

Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City  
**TWENTIETH CONGRESS**  
First Regular Session



**HOUSE BILL NO. 2312**

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Introduced by **REP. BERNADETTE "DETTE" G. ESCUDERO**

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**AN ACT**  
**PROTECTING THE PERSONALITY RIGHTS OF INDIVIDUALS AGAINST**  
**UNAUTHORIZED USE OF THEIR FACE, VOICE, AND OTHER IDENTIFIABLE**  
**FEATURES THROUGH ARTIFICIAL INTELLIGENCE AND DEEPFAKE**  
**TECHNOLOGY, PROHIBITING THE CREATION AND DISTRIBUTION OF**  
**MANIPULATED MEDIA WITHOUT CONSENT, AND PROVIDING PENALTIES**  
**THEREFOR**

**EXPLANATORY NOTE**

Section 3(1), Article III of the 1987 Philippine Constitution guarantees every individual's right to privacy of communication and correspondence. Complementing this, Section 2 of the same affirms the right of the people to be secure in their persons. In the same vein, Section 17, Article II underscores the State's policy to promote science and technology and to encourage innovation for national development.

However, these rights and principles are increasingly threatened by the rapid advancement and largely unregulated use of artificial intelligence (AI), particularly in the creation of *deepfakes*, or hyper-realistic synthetic media capable of imitating and mimicking a person's facial features, voice, expressions, and gestures with the use of machine generated techniques. These technologies have become widely accessible and easy to use, often requiring nothing more than a smartphone or a few clicks online.

While AI holds vast potential to drive innovation and national progress, the malicious use of deepfake technology poses significant and evolving risks to individual privacy, public trust, and democratic integrity. Deepfakes have been weaponized in various ways, through cyberbullying, non-consensual sexual content, identity theft, disinformation campaigns, and online scams.

According to our law enforcement and regulatory agencies, cybercrimes and deepfakes are part of a growing global scourge that must be addressed.<sup>1</sup> In the first half of 2025 alone, the Philippine National Police Anti-Cybercrime Group (PNP-ACG) reported the arrest of over 5,000 individuals linked to online crimes, including the use of AI for criminal purposes. The seriousness of the threat is underscored by reports that no less than President Ferdinand "Bongbong" Marcos Jr., along with several high-ranking officials from other governments, have been targeted by deepfake content that misled the public, spread fake news, and undermined trust in legitimate institutions.<sup>2</sup>

Despite the existence of laws such as Republic Act (R.A.) No. 10175, otherwise known as the Cybercrime Prevention Act of 2012 and Republic Act (R.A.) No. 10173, otherwise known as the Data Privacy Act of 2012, the legal gaps remain in regulating the creation and unauthorized distribution of AI-generated media that impersonates a real person's face, voice, or bodily likeness. These laws were not crafted with the complexities of generative AI and deepfake technology in mind.

Through this measure, we seek to establish explicit legal framework and protective measures over an individual's distinct personal attributes by recognizing unique traits, including one's face, voice, gestures, and digital likeness, as part of their intellectual and personality rights. It aims to criminalize the unauthorized creation, dissemination, and commercial use of deepfakes, particularly when intended to deceive, defame, exploit, or harm individuals.

By enacting this measure, which was also passed in the European Union, the State will not only reinforce existing privacy and cybercrime protections, but also provide a forward-looking legal framework that upholds personal dignity, deters identity fraud, curtails the spread of misinformation, and ensures the ethical use of AI technologies. This will empower citizens to assert control over their own digital personality, while maintaining a regulatory environment that promotes innovation, accountability, and human rights in the digital age.

Immediate and favorable consideration of this measure is therefore earnestly sought.



