



1 other consideration, or any act that promotes or facilitates the  
2 accomplishment of the said act, transaction, scheme or design.

3  
4 (b) **“Person exploited in prostitution”** means a woman, man or child used,  
5 employed or exploited for another person’s sexual gratification or pleasure, and  
6 for the monetary gain or profit of others, as defined in Section 4 of this Act.

7  
8 (c) **“Child”** means any person below eighteen (18) years of age or one who is  
9 over eighteen (18) but is unable to fully take care of or protect himself/herself  
10 from abuse, neglect, cruelty, exploitation or discrimination because of a physical  
11 or mental disability or condition.

12  
13 (d) **“Sexual exploitation”** means the participation or engagement of a person for  
14 any sexual act in exchange for cash, profit or other consideration as a result of  
15 being subjected to a threat, deception, coercion, abduction, force, abuse of  
16 authority, debt bondage, fraud or through abuse of his/her vulnerability.

17  
18 (e) **“Sexual Act”** means sexual intercourse, including genital-to-genital, oral-to-  
19 genital, anal-to-genital, or oral-to-anal intercourse or contact, bestiality,  
20 masturbation, sadistic or masochistic abuse, exhibition of the genitals or pubic  
21 area of any person, and other acts of a sexual nature whether the same is made  
22 between persons of the same or opposite sex.

23  
24 (f) **“Establishment”** means any business, enterprise or establishment, including,  
25 but not limited to, sauna, bath, massage parlor, discotheque, bar, restaurant,  
26 resort, lodging house, motel, hotel, theater, ship, vessel, cab or taxi, or any other  
27 vehicle, or any dwelling house, structure or building serving as a cover or venue  
28 for prostitution, or any group, association or organization that engages in  
29 prostitution activities as defined in Section 4 of this Act.

30  
31 (g) **“Cult”** refers to, but not limited to, fanatic groups that entice, recruit or  
32 condition any person to become sexual offerings in organizational rituals or in  
33 other circumstances as part of membership requirement.

34  
35 **SECTION 4. Punishable Acts.** -Prostitution is a crime committed by:

36  
37 (a) Any person who gives or delivers money or any other consideration in exchange  
38 for the actual performance or mere demonstration of a sexual act by a person

1 exploited in prostitution, regardless of whether the person giving or delivering  
2 money or any other consideration is the recipient of such sexual act;

3 (b) Any person who is the recipient of a sexual act as defined in Section 3(e) of this  
4 Act, whether such a recipient has given or delivered money or any other  
5 consideration for the procurement of a person exploited in prostitution; *Provided,*  
6 *however,* that for purposes of this Section, a recipient shall include any person or  
7 persons or a crowd with whom a person exploited in prostitution has actually  
8 performed or merely demonstrated such a sexual act;

9 (c) Any person who offers another person for sexual exploitation in exchange for  
10 money or any other consideration;

11 (d) Any person who induces, persuades, entices, compels, kidnaps, recruits or in  
12 any manner procures or causes a person to serve in an establishment knowing  
13 that the same is involved in prostitution activities or when he/she has reasonable  
14 cause to believe that such establishment is involved in the said activities;

15 (e) Any person who uses information technology or any form of media for the  
16 purpose of prostitution;

17 (f) Any person who organizes or arranges travel tours and/or tourism-related  
18 activities that involve the sexual exploitation of any person or the escort services  
19 of any person who is expected to perform the sexual act;

20 (g) Any person who, as a part of cult or religious obligation, uses, entices, recruits,  
21 or offers any person as sexual offering or favor to other members of the cult or  
22 religious organization;

23 (h) Any official or employee of any jail or detention center or any person connected  
24 thereto who commits, causes, promotes, facilitates, allows or tolerates the  
25 commission of any of the acts defined in this section upon inmates, or who, in  
26 any manner, provides protection to the perpetrators of the said act;

27 (i) Any person who derives profit or advantage from any of the prohibited acts  
28 defined in this Section as owner, operator, manager, head, director, officer, or  
29 agent of the establishment where any prostitution activity defined in this Section  
30 takes place, or of the establishment serving as a cover for any such prostitution  
31 activity, or who aids another establishment or person involved in any prostitution  
32 activity;

33 (j) Any person who leases, subleases, or in any manner allows the use of any  
34 dwelling, house, structure, building, land or any other property knowing that the  
35 lessee/sub lessee intends to use or uses it for prostitution activities, as defined in  
36 this Section. For the purpose of this paragraph, the owner of the dwelling, house  
37 structure, building, land or any other property used for prostitution and his/her

1 agent shall be presumed to have knowledge that the place is being used or  
2 intended to be used for prostitution unless he/she disproves it;

3 (k) Any member of the military or police establishment, or any government official or  
4 employee, or any person in authority who commits, causes, or promotes,  
5 facilitates, allows, or tolerates the commission of any of the acts defined in this  
6 Section, or who, in any manner, provides protection to the perpetrators of the  
7 said acts.

