

Republic of the Philippines  
HOUSE OF REPRESENTATIVES  
Quezon City

TWENTIETH CONGRESS  
First Regular Session  
House Bill No. **3045**



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Introduced by: Congressman **BIENVENIDO M. ABANTE, JR.**

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**AN ACT  
PROHIBITING AND PENALIZING THE PRODUCTION, PRINTING,  
PUBLICATION, IMPORTATION, SALE, DISTRIBUTION, AND EXHIBITION  
OF PORNOGRAPHIC MOVIES AND MATERIALS, THE EXHIBITION OF  
LIVE SEXUAL ACTS, AND THE UPLOADING OR POSTING OF OBSCENE  
MATERIALS THROUGH DIGITAL PLATFORMS, AMENDING FOR THE  
PURPOSE ARTICLE 201 OF THE REVISED PENAL CODE**

**EXPLANATORY NOTE**

No less than the 1987 Constitution, in one of its State policies, declared that it recognizes the vital role of the youth in nation-building and shall promote and protect their physical, moral, spiritual, intellectual, and social well-being. The Constitution even mandates educational institutions to strengthen ethical and Spiritual values and develop moral character.

Today, we are living witnesses to broken homes and families, shattered dreams of parents and children, rising crimes against persons and chastity, unwarranted and/or early pregnancies, abortions, child abuse, and an utter lack of respect for human values and dignity. Unfortunately, the moral fibers of our society continue to disintegrate, and obscenity and pornography have greatly contributed to these ills of society. Though it is probably surprising to many young people today, there was a time before the rise of the Internet when pornography was mostly found in magazines and videos. These were purchased via subscription or could be found in stores, either hidden away at the back of the magazine racks. Regrettably, due to the advancement of technology, there are millions of websites devoted to pornographic and obscene videos and images. This shift has made pornography more accessible than it has ever been before.<sup>1</sup>

According to studies, pornography is any material that is predominantly sexually explicit and intended primarily for sexual arousal. Online or internet

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<sup>1</sup> The Cambridge Handbook of Evolutionary Perspectives on Human Behavior , pp. 548 - 557DOI: <https://doi.org/10.1017/9781108131797.046>. Publisher: Cambridge University Press. Print publication year: 2020

pornography is any images and videos with sexually explicit content that can be viewed and downloaded from the internet. Furthermore, the development of smartphones and their substantial prevalence among young adults has contributed to this ease of access to pornography.<sup>2</sup>

Sadly, the moral issue of watching pornography results in various negative effects such as objectification of men/women, loss of respect, lack of focus/concentration, distorted views on sexuality, and many others. This behavior, if not controlled, can lead to addiction, which can be destructive to one's mental health. Addictive use of internet pornography, as research and studies confirmed, which is associated with poorer psychosocial functioning, emerges when people begin to use or engage with it daily. This is where the habit is gradually developed, and a compulsive behavior comes into play.<sup>3</sup>

While freedom of speech and the press guarantee the right to utter, upload, publish, and share whatever one pleases. Yet, if for its blasphemy, obscene, or scandalous character, the same may be curtailed under the police power of the State to promote the general welfare. Censorship of immoral or indecent pictures is not a violation of such freedom. Obscenity is utterly without redeeming social value; hence, it should be restrained.

Unless we act now with determination and dispatch, our children may no longer be able to recover from the devastating effects of obscenity and pornography. Let us not be judged by history that we, as legislators of our country, who should be examples of moral values, have become apathetic and unconcerned with the cry of our people, particularly the youth, in bringing back moral values to our beloved country. We must come back to a society where we have a moral foundation to stand on and where the law is respected and obeyed.

The immediate passage of this Bill, therefore, is earnestly prayed for.



**BIENVENIDO M. ABANTE, JR.**

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<sup>2</sup> Pew Research Center (2015). The Smartphone Difference [Online] Washington, DC: Pew Research Center.

