

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

NINETEENTH CONGRESS
2nd Regular Session

House Bill No. **9431**



**Introduced by Representatives EDVIC G. YAP, JOCELYN P. TULFO,
ERWIN T. TULFO and RALPH WENDEL P. TULFO**

EXPLANATORY NOTE

In a 2021 publication, the Philippine Institute for Development Studies (PIDS), citing Roy Schulman and David Siman-Tov, defines *fake news* as either (1) misinformation or “the dissemination of false information, even if not deliberate or malicious, based on unsubstantiated conjecture and in light of various considerations” and (2) disinformation or “false information that is spread deliberately and maliciously for personal gain or to cause damage to another party. While fake news existed even in the old times, the PIDS highlights the ease of producing, spreading, and multiplying fake news today given the existence of communication tools at the height of digital transformation, particularly through social media.

In fact, in a Pulse Asia Survey conducted in 2022, eighty-six percent (86%) or nearly nine (9) out of ten (10) Filipinos believe that fake news is a problem in the country, attributing fifty-eight percent (58%) to social media influencers, bloggers and vloggers as peddlers of fake news about government and politics, followed by journalists at forty percent (40%), national politicians at thirty-seven percent (37%), and local politicians at thirty percent (30%).

Hence, considering the potential hazards of spreading fake news, it is imperative to penalize those who seek to create and disseminate fake news, especially through the

use of social media. In this regard, this bill seeks to incorporate into the existing violations under Republic Act No. 10175 or the *Cybercrime Prevention Act of 2012* the creation and dissemination of fake news as one of the content-related offenses, thereby combatting the unwanted proliferation of misinformation and disinformation.

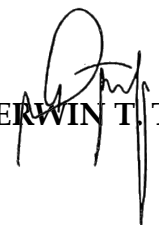
In view of the foregoing, the approval of this bill is earnestly sought.



HON. EDVIC G. YAP



HON. JOCELYN P. TULFO



HON. ERWIN T. TULFO



HON. RALPH WENDEL P. TULFO

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AN ACT
CRIMINALIZING THE CREATION AND DISSEMINATION OF "FAKE NEWS"
AMENDING FOR THE PURPOSE SECTIONS 3 AND 4 OF REPUBLIC ACT NO.
10175, OTHERWISE KNOWN AS THE CYBERCRIME PREVENTION ACT OF
2012

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

1 **SECTION 1.** Section 3 of Republic Act No. 10175, otherwise known as the
2 "Cybercrime Prevention Act of 2012", is hereby amended to include:

3
4 (M) *FAKE NEWS* REFERS TO ANY INFORMATION, STORY, NEWS, OR
5 FACT, DELIBERATELY DISTORTED, ALTERED, CHANGED, OR
6 MANIPULATED BY ANY PERSON WITH MALICIOUS INTENT WHICH IS
7 PRESENTED AS A FACT, THE VERACITY OF WHICH CANNOT BE
8 CONFIRMED, WITH THE INTENT OF DISTORTING A FACT OR
9 PROLIFERATING FALSE INFORMATION AND MISLEADING ITS
10 AUDIENCE.

11
12 **SEC. 2.** All succeeding subsections under Section 3 of Republic Act No. 10175
13 shall be renumbered accordingly.

14
15 **SEC. 3.** Section 4 of Republic Act No. 10175, otherwise known as the
16 "Cybercrime Prevention Act of 2012", is hereby amended to include:

17
18 (c) Content-related Offenses:

19
20 xxx

21
22 (5) *FAKE NEWS* - THE CREATION AND DISSEMINATION OF *FAKE NEWS*
23 AS DEFINED IN SECTION 3 HEREOF, COMMITTED THROUGH A

1 COMPUTER SYSTEM OR ANY OTHER SIMILAR MEANS WHICH MAY BE
2 DEvised IN THE FUTURE.

3
4 ANY ONLINE PLATFORM, SUCH AS WEBSITES, USING A COMPUTER
5 SYSTEM OR OTHER ELECTRONIC MEDIUM THAT FAIL TO ACT OR
6 CONDUCT AN INVESTIGATION ON REPORTS OF FAKE NEWS WITHIN
7 THEIR RESPECTIVE PLATFORMS SHALL BE HELD LIABLE FOR A FINE
8 EQUIVALENT TO A MAXIMUM OF TWO MILLION PESOS
9 (PHP2,000,000.00).

10
11 **SEC. 4. *Separability Clause.*** - If any of the sections or provisions of this Act is
12 held invalid, all other provisions not affected thereby shall remain valid.

13
14 **SEC. 5. *Repealing Clause.*** - All laws, decrees, issuances, rules and regulations
15 inconsistent with the provisions of this Act are hereby repealed or modified
16 accordingly.

17
18 **SEC. 6. *Effectivity Clause.*** - This Act shall take effect fifteen (15) days after its
19 complete publication in at least two (2) newspapers of general circulation.

20
21
22 Approved,
23