

SIXTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Third Regular Session)



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SENATE
S. No. 3213

RECEIVED BY: [Signature]

Introduced by Senator Miriam Defensor Santiago

**AN ACT
IMPROVING PUBLIC AWARENESS REGARDING SAFE USE OF THE INTERNET
THROUGH THE ESTABLISHMENT OF AN OFFICE OF INTERNET SAFETY AND
PUBLIC AWARENESS WITHIN THE NATIONAL TELECOMMUNICATIONS
COMMISSION**

EXPLANATORY NOTE

The Constitution, Article 2, Section 24 provides:

Section 24. The State recognizes the vital role of communication and information in nation-building.

As we move further into the Information Age, more and more people are logging in to the information superhighway, more commonly known as the Internet. In a survey taken by Synovate¹ on urban areas across the Philippines,² it was shown that about 36% of Filipinos from these areas have Internet access while 41 % have mobile phones with Internet access.

As Internet usage increases, the perils likewise increase. Viruses, scam sites and sites with undesirable contents proliferate on a daily basis. To protect our people, our government must do what it can to aim our Internet users with useful information to combat the dangers that are spread across the world wide web.

¹ Market research arm of Aegis Group Plc., a marketing services firm based in London.

² Synovate's Nationwide Urban Media Atlas Survey 2007-2008 Wave 1.

This bill seeks to establish an office that will spearhead the information campaign that will keep our Internet users abreast with the latest online technologies and arm them with the knowledge against the perils of the Internet.³

Miriam Defensor Santiago
MIRIAM DEFENSOR SANTIAGO
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³ This bill was originally filed during the Fourteenth Congress, First Regular Session.

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

1 SECTION 1. *Short Title.* – This Act shall be known as the “Safeguarding
2 Filipinos by Enhancing and Reorganizing New and Efficient Technologies Act” or the
3 “SAFER NET Act.”

4 SECTION 2. *Declaration of Policy.* – The Constitution, Article 2, Section 24
5 states that the State recognizes the vital role of communication and information in nation-
6 building. The State shall promote the safe and effective ways of using the internet as we
7 head further into the information age.

8 SECTION 3. *Definition of Terms.* – For purposes of this Act, the term:

9 (A) “Commission” means the National Telecommunications Commission;

10 (B) “Internet” means collectively the myriad of computer and telecommunications
11 facilities, including equipment and operating software, which comprise the
12 interconnected world-wide network of networks that employ the Transmission Control
13 Protocol/Internet Protocol, or any predecessor or successor protocols to such protocol, to
14 communicate information of all kinds by wire or radio; and

1 (C) "Office" means the Office of Internet Safety and Public Awareness of the
2 National Telecommunications Commission, established by Section 4.

3 SECTION 4. *Establishment of the Office.* – The National Telecommunications
4 Commission shall establish an Office of Internet Safety and Public Awareness, which
5 shall have responsibility for programs and activities relating to increasing public
6 awareness and providing education regarding Internet safety.

7 SECTION 5. *Director.* – The Office shall be headed by a Director who shall be
8 appointed by the Commission.

9 SECTION 6. *Internet Safety.* – For purposes of this Act, the issue of Internet
10 safety includes issues regarding use of the Internet in a manner that promotes safe online
11 activity, including safe transactions involved in online commerce, and protects against
12 threats to financial information and privacy, threats from cyber-crime, and threats to
13 juveniles, including cyber predators and material that is inappropriate for minors.

14 SECTION 7. *Duties.* –

15 (A) *Activities* – The Commission, acting through the Office, shall carry out a
16 nationwide program to increase public awareness and education regarding Internet safety,
17 for families, businesses, organizations, and other users, that utilizes existing resources
18 and efforts of the national and local governments, nonprofit organizations, private
19 technology and financial companies, Internet service providers, World Wide Web-based
20 resources, and other appropriate entities, that includes –

21 (1) evaluating Internet safety efforts and activities provided at various levels of
22 government and by other entities;

23 (2) improving efficiency of Internet safety efforts and activities, by eliminating
24 redundancy of efforts at various levels of government and other entities, identifying,

1 promoting, and expanding effective such efforts and activities and coordinating among
2 such efforts and activities;

3 (3) identifying, promoting, and encouraging best practices for Internet safety;

4 (4) establishing and carrying out a national outreach and education campaign
5 regarding Internet safety utilizing various media and Internet-based resources;

6 (5) serving as the primary contact in the national government, and as a national
7 clearing house, for information and public awareness efforts regarding Internet safety;

8 (6) facilitating access to, and the exchange of, information regarding Internet
9 safety to promote up-to-date knowledge regarding current issues;

10 (7) providing expert advice and consultation to the Commission regarding Internet
11 safety issues; and

12 (8) providing assistance, including technical assistance and financial assistance
13 under paragraph (B), units of local government, schools, police departments, nonprofit
14 organizations, and such other entities as the Office considers appropriate to promote
15 Internet safety education and public awareness.

16 (B) Grants and Contracts –

17 (1) In carrying out this subsection, the Commission, acting through the Office,
18 may make grants, to the extent amounts are provided in advance in appropriation acts for
19 such grants, and enter into cooperative agreements, contracts, and interagency
20 agreements with units of local government, schools, police departments, non-profit
21 organizations, and such other public and private agencies, entities, and organizations as
22 the Office considers appropriate.

23 (2) The Commission, acting through the Office, shall provide for evaluations of
24 projects and activities carried out with financial assistance provided under paragraph (B)
25 (1) and for the dissemination of information developed as a result of such projects.

1 SECTION 8. *Annual Reports.* – The Commission, acting through the Office, shall
2 submit a report not later than March 31 of each year that –

3 (A) describes the activities of the Office during the preceding calendar year;

4 (B) contains any evaluations performed pursuant to Section (7)(B)(2) for any
5 projects and activities carried out during the preceding calendar with assistance under
6 Section (7)(B)(1);

7 (C) describes and analyzes the, current state, as of the preparation of such report,
8 of Internet safety, existing and emerging threats to Internet safety, and costs to the
9 Philippine economy resulting from preventing, responding to, eliminating, and otherwise
10 dealing with threats to Internet safety.

11 SECTION 9. *Appropriations.* – To carry out the provisions of this Act, such
12 amount as hereby necessary is hereby authorized to be appropriated from the National
13 Treasury.

14 SECTION 10. *Separability Clause.* – If any provision of this Act is held invalid or
15 unconstitutional, the same shall not affect the validity and effectivity of the other
16 provisions hereof.

17 SECTION 11. *Repealing Clause.* – All laws, decrees, orders, and issuances, or
18 portions thereof, which are inconsistent with the provisions of this Act, are hereby
19 repealed, amended or modified accordingly.

20 SECTION 12. *Effectivity Clause.* – This Act shall take effect fifteen (15) days
21 after its publication in the *Official Gazette* or in two (2) newspapers of general
22 circulation.

Approved,

/ersmg6Jan2016