<sup>3</sup> Cepeda, M. (2022, August 24). Philippines declares "war" against online child pornography. The Straits Times. <https://www.straitstimes.com/asia/se-asia/philippines-declares-war-against-online-child-pornography>

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**MATERIALS THROUGH DIGITAL PLATFORMS, AMENDING FOR THE**  
**PURPOSE ARTICLE 201 OF THE REVISED PENAL CODE**

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

**SECTION 1. Title.** – This act shall be known as the “**Anti-Obscenity and Pornography Act of 2025**”.

**SEC 2. Declaration of Policy.** – It is the policy of the State to give special value to the dignity of every human person and to promote and safeguard *the* integrity and the moral, spiritual, and social well-being of its citizenry, especially the youth in general and women in particular, from the pernicious effects of obscenity and pornography. To effectively enforce this policy, the government shall wage a relentless campaign against obscenity and pornography. Likewise, the government shall see to it that educational institutions are complying with their Constitutional mandate to strengthen ethical and spiritual values and to develop moral character and personal discipline.

**SEC 3. Definition of Terms.**- As used in this Act, the following terms shall mean:

- a) *Obscene.* – Anything that is indecent, erotic, or offensive or contrary to good customs or religious beliefs, principles or doctrines, or which tends to corrupt or deprave the human mind, or is calculated to excite impure imagination or arouse prurient interest, or which violates the proprieties of language and human behavior, regardless of the motive of the producer, printer, publisher, writer, importer, seller, distributor, exhibitor, uploader or *poster* such as but not limited to:
1. showing, depicting, describing, uploading, or posting sexual acts;

2. showing, depicting, describing, uploading, or posting human sexual organs or the female breasts;
  3. showing, depicting, describing, uploading, or posting completely nude human bodies;
  4. describing erotic reactions, feelings, or experiences on sexual acts; or
  5. performing live or online sexual acts of whatever form.
- b.) *Pornographic or Pornography.*- Objects or subjects of photography, content of video blog, illustrations, paintings, drawings, writings, literature, billboards, posters, movies, music records, video, television shows, or programs, magazines, newspapers, tabloids, newsletters, and comic books calculated to excite or stimulate sexual drive or impure imagination, regardless of the motive of the author thereof.
- c.) *Materials.* - Newspapers, tabloids, magazines, newsletters, literature, articles, writings, and comic books regardless of the frequency and place of publication or circulation, whether its circulation is limited to subscribers, and whether printed in the Philippines or abroad; photographs, drawings, illustrations, billboards, and posters; movies, television shows or programs, music records, video, video blog, and similar matters, whether produced or uploaded or posted in the Philippines or abroad.
- d.) *Sex.* - The area of human behavior concerning sexual activity, sexual desires, instinct, and their expressions.
- e.) *Sexual act.* - having sex or an act of satisfying one's sex instinct.
- f.) *Magazine.* - a paperback periodical publication of writings by different authors, often illustrated with advertisements, whether printed in the Philippines or abroad.
- g.) *Comic book.* - A magazine consisting of narrative cartoon drawings.
- h.) *Internet address.* - refers to a website, bulletin board service, internet chat room, newsgroup, or any other internet or shared network protocol address
- i.) *Internet service provider (ISP).* - refers to a person or entity that supplies or proposes to supply an internet carriage service to the public.
- j.) *Blog* - refers to a collection of written content, such as articles, stories, or essays, text-based, usually presented on websites or platforms designed for written content.
- k.) *Vlog* - is a blog in video format with the content presented via recorded videos. A video-based platform is typically hosted on video-sharing platforms such

as, but not limited to, Facebook, TikTok, YouTube, or other dedicated vlogging sites.

- 1.) *Digital platform.* - Online space where exchange happens between the producers of products, services, and information and their customers, such as but not limited to social media and media-sharing platforms.

