8
9 [Immediately after taking custody of a person charged with or suspected of the crime of
10 terrorism or conspiracy to commit terrorism, the police or law enforcement personnel shall
11 notify in writing the judge of the court nearest the place of apprehension or arrest: Provided
12 ,That where the arrest is made during Saturdays, Sundays, holidays or after office hours, the
13 written notice shall be served at the residence of the judge nearest the place where the accused
14 was arrested.]

15
16 [The penalty of ten (10) years and one day to twelve (12) years of imprisonment shall be
17 imposed upon the police or law enforcement personnel who fails to notify and judge as
18 Provided in the preceding paragraph.]

19
20 SECTION 20. Section 19 of the same Act is hereby amended and new subsections designated
21 as subsections 19-A, 19-B and 19-C are hereby added to read as follows:

22
23 *"Section. 19. Period of Detention in the Event of an Actual or Imminent Terrorist*
24 *Attack.* - In the event of an actual or imminent terrorist attack, suspects may [not] be detained
25 for more than [three] **THIRTY (30)** days [without the written approval of a municipal, city,
26 provincial or regional official of a Human Rights Commission or judge of the municipal,
27 regional trial court, the Sandiganbayan or a justice of the Court of Appeals nearest the place
28 of the arrest] **THE LAW ENFORCEMENT OR MILITARY PERSONNEL INCURRING**
29 **ANY CRIMINAL LIABILITY FOR DELAY OF DELIVERY OF DETAINED PERSONS TO**
30 **THE PROPER JUDICIAL AUTHORITIES UNDER ARTICLE 125 OF THE REVISED**
31 **PENAL CODE.** [If the arrest is made during Saturdays, Sundays, holidays or after office
32 hours, the arresting police or law enforcement personnel shall bring the person thus arrested
33 to the residence of any of the officials mentioned above that is nearest the place where the
34 accused was arrested. The approval in writing of any of the said officials shall be secured by
35 the police or law enforcement personnel concerned within five days after the date of the
36 detention of the persons concerned:] *Provided, however,* That within [three] **THIRTY (30)** days
37 after the detention the suspects, whose connection with the terror attack or threat is not
38 established, shall be released immediately, **OTHERWISE, SAID SUSPECTS SHALL**
39 **WITHIN THIRTY (30) DAYS AFTER THE ACTUAL OR IMMINENT TERRORIST**
40 **ATTACK CEASES, EXCLUDING SATURDAYS, SUNDAYS, AND HOLIDAYS, BE**
41 **DELIVERED TO THE PROPER JUDICIAL AUTHORITY.**

42
43 **SECTION 19-A. ARREST OF UNWILLING MATERIAL WITNESS. - WHEN**
44 **THERE IS NO OTHER MATERIAL WITNESS, UPON APPLICATION OF THE**
45 **DEPARTMENT OF JUSTICE, THE COURT MAY ISSUE AN ARREST WARRANT OF A**
46 **MATERIAL WITNESS IN ORDER TO SECURE HIS OR HER TESTIMONY IN**
47 **CONNECTION WITH THE INVESTIGATION OR PROSECUTION OF ANY OFFENSE**
48 **UNDER THIS ACT.**

49
50 **TO OBTAIN THE ARREST WARRANT, THE DOJ SHALL ESTABLISH TO THE**
51 **COURT'S SATISFACTION THAT THE PERSON IN QUESTION HAS MATERIAL**
52 **INFORMATION NECESSARY TO THE INVESTIGATION OR PROSECUTION UNDER**
53 **THIS ACT.**

1 **SECTION 19-B. SUSPENSION/CANCELLATION OF PASSPORT - THE**
2 **DEPARTMENT OF FOREIGN AFFAIRS, BASED ON REASONABLE GROUND OF**
3 **SUSPICION, MAY SUSPEND OR CANCEL THE PASSPORT OF A CITIZEN**
4 **SUSPECTED OF ANY CRIME IN SECTION 4, 5, 5(A), 5(B), 5(C), 5(D), 5(E), AND 5(F)**
5 **HEREOF.**

6
7 **SECTION 19-C. ISSUANCE OF HOLD DEPARTURE ORDER - UPON FILING OF**
8 **THE INFORMATION FOR ANY CRIME IN SECTION 4, 5, 5(A), 5(B), 5(C), 5(D), 5(E), AND**
9 **5(F) HEREOF, THE COURT SHALL IMMEDIATELY ISSUE A HOLD DEPARTURE**
10 **ORDER AGAINST ANY PERSON SO CHARGED.**

