



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

20th CONGRESS
1st Regular Session

HOUSE BILL NO. 6969



Introduced by Representative SITTIE SHAHARA “BAI DIMPLE” I. MASTURA

AN
ACT AMENDING SECTIONS 3 AND 4 OF REPUBLIC ACT NO. 10175 OTHERWISE
KNOWN AS THE “CYBERCRIME PREVENTION ACT OF 2012”

EXPLANATORY NOTE

Freedom of speech is a principle that supports the ability of individuals or communities to articulate their ideas and opinions without fear of retaliation, censorship or legal sanction.

Freedom of speech is guaranteed by our Constitution, the specific text of which are as follows:

“No law shall be passed abridging the freedom of speech, of expression, or of the press, or the right of the people peaceably to assemble and petition the government for redress of grievances.”

This provision highlights the importance of freedom of speech as a fundamental right indispensable to democracy and functioning of a free society by allowing individuals to express their views, beliefs, and opinions without fear of government reprisal, thereby fostering public discourse and accountability.

However, the exercise of this right requires a corresponding duty as well as responsibilities that are dictated by law, to equally respect the rights of other individuals, their reputation or in the general order of things, protection of the national security, and the general public as to safety, health and morals.

It is deeply concerning that in this day and age of unlimited information and ease of communication, our communities, the country and our people are subjected to the proliferation of false information and content, circulated to deliberately mislead and deceive the general public.

Even legitimate media websites are not spared of the malice that are being widely disseminated, causing confusion, fears, anxieties and panic among our people who are the ultimate victims of this modus operandi.

Article 154 of the Revised Penal Code provides that the publication of false news is unlawful, and while Republic Act 10175, otherwise known as the "Cybercrime Prevention Act of 2012", provides that acts of libel defined in Article 355 of the Revised Penal Code committed through a computer system is equally punishable, it is without doubt that current laws are not sufficient to address this concern; and that if unaddressed may lead to the degradation of society as we know it now.

It is worth noting that with 90.8 million active user identities in social media – nearly the entire population – the Philippines stands as one of the most deeply connected nations in the digital world, a situation ripe enough for fake news peddlers and destabilizers.

This bill therefore seeks the amendment of Sections 3 and 4 of Republic Act No. 10175 to give more teeth to the law, safeguard the true and legitimate freedom of expression; and protect our people from wolves in sheep's' clothing.

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



SITTIE SHAHARA "BAI DIMPLE" I. MASTURA

Representative

Maguindanao del Norte with Cotabato City, Lone District



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

SECTION 1. Section 3 of Republic Act No. 10175, otherwise known as the “Cybercrime Prevention Act of 2012”, is hereby amended to read as follows:

“SEC. 3. Definition of Terms. – For purposes of this Act, the following terms are hereby defined as follows:

xxx

(m) **DISINFORMATION REFERS TO AN INTENTIONALLY DISSEMINATED FALSE INFORMATION, WITH CONSCIOUS DISREGARD TO UTILIZE VERIFIABLE INFORMATION AND WITH MALICIOUS PURPOSE OF POLITICAL OR ECONOMIC NATURE, TO CAUSE SERIOUS HARM AGAINST PUBLIC HEALTH, NATIONAL SECURITY, NATIONAL ECONOMY OR CAUSE ENMITY, HATRED OR VIOLENCE AGAINST CERTAIN GROUPS WHO SHARE COMMON DEMOGRAPHICS**

[m] (N) Interception xxx

[n] (O) Service Provider xxx

[o] (P) Subscriber’s information refers to any information contained in the form of computer data, **SOCIAL WEBSITES AND ANY OTHER SIMILAR ONLINE PLATFORMS**, or any other form that is held by a service provider, relating to subscribers **OR REGISTERED USERS** xxx

SEC. 2. All succeeding subsections under Section 3 of Republic Act No. 10175 shall be renumbered accordingly.

SEC. 3. Section 4 of Republic Act No. 10175, is hereby amended to include:

“SEC. 4. Cybercrime Offenses. – The following acts constitute the offense of cybercrime punishable under this Act:

XXX

(c) Content-related Offenses:

XXX

(5) DISINFORMATION – THE CREATION AND DISSEMINATION OF DISINFORMATION AS DEFINED IN SECTION 3(M) HEREOF THROUGH A COMPUTER SYSTEM AS DEFINED IN SECTION 3(G) OF THIS ACT.

SEC. 4. Repealing Clause. – Any law, presidential decree, or issuance, executive orders, letters of instruction, administrative orders, rules or regulations contrary to or inconsistent with the provisions of this Act are hereby repealed, modified or amended accordingly.

SEC. 5. Separability Clause. – If, for any reason, any section or provision of this Act is held unconstitutional or invalid, the other sections or provisions hereof shall not be affected thereby.

SEC. 6 Effectivity. – This Act shall take effect fifteen (15) days from the date of its publication in the Official Gazette or a newspaper of general circulation.

Approved.