8  
9 For purposes of this Section, it is understood that the prohibited acts of  
10 prostitution may be committed in any establishment as defined in Section 3(f) above or  
11 in any other place not otherwise mentioned in Section 3(f). Furthermore, an attempt to  
12 commit any of the acts defined in this Section is also prohibited.

13  
14 **SECTION 5. *Person Exploited in Prostitution as Victims.*** - Any woman, man  
15 or child used, or employed for, another person's sexual gratification, pleasure or  
16 exploitation, and for the monetary gain or profit of others, as defined in Section 4 of this  
17 Act, shall be treated as victims of prostitution. As such, they shall not incur any criminal  
18 liability under this Act, except to the extent referred to under Section 6 (b) hereof.

19  
20 In addition, the consent of the person exploited in prostitution to the commission  
21 of any of the acts defined in Section 4 of this Act shall not in any way exempt the  
22 offender from, or mitigate, his/her criminal liability.

23  
24 **SECTION 6. *Penalties and Sanctions.***-

25  
26 (a) Any person found guilty of the acts defined in Section 4 shall suffer the penalty of  
27 imprisonment of twenty (20) years and a fine of not less than one million pesos  
28 (P1,000,000.00) but not more than two million pesos (P2,000,000.00);

29  
30 (b) Any person guilty of the acts defined in Section 4 who is also exploited in  
31 prostitution or had been exploited in prostitution shall suffer the penalty of  
32 imprisonment of ten (10) years for the first offense and fifteen (15) years for the  
33 succeeding violations and a fine of not less than five hundred thousand pesos  
34 (P500,000.00) but not more than one million pesos (P1,000,000.00);

35  
36 (c) Any person guilty of attempting to commit any of the prohibited acts shall suffer  
37 the penalty of imprisonment of fifteen (15) years and a fine of not less than five

1 hundred thousand pesos (P500, 000.00) but not more than one million pesos  
2 (P1, 000, 000.00);

3  
4 (d) When the offender is any establishment as defined in this Act, the penalty shall  
5 be imposed upon the owner and operator or manager, or the directors and  
6 officers, or the responsible officers or agents of the establishment, corporation,  
7 partnership, or association found to be engaged in any of the acts defined in  
8 Section 4 of this Act.

9  
10 In addition, the establishment, corporation, partnership or association shall be  
11 immediately closed and its registration and/or license to operate shall be revoked. A  
12 sign with the words "off limits" shall be conspicuously displayed outside the  
13 establishment by the Department of Social Welfare and Development (DSWD) for  
14 such period as the Department may determine which shall not be less than one (1)  
15 year. The unauthorized removal of such sign shall be punishable by imprisonment of  
16 six (6) months;

17  
18 (e) When the offender is a foreigner, he or she shall be deported immediately after  
19 service of sentence and permanently barred from entry into the country;

20  
21 (f) Any person found guilty of committing or attempting to commit any of the  
22 prohibited acts under Section 4 shall, in addition to the penalties stated in this  
23 section, undergo counseling, rehabilitation and mandatory education on the  
24 human rights situation of victims of prostitution with DSWD or its accredited NGO  
25 for a period of not less than three (3) months but not longer than one (1) year.  
26 The DSWD shall submit to the court a report on the rehabilitation of the offender.

27  
28 **SECTION 7. Civil Liability for Prostitution.** - Persons exploited in prostitution  
29 may file independent civil cases for damages against the persons, natural or juridical,  
30 responsible for their exploitation.

31  
32 Provinces, cities and municipalities shall be liable for damages, in addition to any  
33 other criminal or administrative liability under existing laws, to persons exploited in  
34 prostitution when it is proven that the responsible authorities had knowledge or were  
35 informed of the activities constituting prostitution but did not take proper action within a  
36 reasonable period of time. For purposes of this Section, the responsible authorities shall  
37 be deemed to have knowledge of the production activities when the same are of  
38 common knowledge in the community.