11
12 **SECTION 21. Sections 20, 21, 22, 23, 24, and 25 of the same Act are hereby REPEALED:**

13
14 **SECTION 22. Section 26 of the same Act is hereby re-numbered and amended to read as**
15 **follows:**

16
17 **"Section [26] 20. [Restriction] CONDITIONS on Travel WHILE ON BAIL. - In cases**
18 **where evidence of guilt is not strong, and the person charged with [the crime of terrorism or**
19 **conspiracy to commit terrorism is entitled to bail and is granted the same,] ANY CRIME IN**
20 **SECTION 4, 5, 5(A), 5(B), 5(C), 5(D), 5(E), AND 5(F), the court, upon application by the**
21 **prosecutor, shall limit the [right of] travel of the accused to within the municipality or city**
22 **[where he resides or] where the case is pending. [, in the interest of national security and**
23 **public safety, consistent with Article III, Section 6 of the Constitution.] THE COURT SHALL**
24 **IMMEDIATELY FURNISH THE DEPARTMENT OF JUSTICE AND THE BUREAU OF**
25 **IMMIGRATION WITH THE COPY OF SAID ORDER. Travel outside of said municipality**
26 **or city, without the authorization of the court, shall be deemed a violation of the terms and**
27 **conditions of his/HER bail. [, which shall then be forfeited as provided under the Rules of**
28 **Court.]**

29
30 **[He/she may also be placed under house arrest by order of the court at his or her usual place**
31 **of residence.]**

32
33 **[While under house arrest, he or she may not use telephones, cellphones, e-mails, computers,**
34 **the internet or other means of communications with people outside the residence until**
35 **otherwise ordered by the court.]**

36
37 **The restrictions abovementioned shall be terminated upon the acquittal of the accused or of**
38 **the dismissal of the case filed against him. [or earlier upon the discretion of the court on**
39 **motion of the prosecutor or of the accused.]"**

40
41 **SECTION 23. A new Section 21 is hereby added to read as follows:**

42
43 **"SECTION 21. BANK INQUIRY AND EXAMINATION. - BANK INQUIRY AND**
44 **EXAMINATION INTO BANK ACCOUNTS AND INVESTMENT SHALL BE IN**
45 **ACCORDANCE WITH REPUBLIC ACT NO. 9160, OTHERWISE KNOWN AS THE**
46 **"ANTI-MONEY LAUNDERING ACT OF 2001, AS AMENDED" IN RELATION TO**
47 **REPUBLIC ACT 10168, OTHERWISE KNOWN AS "TERRORISM FINANCING**
48 **PREVENTION AND SUPPRESSION ACT OF 2012".**

49
50 **SECTION 24. Sections 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, and 45 of**
51 **the same Act are hereby REPEALED.**

52
53 **SECTION 25. A new Section 22 is hereby added to read as follows:**

1 "Section 22. **FREEZING AND FORFEITURE. - EXCEPT THOSE COVERED BY**
2 **SECTION 17-A, THE FREEZE AND FORFEITURE OF PROPERTIES OR FUNDS AS**
3 **HEREIN DEFINED THAT ARE IN ANY WAY RELATED TO TERRORISM SHALL BE IN**
4 **ACCORDANCE WITH REPUBLIC ACT NO. 9160, OTHERWISE KNOWN AS THE**
5 **"ANTI-MONEY LAUNDERING ACT OF 2001, AS AMENDED" AND THE RULES OF**
6 **PROCEDURE IN CASES OF CIVIL FORFEITURE, ASSET PRESERVATION AND**
7 **FREEZE."**

8
9 SECTION 26. Section 46 of the same Act is hereby re-numbered and amended to read as
10 follows:

11
12 "Section [46] **23. *Penalty for Unauthorized Revelation of Classified Materials.*** - The
13 penalty of [ten (10) years and one day to twelve (12) years] **SIX (6) MONTHS AND ONE (1)**
14 **DAY TO SIX (6) YEARS** of imprisonment shall be imposed upon any person, [police or] law
15 enforcement **OR MILITARY PERSONNEL** [agent], judicial officer or civil servant who, not
16 being authorized by the Court of Appeals **AND/OR REGIONAL TRIAL COURT** to do so,
17 reveals in any manner or form any classified information under this Act.

