



Republic of the Philippines
House of Representatives
Quezon City, Metro Manila



Twentieth Congress
First Regular Session

HOUSE BILL NO. **6632**

Introduced by Representative Lorenz R. Defensor

EXPLANATORY NOTE

This bill seeks to grant protection to individual's name, face, voice and likeness, and provide penalties for unauthorized and malicious creation, distribution, and commercial use of deepfake media.

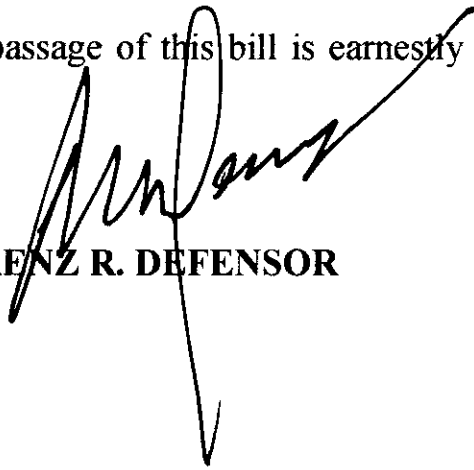
With the rapid advancement of technology, particularly with artificial intelligence, it is now the era of digital media and innovation. Various digital tools and technologies are being developed with the aid of artificial intelligence to create hyper-realistic images, videos, and audio that can mimic a person's likeness, voice, and gestures called deepfakes. Oftentimes, these so-called deepfakes are weaponized to deceive, exploit, harm and profit from the identities of individuals, including public figures and private citizens.

Currently, the Philippines lacks a legal framework that explicitly recognizes a person's name, face, voice, and likeness as copyrightable subject matter. While existing laws on privacy, cybercrime, and intellectual property offer partial protection, they do not adequately address the unauthorized and malicious creation, distribution and commercial exploitation of personal identity through deepfake media. This proposed bill seeks to fill that gap.

Enacting this proposed measure will provide for automatic and exclusive right over personal identity, effective from birth and lasting fifty (50) years posthumously. Criminalization of malicious use of deepfakes and requiring platform accountability will ensure the protection of all the people from identity theft, reputational harm, and psychological distress caused by generated media from artificial intelligence. Also, this proposed measure will position the

country as advocate in ethical artificial intelligence governance and digital rights.

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



LORENZ R. DEFENSOR



Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

Twentieth Congress
First Regular Session

HOUSE BILL NO. 6632

Introduced by Representative Lorenz R. Defensor

AN ACT

**GRANTING PROTECTION TO INDIVIDUAL'S NAME, FACE, VOICE
AND LIKENESS AND PROVIDING PENALTIES FOR THE
UNAUTHORIZED AND MALICIOUS CREATION, DISTRIBUTION OR
COMMERCIAL USE OF DEEPPAKE MEDIA**

*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 “*Personal
Identity Right Act.*”

SEC. 2. ***Declaration of Policy.*** – It is the policy of the State to uphold
the dignity, privacy, and autonomy of every person, particularly against the
evolving threats posed by digital replication, artificial intelligence generated
media, and unauthorized commercial exploitation of the image of identifiable
individuals. Toward this end, the State shall protect every individual's right to
control the use of their name, face, voice, and likeness, and safeguard one's
personal identity against unauthorized, malicious and exploitative use.

1 SEC. 3. ***Definition of Terms.*** – As used in this Act:

2 (a) *Deepfake media* refers to any picture, video, audio, or similar media
3 that portrays something that does not exist in reality or an event that never
4 occurred but is generated by artificial intelligence;

5 (b) *Digital forgery* refers to any intimate visual depiction of an
6 identifiable individual created through the use of software, machine learning,
7 artificial intelligence, or any other computer-generated or technological means,
8 including adapting, modifying, manipulating, or altering an authentic visual
9 depiction, that, when viewed as a whole by a reasonable person, is
10 distinguishable from an authentic visual depiction of the individual;

11 (c) *Identifiable individual* refers to a person who appears in whole or in
12 part in a visual depiction and whose face, likeness or other distinguishing
13 characteristic, including a unique birthmark or other recognizable feature, is
14 displayed in connection with such depiction;

15 (d) *Malicious use* refers to the use of deepfakes with the intent to
16 deceive, defraud, defame, harass, intimidate, threaten, sexually exploit, cause
17 distress, or otherwise cause harm to an individual or the public, including fake
18 pornography, online scam and calls and false political propaganda, among
19 others; and

20 (e) *Personal identity right* refers to the exclusive rights of identifiable
21 individuals over their own name, face, voice and likeness.

1 SEC. 4. ***Personal Identity Right.*** – Every person shall have the exclusive
2 control and personal identity right over their name, face, voice, and likeness,
3 which is effective upon birth and extending until fifty (50) years after their
4 death.

5 The right granted under this Act is independent and distinct of any
6 existing copyright, trademark, or other intellectual property rights.

7 SEC. 5. ***Consent.*** – No person, entity, or platform shall use the name,
8 face, voice, or likeness of another person for any purpose without a valid
9 written consent. The consent must indicate the specific and legitimate intended
10 use and provide for the allowable duration of use. The consent may be revoked
11 by the owner at any time.