**SEC 4. Punishable Acts.** - The following acts are declared illegal and punishable:

- a) Producing, importing, distributing, broadcasting, advertising, uploading, or posting obscene or pornographic movies, materials, blogs, or vlogs;
- b) Showing, printing, publishing, selling, exhibiting, or causing the showing, exhibition, printing, sale, or publishing of obscene or pornographic movies, blogs, or vlogs as the terms are defined under this Act;
- c) Printing, publishing, showing, exhibiting, advertising, broadcasting, uploading, or posting, or causing the printing, publication, showing, exhibition, advertising, broadcasting, uploading, or posting of anything obscene or pornographic materials, other than movies, as the terms are defined under this Act;
- d) Printing, uploading, publishing, importing, selling, or distributing magazines or comic books containing anything obscene or pornographic as the terms are defined under this Act;
- e) Showing, exhibiting, selling, distributing, or uploading obscene pornographic movies, videos, blogs, or vlogs through digital platforms such as but not limited to social media and media-sharing platforms whether produced in the Philippines or abroad in restaurants, clubs, other places open to the public, public utility vehicles, including private buildings or houses where the viewers are not limited to the owner/s thereof and the members of their family;
- f) Writing any obscene or pornographic article in any newspaper, tabloid, magazine, newsletter, comic books, or through blogs;
- g) Performing, or allowing the performance of live sex or a sexual act in any place open to public viewing.
- h) Failure of an Internet Service Provider (ISP) to notify the Philippine National Police (PNP) or the National Bureau of Investigation (NBI) within seven (7) days from obtaining facts and circumstances that obscene or pornographic movies, materials, videos, blogs, or vlogs are being committed using its server or facility.

**SEC 5. Penalties.** - The following penalties shall be imposed upon any person found guilty of committing any of the prohibited acts under Section 4 of this Act:

- a) For producing, importing, distributing, broadcasting advertising, uploading or posting, obscene or pornographic movies, materials, blogs, and vlogs, as the terms are defined under this Act, the penalty of imprisonment of not less than four (4) years nor more than five (5) years and a fine of not less than One Hundred Thousand Pesos (P100,000.00) nor more than Three Hundred Thousand pesos (P300,000.00) shall be imposed.
- b) For showing, printing, publishing, selling or exhibiting, or causing the showing, exhibition printing, sale, or publication of, obscene or pornographic movies, blogs, or vlogs as the terms are defined under this Act, the penalty of imprisonment of not less than six (6) years nor more than ten (10) years and a fine of not less than Five Hundred thousand Pesos (P500,000) nor more than One Million pesos (P 1,000,000.00) shall be imposed.
- c) For printing, publishing, showing, exhibition, advertising, broadcasting, uploading or posting or causing the printing, publication, showing exhibition, advertising, broadcasting, uploading, or posting of anything obscene or pornographic materials, other than movies as the terms are defined under this Act, the penalty of not less than five (5) years nor more than seven (7) years and a fine of not less than four (4) Hundred Thousand pesos (P 400,000) nor more than Seven (7) Hundred Thousand Pesos (P 700,000) shall be imposed.
- d) For printing, uploading, publishing, importing, selling, or distributing, magazine or comic books containing anything obscene or pornographic as the terms are defined under this Act, the penalty of imprisonment of not less than four (4) years nor more than five (5) years and a fine of not less than One Hundred Thousand Pesos (P100,000) nor more than Three Hundred Thousand Pesos (P300,000) shall be imposed.
- e) For showing, exhibiting, selling, distributing, or uploading obscene pornographic movies, videos, blogs, or vlogs through digital platforms such as but not limited to social media and media-sharing platforms whether produced in the Philippines or abroad in restaurants, clubs, other places open to the public, public utility vehicles, including private buildings or houses where the viewers are not limited to the owner/s thereof and the members of their family, the penalty of imprisonment of not less than six (6) years or more than ten (10) years and a fine of not less than Five Hundred Thousand Pesos (P 500,000.00) nor more than One Million Pesos (P1,000,000.00) shall be imposed.
- f) For writing any obscene or pornographic article in any newspaper, tabloid, magazine, newsletter, comic book, or through blogs, the penalty of imprisonment of not less than three (3) years nor more than five (5) years and

a fine of not less than Fifty Thousand Pesos (P50,000.00) nor more than Two Hundred Thousand Pesos (P200,000.00) shall be imposed.