18
19 SECTION 27. Section 47 of the same Act is hereby re-numbered to read as follows:

20
21 "Section [47] **24. *Penalty of Furnishing False Evidence, Forged Document, or Spurious***
22 ***Evidence.*** - The penalty of twelve (12) years and one (1) day to twenty (20) years of
23 imprisonment shall be imposed upon any person who knowingly furnishes false testimony,
24 forged document or spurious evidence in any investigation or hearing under this Act."

25
26 SECTION 28. Sections 48, 49, 50, and 51 of the same Act are hereby **REPEALED**.

27
28 SECTION 29. A new Section 25 is hereby added to read as follows:

29
30 "**SECTION 25. *SPECIAL FACILITY.*** - **ANY PERSON ARRESTED, CHARGED,**
31 **TRIED, OR CONVICTED UNDER THIS ACT SHALL BE HELD, DETAINED OR**
32 **IMPRISONED IN A SPECIAL FACILITY ESTABLISHED BY THE STATE."**

33
34 SECTION 30. A new Section 26 is hereby added to read as follows:

35
36 "**SECTION 26. *COUNTERING VIOLENT EXTREMISM IN SCHOOLS.*** - **THE**
37 **DEPARTMENT OF EDUCATION (DEPED), COMMISSION ON HIGHER EDUCATION**
38 **(CHED), AND TECHNICAL EDUCATION AND SKILLS DEVELOPMENT AUTHORITY**
39 **(TESDA) SHALL PROMULGATE RULES AND REGULATIONS ON THE OPERATION**
40 **OF SCHOOLS OR LEARNING CENTERS THAT WILL ENSURE THE LATTER ARE NOT**
41 **BEING USED TO PROPAGATE VIOLENT EXTREMISM IDEOLOGY. ANY SCHOOL**
42 **FOUND VIOLATING THE SAME SHALL BE SUBJECT TO ADMINISTRATIVE**
43 **PENALTY."**

44
45 SECTION 31. A new Section 27 is hereby added to read as follows:

46
47 "**SECTION 27. *COUNTERING VIOLENT EXTREMISM IN SOCIAL MEDIA.*** - **ALL**
48 **DEPARTMENTS OF THE COUNCIL MEMBERS SHALL ESTABLISH A SOCIAL MEDIA**
49 **SECTION TO COUNTER VIOLENT EXTREMISM IN SOCIAL MEDIA."**

50
51 SECTION 32. Section 52 of the same Act is hereby re-numbered and amended to read as
52 follows:

1 "Section [52] **28. Applicability of the Revised Penal Code.** - The provisions [of Book I]
2 of the Revised Penal Code shall [be applicable] **APPLY SUPPLETORILY** to this Act."

3
4 **SECTION 33.** Section 53 of the same Act is hereby re-numbered and amended to read as
5 follows:

6
7 "Section [53] **29. Anti-Terrorism Council.** - An Anti-Terrorism Council, hereinafter
8 referred to, for brevity, as the "Council," is hereby created. The members of the Council are:
9 (1) the Executive Secretary, who shall be its Chairperson; (2) the Secretary of Justice, who shall
10 be its Vice Chairperson; and (3) the Secretary of Foreign Affairs; (4) the Secretary of National
11 Defense; (5) the Secretary of the Interior and Local Government; (6) the Secretary of Finance;
12 [and] (7) the National Security Advisor; (8) **THE SECRETARY OF INFORMATION AND**
13 **COMMUNICATIONS TECHNOLOGY;** (9) **THE SECRETARY OF SCIENCE AND**
14 **TECHNOLOGY;** (10) **THE SECRETARY OF TRANSPORTATION;** (11) **SECRETARY OF**
15 **LABOR AND EMPLOYMENT;** AND (12) **SECRETARY OF EDUCATION** as its other
16 members.

17
18 The Council shall implement this Act and assume the responsibility for the proper and
19 effective implementation of the anti-terrorism policy of the country. The Council shall keep
20 records of its proceedings and decisions. All records of the Council shall be subject to such
21 security classifications as the Council may, in its judgment and discretion, decide to adopt to
22 safeguard the safety of the people, the security of the Republic, and the welfare of the nation.

