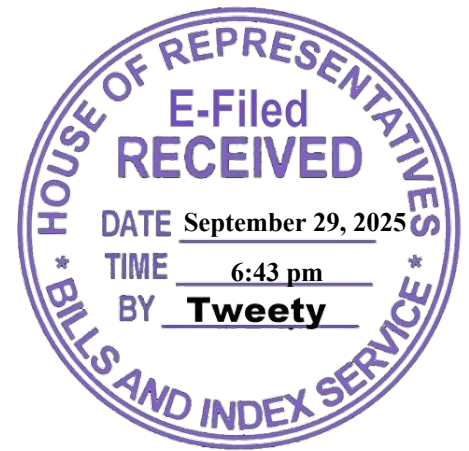


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

TWENTIETH CONGRESS
First Regular Session

House Bill No. 4965



Introduced by Representatives ERIC G. YAP and EDVIC G. YAP

EXPLANATORY NOTE

This bill seeks to define fake news and disinformation and establish penalties for their deliberate dissemination, ensuring that new technologies are not used to spread lies with the intent to cause confusion, incite hatred, or negatively influence public opinion.

The Philippines, a nation with high digital engagement, faces a critical problem where disinformation has become a severe threat to public trust and institutions. We are now in an environment where objective facts are less influential in shaping public opinion than appeals to emotion and personal belief.

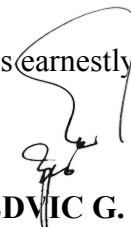
The rapid boom of social media and digital platforms has blurred the line defining legitimate news from fake news. Existing laws, such as Article 154 of Republic Act (RA) No. 10175, or the "*Revised Penal Code and the Cybercrime Prevention Act of 2012*", are inadequate to address this problem, particularly given the scale and impact of malicious disinformation campaigns using platforms like deepfakes and artificial intelligence.

While the State upholds the freedom of speech and of expression, spreading fake news is not an act of liberty. It is an abuse that manipulates citizens, and ultimately causes public harm by tearing down trust.

This measure is necessary to modernize our laws against a digitally-amplified threat. By striking a balance between protecting the freedom of expression and addressing the dangerous consequences of intentional disinformation, this measure affirms the values of both liberty and responsibility in a modern, democratic society.

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


HON. ERIC G. YAP


HON. EDVIC G. YAP

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AN ACT
PENALIZING THE MALICIOUS AND DELIBERATE DISSEMINATION OF FALSE INFORMATION THAT UNDERMINES PUBLIC ORDER OR NATIONAL SECURITY, STRENGTHENING REGULATIONS ON FAKE NEWS THROUGH DIGITAL PLATFORMS, AND FOR OTHER PURPOSES

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

Section 1. *Short Title.* — This Act shall be known as the “*Anti-Fake News and Disinformation Act*”.

SEC. 2. *Declaration of Policy.* — The State upholds the freedom of speech, of expression, and of the press under Section 4, Article III of the 1987 Constitution. However, it also recognizes the increasing threat posed by the intentional dissemination of false information, especially through digital and social media platforms, which may endanger public safety, erode democratic institutions, and threaten national security. This Act seeks to deter and penalize such conduct, consistent with constitutional protections and human rights standards.

SEC. 3. *Definition of Terms.* — As used in this Act,

(a) Fake News refers to false or misleading information presented as fact or news, deliberately and maliciously disseminated to mislead the public, that may sow confusion, incite hatred or violence, or disrupt public order.

(b) Disinformation refers to false information intentionally spread to deceive, manipulate, or influence public perception, behavior, or policy.

(c) Social Media Platforms refer to websites, mobile applications, or other digital systems enabling users to create, share, or disseminate content, including but not limited to Facebook, YouTube, TikTok, Instagram, X (formerly Twitter), and other similar networks.

(d) Cyber-Enabled Dissemination refers to the use of internet-enabled technologies and platforms to commit acts penalized under this Act, including through bots, trolls, or coordinated inauthentic behavior.

(e) Malicious Intent refers to the deliberate or reckless disregard for truth, with the purpose of causing harm, panic, hatred, violence, or undermining trust in institutions.

SEC. 4. *Prohibited Acts.* — For the purposes of this act, it shall be unlawful for any person to:

(a) Knowingly and maliciously publish or disseminate, through any medium including print, broadcast, or digital and social media, any fake news or disinformation as defined in Section 3;

(b) Create, operate, or finance troll farms, bot networks, or coordinated campaigns specifically aimed at spreading fake news;

(c) Disseminate fake news or disinformation that incites violence, promotes hate speech, discredits democratic institutions, or may cause public panic or disorder; or

(d) Facilitate or allow the use of social media platforms or accounts to repeatedly and systematically engage in the conduct described above.