1  
2           **SECTION 8. *Prosecution of Cases.*** - The person exploited in prostitution,  
3 his/her parents, spouse, siblings, children or legal guardian, law enforcement agencies,  
4 or the Inter-Agency Council Against Trafficking and Prostitution (IACATP) created under  
5 this Act or any person who has personal knowledge of the commission of any offense  
6 under this Act, may file a complaint for prostitution.

7  
8           **SECTION 9. *Venue.*** - A criminal action arising from a violation of this Act shall  
9 be filed where the offense was committed, or where any of its elements occurred, or  
10 where the person exploited in prostitution actually resides at the time of the commission  
11 of the offense; *Provided*, that the court where the criminal action is first filed shall  
12 acquire jurisdiction to the exclusion of other courts.

13  
14           **SECTION 10. *Prescriptive Period.*** - Cases under this Act shall prescribe in  
15 twenty (20) years. The prescriptive period shall commence to run from the day on which  
16 the person exploited in prostitution is delivered or released from the situation of  
17 exploitation and shall be interrupted by the filing of the complaint or information. It shall  
18 commence to run again when such proceedings terminate without the accused being  
19 convicted or acquitted or are unjustifiably stopped for any reason not imputable to the  
20 accused.

21  
22           **SECTION 11. *Exemption from Filing Fees.*** - When the victim of prostitution  
23 institutes a separate civil action, he or she shall be exempt from the payment of filing  
24 fees.

25  
26           **SECTION 12. *Confiscation and Forfeiture of the Proceeds and Instruments***  
27 ***Derived from Prostitution.*** - In addition to the penalty imposed for the violation of this  
28 Act, the Court shall order the confiscation and forfeiture, in favor of the government, of  
29 all the proceeds and properties derived from the commission of the crime, unless they  
30 are the property of a third person not liable for the unlawful act; *Provided, however*, that  
31 all awards for damages shall be taken from the personal and separate properties of the  
32 offender; *Provided, further*, That if such properties are insufficient, the balance shall be  
33 taken from the confiscated and forfeited properties.

34  
35           When the proceeds, properties and instruments of the offense have been  
36 destroyed, diminished in value or otherwise rendered worthless by any act or omission,  
37 directly or indirectly, of the offender, or it has been concealed, removed, converted or  
38 transferred to prevent the same from being found or to avoid forfeiture or confiscation,

1 the offender shall be ordered to pay the amount equal to the value of the proceeds,  
2 property or instruments of the offense.

3 **SECTION 13. *Trust Fund.*** - All fines imposed under this Act and the proceeds  
4 and the properties forfeited and confiscated pursuant to Section 12 hereof, shall accrue  
5 to a Trust Fund to be administered by the IACATP to be used exclusively for programs  
6 that will prevent prostitution and protect, heal, and reintegrate prostituted persons into  
7 the mainstream of society. Such programs shall include, but are not limited to, those  
8 provided for under Section 19 sub-paragraph (1) of this Act.

9  
10 **SECTION 14. *Human Rights of Persons Exploited in Prostitution.*** - Persons  
11 exploited in prostitution have human rights that must be respected, protected and  
12 promoted by all branches, agencies and instrumentalities of the government in law  
13 enforcement drives, criminal prosecution, civil suits, service provision, and program  
14 development and implementation. These rights include, but are not limited to:

- 15  
16 (a) The right to be treated as human beings;  
17 (b) The right to dignity and security of person;  
18 (c) The right against any form of discrimination;  
19 (d) The right to equal protection of the law;  
20 (e) The right to be protected from abuse or exploitation,  
21 (f) The right to seek redress for violations of their rights and to have their  
22 complaints appropriately addressed;  
23 (g) The right to fair and humane treatment;  
24 (h) The right to sensitive and appropriate legal, health, and other social services;  
25 (i) The right to organize themselves and fight for their legitimate concerns; and  
26 (j) The right to be consulted on any government initiative affecting them.

27  
28 Persons exploited in prostitution shall not be detained on the occasion of, or by  
29 reason of, a raid, or in the name of law enforcement. There shall be at least one (1)  
30 social worker or one (1) representative from a non-governmental organization (NGO)  
31 known to be working with women exploited in prostitution present during raids.

32 During raids of establishment, and at any stage of the investigation, prosecution  
33 and trial of complaints for violation of this Act, law enforcers, prosecutors and judges  
34 shall not disclose to the public the name, personal circumstances and other information  
35 that will establish the identity of the person exploited in prostitution, unless the latter  
36 consents thereto in writing.