- g) For performing, or allowing the performance of live sex or sexual act in any place open to public viewing, the penalty of imprisonment of not less than five (5) years nor more than seven (7) years and a fine of not less than Three Hundred Thousand Pesos (P300,000.00) nor more than Five Hundred Thousand Pesos (P500,000.00) shall be imposed.
- h) An Internet Service Providers (ISP) that fails to notify the Philippine National Police (PNP) or the National Bureau of Investigation (NBI) within seven (7) days from obtaining facts and circumstances that obscene or pornographic movies, videos, materials, blogs or vlogs is being committed using its server or facility, shall suffer the penalty of fine of not less than Five hundred thousand pesos (Php500,000.00) but not more than One million pesos (Php1,000,000.00) for the first offense. In case of a subsequent offense, the penalty shall be a fine of not less than one million pesos (Php1,000,000.00) but not more than two million pesos (Php2,000,000.00) and revocation of its license to operate;

In any case, if the offender is a juridical person, the President, General Manager, Members of the Board of Directors, Editor-in-Chief, Production, Sales, Marketing, and Advertising, Departments' /Sections' Managers or Heads thereof, as the case may be, shall be criminally liable.

Any person found guilty of violating this Act shall not be entitled to the benefits of the Probation Law.

**SEC. 6** *Appointment of Special Prosecutors.* - The Department of Justice (DOJ) shall appoint or designate special prosecutors to prosecute cases involving violations of this Act.

**SEC. 7** *Duties of an Internet Service Provider (ISP).* - All internet service providers shall notify the Philippine National Police (PNP) or the National Bureau of Investigation (NBI) within seven (7) days from obtaining facts and circumstances that obscene or pornographic movies, materials, videos, blogs, or vlogs are being committed using their server or facility. Nothing in this section shall be construed to require an ISP to monitor any user, subscriber, or customer, or the content of any communication of any such persons: Provided, That an ISP shall preserve such evidence gathered for purposes of investigation and prosecution for violations of this Section: Provided further, That no ISP shall be held civilly liable for damages on account of any notice given in good faith in compliance with this section.

An ISP shall, upon the request of proper authorities, furnish the particulars of users who gained or attempted to gain access to an internet address that contains any form of obscene or pornographic movies, materials, videos, blogs, or vlogs.

All ISPs shall install available technology, programs, or software to ensure that access to or transmittal of any form of obscene or pornographic movies, materials, videos, blogs, or vlogs will be blocked or filtered.

An ISP who shall knowingly, willfully, and intentionally violate this provision shall be subject to the penalty provided under Section 5(h) of this Act.

**SEC. 8 *Witness Protection and Immunity from Prosecution.*** – Any person who provides material information, whether testimonial or documentary, leading to the apprehension and prosecution of any person violating this Act and who testifies against such person shall be placed under the Witness Protection Program pursuant to Republic Act No. 6981 and shall be immune from any criminal prosecution, subject to the pertinent provisions of Presidential Decree No. 1732 otherwise known as Decree Providing Immunity from Criminal Prosecution to Government Witness and the pertinent provisions of the Rules of Court.

**SEC. 9 *Informant's Reward.*** – Any person who, having knowledge or information of any violation under this Act, shall disclose the same which will lead to the arrest, prosecution, and conviction of the offender shall be given a reward in an amount to be determined through policy guidelines to be promulgated by the Department of Justice in coordination with the Movie and Television Review and Classification Board, the National Telecommunication Commission and the Department of the Interior and Local Government within Sixty (60) days from the effectivity of this Act.

**SEC. 10 *Implementing Rules and Regulations.*** – Within Sixty (60) days from the effectivity of this Act, the DOJ, DILG, MTRCB, NTC, and other concerned government agencies shall jointly promulgate the implementing rules and regulations which shall include, among others, the installation of filtering software that will block access to or transmission of any form of obscene or pornographic movies, materials, videos, blogs or vlogs to ensure the efficient and effective implementation of the provisions of this Act. Provided that the absence of such implementing rules and regulations shall not prevent the arrest, prosecution, and conviction of any person for violation of this Act.

**SEC. 11. *Separability Clause.*** – If, for any reason, any portion or provision of this Act shall be held unconstitutional or invalid, the remaining provisions not affected thereby shall continue to be in full force and effect.

**SEC. 12 *Repealing Clause.*** – The provisions of Article 201 of the Revised Penal Code are hereby repealed. All other laws, decrees, executive orders, memorandum orders, memorandum circulars, administrative orders, ordinances, or parts thereof, which are inconsistent with the provisions of this Act, are hereby deemed repealed, amended, or modified accordingly.

**SEC. 13 Effectivity.** - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

*Approved,*