23
24 The National Intelligence Coordinating Agency shall be the Secretariat of the Council. The
25 Council shall define the powers, duties, and functions of the National Intelligence
26 Coordinating Agency as Secretariat of the Council.

27
28 **THERE IS HEREBY CREATED AN ANTI-TEERORISM COUNCIL - PROGRAM**
29 **MANAGEMENT CENTER (ATC-PMC) WHICH SHALL: (A) DIRECTLY ADMINISTER,**
30 **CONTROL AND SUPERVISE THE PERFORMANCE OF THE OPERATIONAL**
31 **FUNCTIONS AND DUTIES OF THE COUNCIL; (B) DIRECTLY ASSIST THE COUNCIL**
32 **IN THE IMPLEMENTATION OF THE COUNCIL AS HEREIN STATED; (C) ACT AS THE**
33 **COORDINATOR OF THE COUNCIL IN THE PROPER EXECUTION OF ALL**
34 **DIRECTIVES OF THE COUNCIL; D (D) PERFORM SUCH OTHER FUNCTIONS AND**
35 **DUTIES AS DIRECTED BY THE COUNCIL.** [The National Bureau of Investigation, the
36 Bureau of Immigration, the Office of Civil Defense, the Intelligence Service of the Armed
37 Forces of the Philippines, the Anti-Money Laundering Council, the Philippine Center on
38 Transnational Crime, and the Philippine National Police intelligence and investigative
39 elements shall serve as support agencies for the Council.]

40
41 **ALL THE DEPARTMENTS THAT EACH COUNCIL MEMBER HEADS TO**
42 **INCLUDE AGENCIES UNDER THEM, OTHER DEPARTMENT, AGENCIES SHALL**
43 **SERVE AS SUPPORT AGENCIES FOR THE COUNCIL, AS FOLLOWS:**

44
45 **DEPARTMENT OF JUSTICE**

46
47 **DEPARTMENT OF FOREIGN AFFAIRS**

48
49 **DEPARTMENT OF NATIONAL DEFENSE**

50
51 **DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT**

52
53 **DEPARTMENT OF FINANCE**

1 DEPARTMENT OF INFORMATION AND COMMUNICATIONS
2 TECHNOLOGY

3
4 DEPARTMENT OF SCIENCE AND TECHNOLOGY

5
6 DEPARTMENT OF EDUCATION

7
8 DEPARTMENT OF TRANSPORTATION

9
10 DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

11
12 DEPARTMENT OF TRADE AND INDUSTRY

13
14 ANTI-MONEY LAUNDERING COUNCIL

15
16 PHILIPPINE CENTER ON TRANSNATIONAL CRIME

17
18 SUCH OTHER OFFICES, AGENCIES, OR UNITS AS NECESSARY.
19

20 The Council shall formulate and adopt comprehensive, adequate, efficient, and effective anti-
21 terrorism plans, programs, [and counter-]OR measures to COUNTER suppress [and]OR
22 eradicate terrorism in the country and to protect the people from acts of terrorism. Nothing
23 herein shall be interpreted to empower the Anti-Terrorism Council to exercise any judicial or
24 quasi-judicial power or authority.
25

26 SECTION 34. Section 54 of the same Act is hereby re-numbered and amended to read as
27 follows:
28

29 "Section [54] 30. *Functions of the Council.* - In pursuit of its mandate in the previous
30 Section, the Council shall have the following functions [with due regard for the rights of the
31 people as mandated by the Constitution and pertinent laws]:
32

33 1. Formulate and adopt plans, programs and counter-measures against terrorists and
34 acts of terrorism in the country;
35

36 2. Coordinate all national efforts to suppress and eradicate acts of terrorism in the
37 country and mobilize the entire nation against terrorism prescribed in this Act;
38

39 3. [Direct the speedy investigation] **MONITOR THE PROGRESS OF THE** and
40 prosecution of all persons accused AND/or detained for the crimeS of [terrorism or
41 conspiracy to commit terrorism and other offenses punishable under this Act, and
42 monitor the progress of their cases] **DEFINED AND PENALIZED UNDER SECTION**
43 **4, 5, 5(A), 5(B), 5(C), 5(D), 5(E), AND 5(F) HEREOF;**
44

