

University of Makati

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College of Computing Information Sciences

IT Programs

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IV - Bins

INFORMATION SECURITY LAWS

1. General Computer Online Laws

REPUBLIC ACT NO. 10175

AN ACT DEFINING CYBERCRIME, PROVIDING FOR THE PREVENTION, INVESTIGATION, SUPPRESSION AND THE IMPOSITION OF PENALTIES THEREFOR AND FOR OTHER PURPOSES.

Punishment:

Any person found guilty of any of the punishable acts enumerated in Sections 4(a) and 4(b) of this Act shall be punished with imprisonment of *prison mayor* or a fine of at least Two hundred thousand pesos (PhP200,000.00) up to a maximum amount commensurate to the damage incurred or both.

2. Privacy

Data Privacy Act of 2012

An Act Protecting Individual Personal Information in Information and Communications Systems in the Government and the Private Sector, Creating for this Purpose a National Privacy Commission, and for Other Purposes

Punishment:

Imprisonment ranging from one to three years and a fine of PHP 500,000 to PHP 2,000,000

3. Health Insurance portability and Accountability Act (HIPAA)

The Privacy Rule standards address the use and disclosure of individuals' *protected health information (PHI)* by entities subject to the rule. These individuals and organizations are called "Covered entities."

Punishment:

The penalty is up to **2,777,030.45 PHP** and imprisonment up to 1 year. For offenses committed under pretenses, the penalty is up to **5,562,280 PHP** with imprisonment of up to 5 years.

4. Export and espionage Laws

AN ACT EXPANDING THE COVERAGE OF ESPIONAGE, AMENDING FOR THE PURPOSE COMMONWEALTH ACT NO. 616, OTHERWISE KNOWN AS "AN ACT TO PUNISH ESPIONAGE AND OTHER OFFENSES AGAINST THE NATIONAL SECURITY", AND PROVIDING HIGHER PENALTIES FOR VIOLATIONS THEREOF

Punishment:

Espionage is meted with the penalty of prison coercitory imprisonment from six months and one day to six years.

5. Copyright Law

The Copyright Act grants exclusive rights to copyright owners that, together, comprise the bundle of rights known as copyright. Specifically, the law grants copyright owners the following copyright exclusive rights, subject to certain limitations and exceptions:

Punishment:

As a criminal offense, copyright infringement is punishable by imprisonment ranging from one (1) year to nine (9) years and a fine ranging from Fifty Thousand Pesos (P50,000.00) to One Million Five Hundred Thousand Pesos (P1,500,000.00)

6. Financial Reporting Law

The Financial Reporting Act 2013 provides for various matters relating to financial reporting duties under other enactments. It defines key financial reporting concepts, for example, generally accepted accounting practice, financial statements and group financial statements.

Punishment:

Any person who, with malice, or in bad faith, reports or files a completely unwarranted or false information relative to money laundering transaction against any person shall be subject to a penalty of six (6) months to four (4) years imprisonment and a fine of not less than one hundred thousand Philippine pesos

7. Freedom of Information Act Law

The Freedom of Information Act (FOIA) generally provides that any person has the right to request access to federal agency records or information except to the extent the records are protected from disclosure by any of nine exemptions contained in the law or by one of three special law enforcement record exclusions.

Punishment:

Failure to comply with the provisions of this Manual shall be a ground for the following administrative penalties: a. 1st Offense – Reprimand; b. 2nd Offense – Suspension of one (1) to thirty (30) days; and c.

8. Cybercrime Law

AN ACT DEFINING CYBERCRIME, PROVIDING FOR THE PREVENTION, INVESTIGATION, SUPPRESSION AND THE IMPOSITION OF PENALTIES THEREFOR AND FOR OTHER PURPOSES

Punishment:

Any person found guilty of any of the punishable acts enumerated in Section 4(c)(1) of this Act shall be punished with imprisonment of *prison mayor* or a fine of at least Two hundred thousand pesos (PhP200,000.00) but not exceeding One million pesos (PhP1,000,000.00) or both.

9. Trade and Intellectual Property Rights Law

Intellectual Property law deals with laws to protect and enforce rights of the creators and owners of inventions, writing, music, designs and other works, known as the "intellectual property." There are several areas of intellectual property including copyright, trademarks, patents, and trade secrets.

Punishment:

Imprisonment of six (6) years and one (1) day to nine (9) years plus a fine ranging from five hundred thousand pesos (P500,000) to One million five hundred thousand pesos (P1,500,000) for the third and subsequent offenses. In all cases, subsidiary imprisonment in cases of insolvency.