

10 April 2018

REPRESENTATIVE DIVINA GRACE C. YU
Chairperson
Committee on the Welfare of Children
RVM Building, House of Representatives
Quezon City

Dear **Chairperson Yu**:

The Department of Social Welfare and Development supports House Bill No. 6257 entitled: An Act Protecting Children from Child Sexual Exploitation and Abuse, Child Trafficking, Child Pornography, and Violent Crime on Children by Prohibiting the Ingress of Foreign Sex Offenders and Aliens in Conflict with Child Protection Laws; Providing Penalties for Non-Compliance Therewith; and Appropriating Funds Therefor and for Other Purposes or the **Ingress Prohibition of Alien Sex Offenders of Children Act (IPASOCA)**", introduced by Representative Eric L. Olivarez.

To contribute to the bill's enhancement, we are recommending the following:

1. To make an **omnibus revision** of the words "**minor**" and "**minors**" to "**child**" and "**children**" in all the affected Sections.

2. **Sec. 4 – Definition of Terms**

- 2.1 On **letter (b)**, to adopt the definition of "**Children**" under Republic Act No. 7610 or the "Special Protection of Children Against Abuse, Exploitation and Discrimination Act" which will be read as follows:

"Children refers to persons below eighteen (18) years of age or those over but are unable to fully take care of themselves or protect themselves from abuse, neglect, cruelty, exploitation or discrimination because of a physical or mental disability or condition."

- 2.2 On **letter (e)**, to revise the definition of "**Sex Offender**" which will be read as follows:

"Sex Offender refers to any alien, who has pending case, whether administrative, civil or criminal in complexion, before any police, prosecutorial, quasi-judicial or judicial authorities, involving any sex-related offense or any specified offense of a sexual nature or complexion involving children. It may also refer to an alien whose name appears in the list / database / registry of sex offenders in their respective country or otherwise."

3. **Sec. 5 – Excluded Aliens**

To revise **letter (c)**-which will be read as follows:

"Any alien, who is in conflict with the law, whether it is in the law of the state of his/her citizenship or in any other state or territorial jurisdiction outside the Philippines, if he/she has a pending case, whether administrative, civil, or criminal in complexion, before any police xxx"

4. **Sec. 6 – Alien Minors Accused of Sex Offenses**

To revise the provision which will be read as follows:

*“Sec. 6 – Alien **Children** Accused of Sex Offenses. – All alien children, 15 to 17 years old, being investigated, being investigated for, indicted, or convicted for sex offenses under this Act shall not be exempt from coverage hereunder.”*

5. **Sec. 10 – No Familial Reintegration**

To revise the provision which will be read as follows:

*“xxx whether in his/**her** State of citizenship, permanent residence, or any other territorial jurisdiction, may demand ingress into the Philippines by virtue of his/**her** being a parent, stepparent, adoptive parent, foster parent of a Filipino child or being a common law spouse of a Filipino child's parent, cohabitant or sex partner of the Filipino child's parent. He/**She** shall be prohibited from ingress into the Philippines.*

*A Regional Trial Court shall not issue any such order for family reintegration or for custody of children for any sex offense or specified offense against a **child** that may have been committed by the aforementioned aliens.”*

6. **Sec. 19 – Administrative Accountability of the Officials of the Department of Foreign Affairs**

To change the word “violates” to “**violate**”.

7. **Sec. 20 – Powers of Immigration Officer**

To change the words “**Immigrant Inspectors**” to “**Immigration Officers**”.

8. **Sec. 21 – Authority to Issue Prohibition Orders for Ingress of Suspected**

To revise the provision which will be read as follows:

*“The Bureau of Immigration, upon a well-founded and reasonable determination by the Commissioner of Immigration or any of his/**her** assigned assistants xxx”*

9. **Sec. 26 – Authority to Issue Mission Orders for Verification and Investigation of Suspected Illegal Aliens**

To change the word “Chairman” to “**Commissioner**”.

10. **Sec. 30 – Information Required from an Indictment as a Sex Offender**

To revise the provision which will be read as follows:

“xxx

- A) His/**Her** legal name and any other names or aliases that he/**she** is using or has used;
- B) His/**Her** Social Security Number or Unified Multi-Purpose ID Common Reference Number, if applicable;

- C) His/**Her** passport identification and number;
- D) His/**Her** date of birth;
- E) His/**Her** current address, the address where he/**she** will reside, the addresses where he/**she** wishes to establish permanent residence(s) or temporary domicile, in which he/**she** resides for more than twenty days successive or segregated within a whole year;
- F) The name and place of his/**her** current employment or where he/**she** will be an employee, if applicable;
- G) The name and address of the educational institution where he/**she** is a student or will be a student, if applicable;
- H) xxx
- I) The date and place of his/**her** indictment for, and nature of, the sex offense or specified offense against a **child**."

11. **Sec. 31:– Other Required Registry Information**

To revise the first paragraph which will be read as follows:

*"The DFA and/or BI shall ensure that the following information **are** also included in their registry for subject alien herein: xxx"*

12. **Sec. 33 – Blacklist Registry**

To revise the first paragraph which will be read as follows:

*"xxx the issuance of a visa and/or excluded from ingress into the country **due to cases** falling under the coverage of this Act."*

For consideration of the Committee.

Thank you.

Very truly yours,



EMMANUEL A. LEYCO
Officer-in-Charge

by c.d.f.