SEC. 5. *Cybercrime Linkage.* — When the offense under this Act is committed through computer systems or digital networks, the provisions of RA No. 10175, or the “*Cybercrime Prevention Act of 2012*” shall apply suppletorily, particularly on:

(a) Jurisdiction and venue;

(b) Preservation and disclosure of computer data;

(c) Real-time collection of traffic data;

(d) Cooperation with service providers; and

(e) Law enforcement authority.

SEC. 6. *Penalties.* — Any person found guilty of violating Section 4 shall be subject to imprisonment of six (6) years to twelve (12) years, and a fine of not less than P500,000 but not more than P2,000,000, or both, at the discretion of the court. In accordance with prevailing rules, jurisdiction shall lie with the Regional Trial Courts (RTCs).

SEC. 7. *Relation to Article 154 of the Revised Penal Code.* — Offenses punishable under Article 154 of the Revised Penal Code that are committed through information and communications technologies or digital platforms shall be prosecuted under this Act, subject to higher penalties and the procedural provisions of RA 10175.

Where applicable, the offender may be prosecuted under both this Act and Article 154, provided that the constitutional prohibition against double jeopardy is not violated.

SEC. 8. *Aggravating Circumstances.* — The maximum penalty shall be imposed if any of the following aggravating circumstances are present:

(a) The offense endangers or undermines national security, public safety, or diplomatic relations;

(b) The fake news relates to or interferes with elections, public health emergencies, disaster response, or peace negotiations;

(c) The offender is a public officer, elected official, journalist, or social media influencer with 50,000 or more followers or subscribers, who knowingly leverages their platform to spread disinformation;

(d) The act is committed using automated or coordinated digital systems, including the use of troll farms, bots, or sock puppet networks; and

(e) The fake news is disseminated with the direct or indirect aid of a foreign government, foreign entity, or foreign individual, including financial, logistical, technical, or cyber infrastructure support, with the intent or effect of influencing public opinion, destabilizing institutions, or undermining democratic processes.

SEC. 9. *Exceptions.* — This Act shall not apply to:

(a) Clearly labeled satire, parody, or editorial content;

(b) Personal opinions or interpretations that do not claim to state factual assertions;

(c) Honest mistakes made without malicious intent; and

(d) News reporting or academic discourse made in good faith and with reasonable verification of sources.

SEC. 10. *Judicial Recourse and Appeals.* — All prosecutions under this Act shall be filed in the Regional Trial Court (RTC) of the province or city where the offense was committed, or where the content was first accessed or downloaded. Accordingly,

(a) The accused shall be entitled to legal counsel, to confront witnesses, and to a fair and public trial under the Rules of Court.

(b) Convicted persons may appeal to the Court of Appeals and, where warranted, to the Supreme Court, in accordance with the Rules of Criminal Procedure.

(c) Injunctive relief or constitutional remedies (e.g., *habeas corpus*, *amparo*, *certiorari*) may be sought by the accused if the enforcement of this Act results in violation of fundamental rights.

The Commission on Human Rights (CHR) may provide legal and monitoring assistance in cases alleging abuse of this Act for political or retaliatory purposes.

SEC. 11. *Designation of Liaison Officers by Social Media Platforms.* — All social media platforms operating within the Philippines or providing services to users in the Philippines shall designate a duly authorized liaison officer to the Department of Information and Communications Technology (DICT). The liaison officer shall act as the duly authorized point of contact for matters involving:

- (a) Compliance with this Act and other cyber-related laws;
- (b) Coordination on takedown or moderation requests involving malicious disinformation that threatens national security or public order;
- (c) Emergency responses during critical events such as elections, disasters, or public health crises; and
- (d) Reporting obligations and transparency measures as may be required by the DICT or Congress.

All social media platforms shall submit to the DICT:

- (a) The full name and contact information of the designated liaison;
- (b) Updates to the designation within fifteen (15) days of any change;
- (c) An annual report on the platform's enforcement actions related to disinformation targeting Filipino users.

The DICT, in consultation with stakeholders, shall issue guidelines for the registration, responsibilities, and performance evaluation of designated liaisons within sixty (60) days from the effectivity of this Act.

SEC. 12. *Oversight and Review Mechanism.* — A Joint Congressional Oversight Committee composed of members from the Senate, House of Representatives, the judiciary, and representatives from civil society and media organizations shall:

- (a) Monitor implementation of this Act;
- (b) Review enforcement procedures for potential abuse or overreach; and

(c) Submit a triennial report with recommendations for amendment or repeal, if warranted.

SEC. 13. *Separability Clause.* — If any provision of this Act is declared unconstitutional, the remaining provisions shall remain valid and in effect.

SEC. 14. *Repealing Clause.* — All laws, decrees, rules and regulations inconsistent with this Act are hereby repealed or amended accordingly.

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

Approved,