**HON. BERNADETTE "DETTE" G. ESCUDERO**

Representative  
1st District, Sorsogon

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<sup>1</sup> Presidential Communications Office (5 August 2024) *Cybercrime, deep fakes are worldwide scourge that must be addressed* — *DICT chief*. Accessed last 14 July 2025 from: [https://pco.gov.ph/news\\_releases/cybercrime-deep-fakes-are-worldwide-scourge-that-must-be-addressed-dict-chief/](https://pco.gov.ph/news_releases/cybercrime-deep-fakes-are-worldwide-scourge-that-must-be-addressed-dict-chief/)

<sup>2</sup> Untalan, S. (25 June 2025) *Over 5,000 arrested for cybercrimes in 1st half of 2025, says PNP*. Accessed last 14 July 2025 from: <http://gmanetwork.com/news/topstories/nation/950636/over-5-000-arrested-for-cybercrimes-in-1st-half-of-2025-says-pnp/story/>

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

1       **Section 1. Short Title.** This Act shall be known as the Anti-Deepfake  
2       Personality Rights Protection Act.

3       **SEC. 2. Declaration of Policy.** It shall be the policy of the State to protect the  
4       fundamental rights of individuals to privacy, personal dignity, and control over their own  
5       identity and likeness in the digital realm. The State recognizes the increasing prevalence  
6       and evolvment of artificial intelligence (AI) technologies, particularly in generating  
7       synthetic media known as deepfakes, which can manipulate or create realistic images,  
8       videos, or audio of individuals without their consent. While acknowledging the beneficial  
9       applications of AI in the realm of technological advancement and development, the State  
10      deems it imperative to enact measures that safeguard individuals from the malicious,  
11      deceptive, or unauthorized use of their personal attributes for deepfake creation, thereby  
12      preventing fraud, reputational harm, and the spread of misinformation.

13  
14      **SEC. 3. Definition of Terms.** As used in this Act:

15      (a) **Artificial Intelligence (AI)** refers to a machine-based system that can, for a  
16      given set of human-defined objectives, make predictions, recommendations, or  
17      decisions influencing real or virtual environments.

1 (b) **Deepfake** refers to any synthetic media, including but not limited to images,  
2 videos, audio recordings, or any combination thereof, that are primarily generated,  
3 manipulated, or altered by artificial intelligence, machine learning, or similar  
4 technologies, to falsely depict a person's appearance, voice, or actions as if they were  
5 real or authentic.

6 (c) **Personal Attributes** refer to an individual's unique and distinguishable  
7 features, including but not limited to their face, facial expressions, body, body  
8 movements, voice, vocal patterns, and mannerisms.

9 (d) **Consent** refers to any freely given, specific, informed indication of will, whereby  
10 the data subject agrees to the processing of personal data about or relating to him or  
11 her, and evidenced by written, electronic, or recorded means. Consent may also be  
12 given on behalf of the data subject by an agent specifically authorized by the data  
13 subject to do so.

14 (e) **Malicious Use** refers to the use of deepfakes with the intent to deceive,  
15 defraud, defame, harass, intimidate, threaten, sexually exploit, cause distress, or  
16 otherwise cause harm to an individual or the public which may include, but not limited  
17 to fake pornography, online scam and calls and false political propaganda, among  
18 others.

19 **SEC. 4. Right to Personal Attributes.** Every individual shall have the exclusive right  
20 to control the commercial use, reproduction, distribution, public display, and other forms  
21 of exploitation of their own personal attributes, as defined in this Act, in any deepfake or  
22 other AI-generated synthetic media. This right shall be independent of any existing  
23 copyright, trademark, or other intellectual property rights.

24  
25 **SEC. 5. Scope of Protection.** The protection granted under this Act shall include:

26 (a) The unauthorized creation of deepfakes using an individual's personal  
27 attributes, such as their face, voice, or bodily likeness, without their informed and written  
28 consent;

29 (b) The unauthorized dissemination, distribution, publication, or public display of  
30 deepfakes containing an individual's personal attributes without their explicit consent,  
31 regardless of platform or medium;

32 (c) The unauthorized commercial exploitation of deepfakes containing an  
33 individual's personal attributes, including for advertising, endorsements, entertainment, or  
34 profit, without their explicit consent;

35 (d) The use of deepfakes in the commission of online scams, phishing schemes,  
36 impersonation attempts, and fraudulent calls intended to deceive or defraud individuals,  
37 public or private entities;

38 (e) The creation and spread of false political propaganda using deepfakes,  
39 particularly those that misrepresent public figures or manipulate public discourse with the  
40 intent to mislead voters, distort facts, or disrupt democratic processes;

41 (f) Other malicious uses of deepfake technology that may cause harm, confusion,  
42 reputational damage, or violation of personality rights.