45 4. Establish and maintain comprehensive data-base information system on terrorism,
46 terrorist activities, and counter-terrorism operations;
47

48 5. **ENLIST THE ASSISTANCE OF ANTI-MONEY LAUNDERING COUNCIL TO**
49 freeze AND FORFEIT the funds property, bank deposits, placements, trust accounts,
50 assets, and [records] **PROPERTY OF WHATEVER KIND AND NATURE** belonging
51 (I) to a person suspected of or charged with [the] **ANY** crime [of terrorism or
52 conspiracy to commit terrorism] **DEFINED AND PENALIZED UNDER SECTION 4,**
53 **5, 5(A), 5(B), 5(C), 5(D), 5(E), AND 5(F) HEREOF, (II) TO DESIGNATED PERSONS**

1 DEFINED UNDER SECTION 3(E) OF REPUBLIC ACT NO. 10168, OTHERWISE
2 KNOWN AS THE "TERRORISM FINANCING PREVENTION AND
3 SUPPRESSION ACT OF 2012"; (III) TO AN INDIVIDUAL MEMBER OF SUCH
4 DESIGNATED PERSONS; OR (IV) ANY PERSON PROSCRIBED UNDER
5 SECTION 17, 17-A AND 17-B, pursuant to Republic Act No. 9160, otherwise known
6 as the Anti-Money Laundering Act of 2001, as amended;
7

8 6. Grant monetary rewards and other incentives to informers who give vital
9 information leading to the [apprehension,] arrest, detention, prosecution, and
10 conviction of person or persons who are liable for the crimeS [of terrorism or
11 conspiracy to commit terrorism] DEFINED AND PENALIZED UNDER SECTION 4,
12 5, 5(A), 5(B), 5(C), 5(D), 5(E), AND 5(F) HEREOF, PROVIDED THAT NO
13 MONETARY REWARD SHALL BE GRANTED TO INFORMERS UNLESS THE
14 ACCUSED'S DEMURRER TO EVIDENCE HAS BEEN DENIED OR
15 PROSECUTION HAS RESTED ITS CASE WITHOUT SUCH DEMURRES
16 HAVING BEEN FILED;
17

18 7. Establish and maintain coordination with and the cooperation and assistance of
19 other nations in the struggle against international terrorism; [and]
20

21 7-A. TAKE ACTION ON RELEVANT RESOLUTIONS ISSUED BY THE
22 UNITED NATIONS SECURITY COUNCIL ACTING UNDER CHAPTER VII OF
23 THE UN CHARTER; AND CONSISTENT WITH THE NATIONAL INTEREST,
24 TAKE ACTION ON FOREIGN REQUESTS TO DESIGNATE TERRORIST,
25 INDIVIDUALS, ASSOCIATIONS, ORGANIZATIONS OR GROUP OF
26 PERSONS;
27

28 7-B. TAKE MEASURES TO PREVENT TERRORISTS FROM ACQUIRING
29 WEAPONS OF MASS DESTRUCTION SUCH AS, BUT NOT LIMITED TO THE
30 IMPOSITION OF ECONOMIC AND FINANCIAL SANCTIONS AND IMPORT
31 RESTRICTIONS.
32

33 [8. Request the Supreme Court to designate specific divisions of the Court of Appeals
34 and Regional Trial Courts in Manila, Cebu City and Cagayan de Oro City, as the case
35 may be, to handle all cases involving the crime of terrorism or conspiracy to commit
36 terrorism and all matters incident to said crimes. The Secretary of Justice shall assign
37 a team of prosecutors from: (a) Luzon to handle terrorism cases filed in the Regional
38 Trial Court in Manila; (b) from the Visayas to handle cases filed in Cebu City; and (c)
39 from Mindanao to handle cases filed in Cagayan de Oro City.]
40

41 8. CALL UPON OTHER GOVERNMENT AGENCIES, NON-GOVERNMENT
42 ORGANIZATIONS AND PRIVATE ENTITIES FOR ASSISTANCE IN THE
43 PERFORMANCE OF ITS MANDATE."
44

45 SECTION 35. Sections 55 and 56 of the same Act are hereby **REPEALED**.
46

47 SECTION 36. Section 57 of the same Act is hereby re-numbered and amended to read as
48 follows:
49

50 "Section [57] 31. *Ban on Extraordinary Rendition*. – No person suspected, **CHARGED**
51 or convicted of the crime of terrorism shall be subjected to extraordinary rendition to any
52 country unless his or her testimony is needed for terrorist related police investigations or
53 judicial trials in the said country and unless his or her [human] rights [, including the right

1 against torture, and right to counsel,]UNDER ARTICLE III OF THE CONSTITUTION are
2 officially assured by the requesting country and transmitted accordingly and approved by the
3 Department of Justice.

