

[REPUBLIC ACT NO. 9995, February 15, 2010]

AN ACT DEFINING AND PENALIZING THE CRIME OF PHOTO AND VIDEO VOYEURISM, PRESCRIBING PENALTIES THEREFOR, AND FOR OTHER PURPOSES

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

SECTION 1. *Short Title.* — This Act shall be known as the "Anti-Photo and Video Voyeurism Act of 2009".

SEC. 2. *Declaration of Policy.* — The State values the dignity and privacy of every human person and guarantees full respect for human rights. Toward this end, the State shall penalize acts that would destroy the honor, dignity and integrity of a person.

SEC. 3. *Definition of Terms.* — For purposes of this Act, the term:

- a. "Broadcast" means to make public, by any means, a visual image with the intent that it be viewed by a person or persons.
- b. "Capture" with respect to an image, means to videotape, photograph, film, record by any means, or broadcast.
- c. "Female breast" means any portion of the female breast.
- d. "Photo or video voyeurism" means the act of taking photo or video coverage of a person or group of persons performing sexual act or any similar activity or of capturing an image of the private area of a person or persons without the latter's consent, under circumstances in which such person/s has/have a reasonable expectation of privacy, or the act of selling, copying, reproducing, broadcasting, sharing, showing or exhibiting the photo or video coverage or recordings of such sexual act or similar activity through VCD/DVD, Internet, cellular phones and similar means or device without the written consent of the person/s involved, notwithstanding that consent to record or take photo or video coverage of same was given by such person/s.
- e. "Private area of a person" means the naked or undergarment clad genitals, public area, buttocks or female breast of an individual.
- f. "Under circumstances in which a person has a reasonable expectation of privacy" means circumstances in which a reasonable person would believe that he/she could disrobe in privacy, without being concerned that an image or a private area of the person was being captured; or circumstances in which a reasonable person would believe that a private area of the person would not be visible to the public, regardless of whether that person is in a public or private place.