12 SEC. 6. ***Prohibited Acts.*** – The following acts are considered unlawful:

13 (a) Generation, creation, or dissemination of a deepfake depicting an
14 individual's image, voice, or likeness for commercial purposes, or in a manner
15 that falsely implies the individual's endorsement of any product, service, or
16 entity, without their explicit and informed consent;

17 (b) Generation, creation, or dissemination of a deepfake of an
18 individual's image, voice, or likeness, regardless of commercial intent, where
19 the content is intended to inflict harm or reasonably foreseeably causes
20 psychological, financial, or reputational injury, or is used to spread
21 misinformation or disinformation targeting the identifiable individual;

1 (c) Use of deepfake technology to maliciously impersonate, defame,
2 deceive, or otherwise exploit an individual's image, voice, or likeness;

3 (d) Commission of digital forgery, including the unauthorized
4 manipulation or fabrication of digital content with the intent to deceive or
5 mislead; and

6 (e) Failure of any online platform to act upon a verified notification of a
7 deepfake involving an identifiable individual by removing or disabling access
8 to such content within forty-eight (48) hours from receipt of notice and
9 verification of infringement.

10 SEC. 7. **Exceptions.** – The following uses of deepfake media are not
11 considered infringement of personal identity right under this Act:

12 (a) Use for purposes of parody, satire, critique, commentary, or news
13 reporting: *Provided*, That the synthetic nature of the media is clearly and
14 conspicuously disclosed, and the content does not intentionally mislead or cause
15 harm to the depicted individual;

16 (b) Use within legitimate artistic or creative works, including film,
17 literature, performance, or visual arts: *Provided*, That the synthetic nature of the
18 media is clearly and conspicuously disclosed, and the individual depicted is not
19 portrayed in a defamatory, deceptive, or harmful manner;

20 (c) Use for research, testing, or development of artificial intelligence
21 technologies: *Provided*, That any personal data involved is anonymized or de-

1 identified to the maximum extent practicable, and the media is not used to
2 target or harm any identifiable individual;

3 (d) Use where the depiction of an individual's image, voice, or likeness
4 is incidental and not central to the synthetic media, and where such use does not
5 result in misrepresentation, exploitation, or harm to the individual; and

6 (e) Use by duly authorized law enforcement or judicial authorities in the
7 performance of their official duties, subject to applicable laws and safeguards
8 on privacy, due process, and accountability.

9 In all these instances, the use of deepfake media is deemed non-infringing
10 only if it does not constitute malicious use.

11 SEC. 8. ***Labeling and Disclosure.*** – All generated deepfake media,
12 regardless of purpose, must bear a clear and conspicuous disclaimer or label
13 indicating that the content is artificially generated or manipulated.

14 SEC. 9. ***Liability of Platform Providers.*** – Social media platforms,
15 content-hosting services, and other online intermediaries shall, upon proper
16 notification and verification of infringement, exercise due diligence in
17 detecting, removing or disabling access to deepfake media that violate this Act.
18 Failure to comply may subject such platforms to penalties as may be prescribed
19 by the Department of Information and Communications Technology, without
20 prejudice to other civil or criminal liabilities.

21 SEC. 10. ***Penalties.*** – The following penalties shall be imposed upon:

1 (a) Any person found guilty of violating Section 6 (a) and Section 8 of
2 this Act shall be punished with the penalty of imprisonment of not less than
3 three (3) years but not more than six (6) years, or a fine of not less than Five
4 hundred thousand pesos (P500,000.00) but not more than One million pesos
5 (P1,000,000.00), or both, at the discretion of the court;

6 (b) Any person found guilty of violating Section 6 (b), (c) and (d) of this
7 Act shall be punished with the penalty of imprisonment of not less than six (6)
8 years but not more than twelve (12) years, or a fine of not less than Five
9 hundred thousand pesos (P500,000.00) but not more than One million pesos
10 (P1,000,000.00), or both, at the discretion of the court; and

11 (c) Any person found guilty of violating Section 6 (e) of this Act shall
12 be punished with a fine of not less than One million pesos (P1,000,000.00) but
13 not more than Two million pesos (P2,000,000.00).

14 Any identifiable individual who suffered injury by reason of, or on the
15 occasion of, the commission of the acts punishable under Section 6 of this Act
16 is entitled to the award of damages under the Civil Code of the Philippines.

17 When any of the prohibited acts under Section 6 of this Act is committed
18 by a juridical person, the penalty shall be imposed upon the president, manager,
19 representative, director, officer, agent or employee who directly violated or
20 caused, directed, cooperated or participated in the commission of the prohibited
21 act.

1 SEC. 11. ***Implementing Rules and Regulations.*** – Within sixty (60)
2 days from the approval of this Act, the Secretary of Justice, Secretary of
3 Information and Communications Technology, Secretary of Trade and Industry
4 and Director General of Intellectual Property Office of the Philippines, shall, in
5 consultation with the Privacy Commissioner and Chairman of the National
6 Privacy Commission, promulgate the necessary rules and regulations for the
7 effective implementation of this Act.

8 SEC. 12. ***Separability Clause.*** – If any provision of this Act is declared
9 unconstitutional, the remaining provisions not affected shall remain in full force
10 and effect.

11 SEC. 13. ***Repealing Clause.*** – All laws, decrees, orders, or rules and
12 regulations that are inconsistent or contrary to the provisions of this Act are
13 amended or repealed accordingly.

14 SEC. 14. ***Effectivity.*** – This Act shall take effect fifteen (15) days after
15 its publication in the *Official Gazette* or in a newspaper of general circulation.

16 Approved,