4
5 SECTION 37. Section 58 of the same Act is hereby re-numbered and amended to read as
6 follows:

7
8 “Section [58] **32. Extra-Territorial Application of this Act.** - Subject to the provision of
9 an existing treaty of which the Philippines is a [signatory]STATE PARTY and to any contrary
10 provision of any law of preferential application, the provisions of this Act shall apply: (1) to
11 individual persons who commit any of the crimes defined and punished in [this]SECTION 4,
12 **5, 5(A), 5(B), 5(C), 5(D), 5(E), AND 5(F) OF THIS** Act within the terrestrial domain, interior
13 waters, maritime zone, and airspace of the Philippines; **OR** (2) to individual persons who,
14 although physically outside the territorial limits of the Philippines, commit, conspire or plot
15 to commit any of the crimes defined and punished in [this]SECTION 4, **5, 5(A), 5(B), 5(C),**
16 **5(D), 5(E), AND 5(F) OF THIS** Act **(I)** inside the territorial limits of the Philippines; [(3) to
17 individual persons who, although physically outside the territorial limits of the Philippines,
18 commit any of the said crimes] **(II)** on board Philippine ship or Philippine airship; [(4) to
19 individual persons who commit any of said crimes] **(III)** within any embassy, consulate, or
20 diplomatic premises belonging to or occupied by the Philippine government in an official
21 capacity; [(5) to individual persons who, although physically outside the territorial limits of
22 the Philippines, commit said crimes]**(IV)** against Philippine citizens or persons of Philippines
23 descent, where their citizenship or ethnicity was a factor in the commission of the crime; and
24 [(6) to individual persons who, although physically outside the territorial limits of the
25 Philippines, commit said crimes]**(V)** directly against the Philippine government, **AND (3) TO**
26 **INDIVIDUAL PERSONS WHO, ALTHOUGH PHYSICALLY OUTSIDE THE**
27 **TERRITORIAL LIMITS OF THE PHILIPPINES, COMMIT ANY OF THE CRIME**
28 **DEFINED AND PUNISHED IN SECTION 5(E) HEREOF AND SHALL THEREAFTER**
29 **RETURN OR ENTER PHILIPPINE TERRITORY.**

30
31 **IN CASE OF AN ALIEN WHOSE EXTRADITION IS WITHIN THE SCOPE OF**
32 **ANY OF THE TREATIES OF WHICH THE REPUBLIC OF THE PHILIPPINES IS A STATE**
33 **PARTY, AND THAT ALIEN IS NOT EXTRADITED TO THE REQUESTING STATE, THE**
34 **REPUBLIC OF THE PHILIPPINES, WITHOUT EXCEPTION WHATSOEVER AND**
35 **WHETHER OR NOT THE OFFENSE WAS COMMITTED IN THE PHILIPPINES, SHALL**
36 **SUBMIT THE CASE WITHOUT UNDUE DELAY TO THE DEPARTMENT OF JUSTICE**
37 **FOR THE PURPOSE OF PROSECUTION IN THE SAME MANNER AS IF THE ACT**
38 **CONSTITUTING THE OFFENSE HAD BEEN COMMITTED IN THE PHILIPPINES, IN**
39 **WHICH CASE, THE COURTS IN THE CITY OF MANILA, PHILIPPINES SHALL HAVE**
40 **JURISDICTION OVER THE OFFENSE.**

41
42 SECTION 38. Section 59 of the same Act is hereby re-numbered and new subsection
43 designated as 33-A is hereby added to read as follows:

44
45 “Section [59] **33. Joint Oversight Committee.** - There is hereby created a Joint
46 Oversight Committee to oversee the implementation of this Act.