1       **SEC. 6. Exceptions.** The provisions of this Act shall not apply to:

2  
3       (a) The use of deepfakes for purposes of parody, satire, critique, commentary, or news  
4 reporting, provided that such use is clearly and conspicuously labeled as synthetic and  
5 does not constitute malicious use as defined in this Act;

6       (b) The use of deepfakes in the context of legitimate artistic or creative works, provided  
7 that such use is clearly and conspicuously labeled as synthetic and does not constitute  
8 malicious use;

9       (c) The use of deepfakes for research and development of AI technologies, provided  
10 that personal data is anonymized or de-identified to the greatest extent possible and such  
11 use does not constitute malicious use;

12       (d) The use of deepfakes where the individual's personal attributes are incidental and  
13 not the primary subject of the synthetic media, and such use does not constitute malicious  
14 use.

15  
16       **SEC. 7. Labeling and Disclosure.** All deepfakes, regardless of their purpose, shall  
17 be required to bear a clear and conspicuous disclaimer or label indicating that the content  
18 is artificially generated or manipulated. The National Privacy Commission (NPC), in  
19 coordination with the Department of Information and Communications Technology (DICT),  
20 shall issue guidelines for the appropriate labeling and disclosure of deepfakes.

21  
22       **SEC. 8. Liability of Platform Providers.** Social media platforms, content-hosting  
23 services, and other online intermediaries shall exercise due diligence in detecting,  
24 removing, or disabling access to deepfakes that violate this Act, upon proper notification  
25 and verification of the infringement. Failure to comply with this provision may subject such  
26 platforms to penalties as determined by the NPC, without prejudice to other civil or criminal  
27 liabilities.

28  
29       **SEC. 9. Penalties.** The following penalties shall be imposed on the following  
30 offenses:

31       a) The unauthorized Creation or Dissemination of Malicious Deepfakes shall be  
32 penalized by imprisonment ranging from one (1) year to three (3) years and a fine of not  
33 less than Five hundred thousand pesos (Php500,000.00) but not more than Two million  
34 pesos (Php2,000,000.00) shall be imposed on persons who process personal information  
35 without the consent of the data subject, or without being authorized under this Act or any  
36 existing law. If the deepfake is used for sexual exploitation, shall suffer the penalty of life  
37 imprisonment and a fine of not less than Two million pesos (P2,000,000.00).

38       (b) Unauthorized Commercial Exploitation of Deepfakes shall be penalized by  
39 imprisonment ranging from one (1) year and six (6) months to five (5) years and a fine of  
40 not less than Five hundred thousand pesos (Php500,000.00) but not more than One million  
41 pesos (Php1,000,000.00) shall be imposed on persons processing personal information for  
42 purposes not authorized by the data subject, or otherwise authorized under this Act or  
43 under existing laws.

44       (c) Failure to Label Deepfakes as Synthetic shall be penalized by imprisonment  
45 ranging from one (1) year to three (3) years and a fine of not less than Five hundred  
46 thousand pesos (Php500,000.00) but not more than Two million pesos (Php2,000,000.00)  
47 shall be imposed on persons who process personal information without the consent of the  
48 data subject, or without being authorized under this Act or any existing law.

1 (d) Corporate Liability. If the violator is a corporation, partnership, association, or  
2 any juridical entity, the penalty shall be imposed upon the president, managing partner,  
3 chief executive officer, or any other officer responsible for the violation.  
4

5 **Sec. 10. Separability Clause.** If any provision of this Act or the application of  
6 such provision to any person or circumstance is declared invalid, the remainder of the Act  
7 or the application of such provision to other persons or circumstances shall not be affected  
8 thereby.

9 **Sec. 11. Repealing Clause.** All laws, decrees, administrative issuances, rules and  
10 regulations, and orders or parts thereof inconsistent with this Act are deemed repealed or  
11 modified accordingly.

12 **Sec. 12. Effectivity.** This Act shall take effect after fifteen (15) days following the  
13 completion of its publication in the *Official Gazette* or in two (2) national newspapers of  
14 general circulation, whichever comes first.  
15

16 *Adopted,*  
17