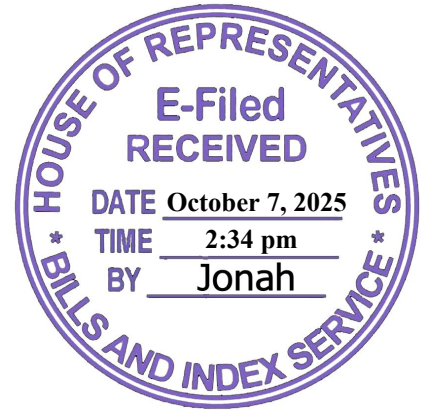


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 5241



Introduced by **HON. BRIAN RAYMUND S. YAMSUAN**

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

EXPLANATORY NOTE

The Philippines was hailed as the social media capital of the world in 2025.¹ According to a report, there were 97.5 million internet users in the Philippines, with Filipinos spending an average of 8 hours and 52 minutes online.² While this widespread connectivity has brought advantages, such as easier access to information, it has also given rise to challenges, particularly the spread of fake news.

The issue of fake news continues to prevail in the Philippines. A 2022 survey found that around 90% of Filipinos have read and/or watched fake political news while 86% believe false or fake news is a problem in the country.³ A 2025 survey also found that the majority of Filipinos believed that fake news is a serious problem and thought that it was difficult to determine if news or a piece of information they had watched, heard, or read on TV, radio, or social media was fake or wrong.⁴

¹ Zamora, Erika. (2025). NGP Social Commentary: Uy, Pilipins! Filipinos Still Top Online Users in 2025. Available at <https://www.ngpimc.com/filipino-online-users-2025/>.

² *Id.*

³ Panti, Llanesca. (2022). Pulse Asia: 90% of Filipinos exposed to fake political news. GMA News. Available at <https://www.gmanetwork.com/news/topstories/nation/847645/pulse-asia-90-of-filipinos-exposed-to-fake-political-news/story/>.

⁴ SWS: Most Filipinos see fake news as serious problem. Inquirer.NET. Available at <https://newsinfo.inquirer.net/2043443/sws-most-filipinos-see-fake-news-as-serious-problem>.

As a previous Head of Media Relations at the Office of the Press Secretary, I have seen the value of accurate and accessible information to effective governance. In this age of digital communication, we have to be ready to face and correct the spread of misinformation and disinformation that threaten our government institutions. The proliferation of fake news can be used as a weapon to manipulate public opinion and the democratic process.

The government has made efforts to combat fake news. For instance, the Department of Information and Communications Technology (DICT) through the Cybercrime Investigation and Coordinating Center (CICC) will establish a rapid response coordination mechanism with Google to flag content that violates community guidelines or local laws.⁵ Further, the President, in coordination with various government agencies, launched the Media Information Literacy (MIL) Project, aimed at combating misinformation and disinformation.⁶

This measure aims to build on these efforts by penalizing, among others, the malicious publication or dissemination of fake news, whether in traditional media or in online platforms; creation, operation, or financing of troll farms and bot networks; the dissemination of fake news that incites violence, discredits democratic institutions, or may cause public panic or disorder.

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



BRIAN RAYMUND S. YAMSUAN
Representative
2nd District of Parañaque

⁵ DICT, Google Unite to Fight Fake News; Expand Digital Bayanihan Nationwide. Available at <https://dict.gov.ph/news-and-updates/19733>

⁶ PBBM admin to fight misinformation, disinformation through media literacy. (2023). Available at https://pco.gov.ph/news_releases/pbbm-admin-to-fight-misinformation-disinformation-through-media-literacy/.

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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”.

SECTION 2. Declaration of Policy. – The State 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. Towards this end, the State shall penalize such conduct, consistent with constitutional protections and human rights standards.

SECTION 3. Definition of Terms. – As used in this Act, the following terms are defined as follows:

- (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 platforms;
- (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; and
- (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.

SECTION 4. Prohibited Acts. – 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.

SECTION 5. Cybercrime Linkage. – The provisions of Republic Act No. 10175, otherwise known as the Cybercrime Prevention Act of 2012, shall apply suppletorily when the offenses under this Act are committed through computer systems or digital networks, 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.

SECTION 6. Penalties. – Any person found guilty of violating Section 4 shall suffer imprisonment of six (6) years to twelve (12) years and a fine of not less than PhP500,000 but not more than PhP2,000,000, or both, at the discretion of the court.

In accordance with prevailing rules, jurisdiction shall lie with the Regional Trial Courts (RTCs).

SECTION 7. Relation to Article 154 of the Revised Penal Code. –

- (a) 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 the higher penalties and the procedural provisions of R.A. No. 10175.
- (b) 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.

SECTION 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;
- (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.

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

SECTION 10. Judicial Recourse and Appeals. –

- (a) All prosecutions under this Act shall be filed in the RTC of the province or city where the offense was committed, or where the content was first accessed or downloaded.

- (b) The accused shall be entitled to legal counsel, to confront witnesses, and to a fair and public trial under the Rules of Court.
- (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.
- (d) The Commission on Human Rights (CHR) may provide legal and monitoring assistance in cases alleging abuse of this Act for political or retaliatory purposes.

SECTION 11. Designation of Liaison Officers by Social Media Platforms. –

- (a) 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).
- (b) The liaison officer shall serve as the platform's official point of contact for matters involving:
 - (i) Compliance with this Act and other cyber-related laws;
 - (ii) Coordination on takedown or moderation requests involving malicious disinformation that threatens national security or public order;
 - (iii) Emergency responses during critical events such as elections, disasters, or public health crises; and
 - (iv) Reporting obligations and transparency measures as may be required by the DICT or Congress.
- (c) Social media platforms shall submit to the DICT:
 - (i) The full name and contact information of the designated liaison;
 - (ii) Updates to the designation within fifteen (15) days of any change;
 - (iii) An annual report on the platform's enforcement actions related to disinformation targeting Filipino users.
- (d) 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.

SECTION 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 report every three (3) years with recommendations for amendment or repeal, if warranted.

SECTION 13. Separability Clause. - Should any provision of this Act be declared unconstitutional, the remaining parts not affected thereby shall remain valid and operational.

SECTION 14. Repealing Clause. — All laws, decrees, orders, circulars, issuances, rules and regulations and parts thereof which are inconsistent with this act are hereby repealed, amended or modified accordingly.

SECTION 15. Effectivity. — This act shall take effect fifteen (15) days after its publication in the Official Gazette or in any two (2) newspapers of general circulation in the Philippines.

Approved,