47
48 The Oversight Committee shall be composed of five members each from the Senate
49 and the House in addition to the Chairs of the Committees of Public Order of both Houses
50 who shall also Chair the Oversight Committee in the order specified herein. The membership
51 of the Committee for every House shall at least have two opposition or minority members.
52 The Joint Oversight Committee shall have its own independent counsel.

1 The Chair of the Committee shall rotate every six months with the Senate chairing it
2 for the first six months and the House for the next six months. In every case, the ranking
3 opposition or minority member of the Committee shall be the Vice Chair.
4

5 Upon the expiration of one year after this Act is approved by the President, the
6 Committee shall review the Act particularly the provision that authorize the surveillance of
7 suspects of or persons charged with the crime of terrorism. To that end, the Committee shall
8 summon the police and law enforcement officers and the members of the Anti-Terrorism
9 Council and require them to answer questions from the members of Congress and to submit
10 a written report of the acts they have done in the implementation of the law including the
11 manner in which the persons suspected of or charged with the crime of terrorism have been
12 dealt with in their custody and from the date when the movements of the latter were subjected
13 to surveillance and his or her correspondences, messages, conversations and the like were
14 listened to or subjected to monitoring, recording and tapping.
15

16 Without prejudice to its submitting other reports, the Committee shall render a
17 semiannual report to both Houses of Congress. The report may include where necessary a
18 recommendation to reassess the effects of globalization on terrorist activities on the people,
19 provide a sunset clause to or amend any portion of the Act or to repeal the Act in its entirety.
20 The courts dealing with anti-terrorism cases shall submit to Congress and the President a
21 report every six months of the status of anti-terrorism cases that have been filed with them
22 starting from the date this Act is implemented.
23

24 **SECTION 33-A. IMPLEMENTING RULES AND REGULATIONS. - WITHIN SIX (6)**
25 **MONTHS FROM THE EFFECTIVITY OF THIS ACT, THE ANTI-TERRORISM COUNCIL**
26 **SHALL PROMULGATE RULES AND REGULATIONS TO IMPLEMENT EFFECTIVELY**
27 **THE PROVISIONS OF THIS ACT."**
28

29 SECTION 39. Section 60 of the same Act is hereby re-numbered to read as follows:
30

31 "Section [60] **34. Separability Clause.** - If for any reason any part or provision of this
32 Act is declared unconstitutional or invalid, the other parts or provisions hereof which are not
33 affected thereby shall remain and continue to be in full force and effect.
34

35 SECTION 40. Section 61 of the same Act is hereby re-numbered to read as follows:
36

37 "Section [61] **35. Repealing Clause.** - All laws, decrees, executive orders, rules or
38 regulations or parts thereof, inconsistent with the provisions of this Act are hereby
39 **EXPRESSLY** repealed, amended, or modified accordingly.
40

41 SECTION 41. Section 62 of the same Act is hereby re-numbered and amended to read as
42 follows:
43

44 "Section [62] **36. [Special] Effectivity Clause.** - **THIS ACT SHALL TAKE EFFECT**
45 **FIFTEEN (15) DAYS AFTER ITS COMPLETE PUBLICATION IN THE OFFICIAL**
46 **GAZETTE OR IN AT LEAST TWO (2) NEWSPAPERS OF GENERAL CIRCULATION.**
47 [After the bill shall have been signed into law by the President, the Act shall be published in
48 three newspapers of national circulation; three newspapers of local circulation, one each in
49 Ilocos Norte, Baguio City and Pampanga; three newspapers of local circulation, one each in
50 Cebu, Iloilo and Tacloban; and three newspapers of local circulation, one each in Cagayan de
51 Oro, Davao and General Santos city.]
52

1 [The title of the Act and its provisions defining the acts of terrorism that are punished shall be
2 aired everyday at primetime for seven days, morning, noon and night over three national
3 television and radio networks; three radio and television networks, one each in Cebu,
4 Tacloban and Iloilo; and in five radio and television networks, one each in Lanao del Sur,
5 Cagayan de Oro, Davao City, Cotabato City and Zamboanga City. The publication in the
6 newspapers of local circulation and the announcements over local radio and television
7 networks shall be done in the dominant language of the community.]

8
9 [After the publication required above shall have been done, the Act shall take effect two
10 months after the elections are held in May 2007.]

11
12 [Thereafter, the provisions of this Act shall be automatically suspended one month before and
13 two months as after the holding of any election.]

14
15 Approved,