1           It shall also be the duty of the law enforcers to ensure that persons exploited in  
2 prostitution are not exposed to the media on the occasion of a raid. Law enforcers who  
3 allow or facilitate the exposure to the media of persons exploited in prostitution shall  
4 suffer the penalty of six (6) months imprisonment, without prejudice to the filing of other  
5 criminal, civil and administrative charges under applicable laws.

6  
7           **SECTION 15. Confidentiality.** - It shall be the responsibility of any journalist,  
8 reporter, editor, publisher or producer of print and broadcast media to protect the  
9 identity and privacy of persons exploited in prostitution, most particularly on the  
10 occasion of a raid or rescue operation. Any journalist, reporter, editor, publisher or  
11 producer of print and broadcast media who exposes to the public the identity of any  
12 person exploited in prostitution without her or his consent thereto in writing, or causes  
13 the publication of any picture or video that violates the dignity and other human rights of  
14 the person exploited in prostitution, shall suffer the penalty of one (1) year  
15 imprisonment. In addition, the owner or publisher of the print or broadcast media found  
16 guilty of the violation shall pay a fine of Five Hundred Thousand Pesos (P500,000.00).  
17 This shall be without prejudice to the right of persons exploited in prostitution to file a  
18 civil action for damages for the violation of their human rights or for any injury caused  
19 them by the publication.

20  
21           **SECTION 16. Entrapment Prohibited.** - Law enforcers shall not use entrapment  
22 as a method in law enforcement activities when the same will involve the sexual  
23 exploitation of persons as defined in Section 3(b) of this Act. A law enforcement officer  
24 who resorts to this method shall suffer the penalty of eight (8) years imprisonment.

25  
26           **SECTION 17. Requirements for Hotels, Motels and Lodging Houses.** -  
27 Notwithstanding any legislation, ordinance or rule to the contrary, every hotel, motel or  
28 lodging area shall:

29           (a) Maintain a reception and registration area for guests and patrons that is  
30 readily within the public view;

31           (b) Maintain open garages, or those that do not have doors or any closing  
32 mechanism; and

33           (c) Maintain good lighting in all its entrances, exits, driveways and garages.

34  
35           No hotel, motel or lodging house shall be allowed to operate in any part of the  
36 Philippines without complying with the preceding requirements.

37           For the purpose of this Section, hotels, motels, and lodging houses already  
38 operating shall have six (6) months from the effectivity of this Act to comply with this

1 provision. Failure of any hotel, motel and lodging house to comply with this Section shall  
2 result in the cancellation of their license or permit to operate.

3  
4 **SECTION 18. *Mechanisms for Implementation and Monitoring.*** - To  
5 effectively implement and monitor the provisions of this Act, the Inter-Agency Council  
6 Against Trafficking (IACAT) created under Republic Act No. 9208 or the Anti-Trafficking  
7 in Persons Act of 2003, shall be expanded and renamed as the Inter-Agency Council  
8 Against Trafficking and Prostitution (IACATP).

9 The Secretary of Department of Justice (DOJ) will continue to serve as the  
10 Chairperson and the Secretary of DSWD as Co-Chairperson. The membership of the  
11 IACAT shall be amended to include the following:

- 12 (a) Secretary, Department of the Interior and Local Government  
13 (b) Secretary, Department of Health  
14 (c) Secretary, Department of Tourism  
15 (d) Director, National Bureau of Investigation  
16 (e) Director General, Technical Education and Skills Development Authority  
17 (f) Additional NGO Representative of persons exploited in prostitution.

18  
19 **SECTION 19. *Functions of the IACATP.*** - The following additional functions  
20 shall be performed by the IACATP:

21 (1) Develop a program addressing prostitution and the needs of persons  
22 exploited in prostitution and those vulnerable to be exploited in prostitution. The  
23 program shall include public information and education campaign against prostitution,  
24 such as but not limited to putting up posters and other similar paraphernalia with  
25 appropriate warnings in all places frequented by tourists, including entry and exit points  
26 to the Philippines, crisis intervention service, education assistance, socio-economic  
27 assistance such as sustainable livelihood skills training and financial support for small-  
28 scale businesses, and integration and complete after-care programs for persons  
29 exploited in prostitution, among others;

30 (2) Identify and, if necessary, create centers in strategic places all over the  
31 Philippines that will provide health services, including counseling and therapy,  
32 temporary shelter and other crisis intervention services to persons exploited in  
33 prostitution. The rape crisis centers established under Republic Act No. 8505 and the  
34 hospital-based prosecution units for women and children may also serve as centers  
35 servicing persons exploited in prostitution.

36 Each center shall establish a network of health care and other service providers  
37 to address the needs of persons exploited in prostitution;

1 (3) Ensure that units are created or identified within relevant government  
2 agencies, particularly those composing the IACATP, that shall focus on addressing  
3 prostitution and the needs of persons exploited in prostitution.

4 This shall include units within the National Prosecution Service Offices in local  
5 government units (LGUs) that shall specifically focus on the prosecution of offenders  
6 under this Act;

7 (4) Ensure that relevant government agencies work in close coordination with  
8 each other in addressing prostitution and the needs of persons exploited in prostitution;

9 (5) Develop and implement a training program for law enforcers, public  
10 prosecutors, judges, government lawyers, government health care providers, social  
11 workers and *barangay* officials that aims to increase their understanding of prostitution  
12 as a system, and equip them with the perspective and skills to appropriately address the  
13 needs of persons exploited in prostitution, respect, protect and promote their human  
14 rights, and pursue the prosecution of offenders;

15 (6) Ensure that local counterparts of the IACATP are created in every  
16 municipality, city and provinces;

17 (7) Undertake to lead the prosecution of any violation of this Act; and

18 (8) Promulgate, when necessary, rules and regulations for the effective  
19 implementation and enforcement of this Act.

20  
21 **SECTION 20. Responsibilities of Local Government Agencies in Anti-**  
22 **prostitution Efforts.** - Local government units (LGUs) shall exercise their powers to  
23 curb prostitution within their respective jurisdictions. LGUs shall create a local IACATP  
24 that shall combat and prevent any act of prostitution in their area. The local IACATP  
25 shall be responsible for the monitoring and documentation of cases on prostitution  
26 within their areas of jurisdiction and shall submit an annual report to the national  
27 IACATP. If a local committee dealing with issues related to prostitution such as  
28 trafficking and violence against women and children had already been established, the  
29 LGU shall ensure that programs and services for prostituted persons are integrated in  
30 the plan of action of the said committee. It shall be unlawful for any LGU to issue  
31 licenses or permits for the operation of any establishment that is used or intended to be  
32 used for any prostitution activity. Any such license or permit already issued prior to the  
33 effectivity of this Act shall be deemed automatically revoked or cancelled and shall not  
34 be renewed.

35 Other responsibilities of LGUs shall include conducting public information  
36 campaign against prostitution, carrying out rescue operations and ensuring the safety or  
37 security of victims of prostitution. They may employ elements of the National Bureau of

1 Investigation (NBI) or the Philippine National Police (PNP) as provided for under  
2 Republic Act No. 6975, as amended by Republic Act No. 8551.

3  
4 **SECTION 21. *Immunity of Government and DSWD-Accredited NGOs from***  
5 ***Undue Interference.***- Members of the national and local IACATP and DSWD-  
6 accredited NGOs that are involved in the implementation of anti-prostitution programs  
7 are granted immunity from suit and other legal proceedings in connection with the  
8 enforcement of said programs.

9  
10 **SECTION 22. *Appropriations.*** - The amount necessary to carry out the  
11 provisions of this Act is hereby authorized to be appropriated in the General  
12 Appropriations Act of the year following the enactment of this law and every year  
13 thereafter. All LGUs are likewise mandated to allot not less than five percent (5%) of  
14 their gender and development (GAD) budget and not less than five percent (5%) of the  
15 local development fund of LGUs for programs, project and activities aimed to control  
16 and eliminate prostitution activities within their jurisdiction, including the development  
17 and conduct of deterrent information campaigns directed to potential and actual buyers  
18 of prostitution sex.

19  
20 **SECTION 23. *Separability Clause.*** - If any provision of this Act is declared  
21 invalid or unconstitutional, the remaining provisions shall not be affected thereby and  
22 shall continue to be in full force.

23  
24 **SECTION 24. *Suppletory Application.*** - The provisions of Republic Act No.  
25 9208 or the Anti-Trafficking in Persons Act shall have suppletory application to this Act.

26  
27 **SECTION 25. *Repealing Clause.*** - Article 202 and 341 of the Revised Penal  
28 Code are hereby repealed. All other laws, decrees, ordinances and rules inconsistent  
29 with the provisions of this Act are hereby modified or repealed accordingly.

30  
31 **SECTION 26. *Effectivity Clause.*** - This Act shall take effect upon completion of  
32 its publication in at least two (2) newspapers of general circulation.

*Approved,*