

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

20th CONGRESS
First Regular Session

HOUSE BILL NO. 8817



Introduced by. REP. JUAN CARLOS "ARJO" C. ATAYDE

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 rapid expansion of digital technology and social media platforms has transformed the way information is created, shared, and consumed. While these platforms have greatly enhanced communication and democratic participation, they have also enabled the rapid and widespread dissemination of false or misleading information. The deliberate spread of fake news and disinformation has emerged as a serious threat to public order, democratic institutions, and national security.

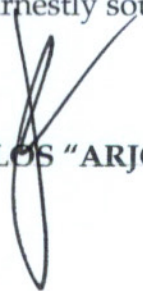
In recent years, disinformation campaigns—often amplified through troll farms, automated bot networks, and coordinated inauthentic behavior—have contributed to the erosion of public trust in institutions, fueled social division, and misled citizens on critical national issues. The harmful effects of disinformation become particularly evident during elections, public health emergencies, disasters, and other critical moments when the public relies heavily on accurate and reliable information.

While existing laws such as Article 154 of the Revised Penal Code and the Cybercrime Prevention Act of 2012 provide some mechanisms to address the spread of false information, these measures were enacted before the full emergence of the modern digital information ecosystem. As such, there is a need for a more comprehensive legal framework that specifically addresses the malicious and deliberate dissemination of disinformation through digital platforms while remaining fully consistent with constitutional guarantees of freedom of speech, expression, and of the press.

This bill seeks to penalize the malicious and deliberate dissemination of false information that undermines public order or national security. It defines key forms of disinformation, penalizes the operation and financing of troll farms and coordinated campaigns, and establishes mechanisms for coordination with digital platforms. At the same time, the measure incorporates safeguards to protect legitimate expression by exempting satire, opinion, good-faith reporting, and honest mistakes from criminal liability.

Ultimately, this proposed legislation aims to strike a careful balance between protecting freedom of expression and ensuring accountability for the intentional spread of harmful disinformation. By strengthening the State's capacity to address organized and malicious fake news campaigns, the measure seeks to protect democratic processes, promote responsible digital discourse, and safeguard the public from the dangers posed by deliberate falsehoods.

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


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

3
4 **Section 1. Short Title.** This Act shall be known as the "Anti-Fake News and
5 Disinformation Act".
6

7 **Section. 2. Declaration of Policy.** - The State upholds the freedom of speech, of
8 expression, and of the press under Section 4, Article III of the 1987 Constitution.
9 However, it also recognizes the increasing threat posed by the intentional
10 dissemination of false information, especially through digital and social media
11 platforms, which may endanger public safety, erode democratic institutions, and
12 threaten national security. This Act seeks to deter and penalize such conduct,
13 consistent with constitutional protections and human rights standards.
14

15 **Section 3. Definition of Terms.** Under this Act,

- 16 a. **Fake News** – refers to false or misleading information presented as fact or
17 news, deliberately and maliciously disseminated to mislead the public, that
18 may sow confusion, incite hatred or violence, or disrupt public order.
19 b. **Disinformation** – refers to false information intentionally spread to deceive,
20 manipulate, or influence public perception, behavior, or policy.
21 c. **Social Media Platforms** – refer to websites, mobile applications, or other
22 digital systems enabling users to create, share, or disseminate content,

1 including but not limited to Facebook, YouTube, TikTok, Instagram, X
2 (formerly Twitter), and other similar networks.

- 3 d. **Cyber-Enabled Dissemination** — refers to the use of internet-enabled
4 technologies and platforms to commit acts penalized under this Act, including
5 through bots, trolls, or coordinated inauthentic behavior.
6 e. **Malicious Intent** — refers to the deliberate or reckless disregard for truth, with
7 the purpose of causing harm, panic, hatred, violence, or undermining trust in
8 institutions.

9
10 **Section 4. Prohibited Acts.** It shall be unlawful for any person to:

- 11 a. Knowingly and maliciously publish or disseminate, through any medium
12 including print, broadcast, or digital and social media, any fake news or
13 disinformation as defined in Section 3;
14 b. Create, operate, or finance troll farms, bot networks, or coordinated campaigns
15 specifically aimed at spreading fake news;
16 c. Disseminate fake news or disinformation that incites violence, promotes hate
17 speech, discredits democratic institutions, or may cause public panic or
18 disorder; or
19 d. Facilitate or allow the use of social media platforms or accounts to repeatedly
20 and systematically engage in the conduct described above.

21
22 **Section 5. Cybercrime Linkage.** - When the offense under this Act is committed
23 through computer systems or digital networks, the provisions of the Cybercrime
24 Prevention Act of 2012 (RA 10175) shall apply suppletorily, particularly on:

- 25 a. Jurisdiction and venue;
26 b. Preservation and disclosure of computer data;
27 c. Real-time collection of traffic data;
28 d. Cooperation with service providers; and
29 e. Law enforcement authority.

30
31 **Section 6. Penalties.** - Any person found guilty of violating Section 4 shall suffer:
32 Imprisonment of six (6) years to twelve (12) years and a fine of not less than P500,000
33 but not more than P2,000,000, or both, at the discretion of the court. In accordance with
34 prevailing rules, jurisdiction shall lie with the Regional Trial Courts (RTCs).

35
36 **Section 7. Relation to Article 154 of the Revised Penal Code.** -

- 37 a. Offenses punishable under Article 154 of the Revised Penal Code that are
38 committed through information and communications technologies or digital
39 platforms shall be prosecuted under this Act, subject to higher penalties and
40 the procedural provisions of RA 10175.

- 1 b. Where applicable, the offender may be prosecuted under both this Act and
2 Article 154, provided that the constitutional prohibition against double
3 jeopardy is not violated.
4

5 **Section 8. Aggravating Circumstances.** - The maximum penalty shall be imposed
6 if any of the following aggravating circumstances are present:

- 7 a. The offense endangers or undermines national security, public safety, or
8 diplomatic relations;
9 b. The fake news relates to or interferes with elections, public health emergencies,
10 disaster response, or peace negotiations;
11 c. The offender is a public officer, elected official, journalist, or social media
12 influencer with 50,000 or more followers or subscribers, who knowingly
13 leverages their platform to spread disinformation;
14 d. The act is committed using automated or coordinated digital systems,
15 including the use of troll farms, bots, or sock puppet networks;
16 e. The fake news is disseminated with the direct or indirect aid of a foreign
17 government, foreign entity, or foreign individual, including financial,
18 logistical, technical, or cyber infrastructure support, with the intent or effect of
19 influencing public opinion, destabilizing institutions, or undermining
20 democratic processes.
21

22 **Section 9. Exceptions.** - This Act shall not apply to:

- 23 a. Clearly labeled satire, parody, or editorial content;
24 b. Personal opinions or interpretations that do not claim to state factual assertions;
25 c. Honest mistakes made without malicious intent or;
26 c. News reporting or academic discourse made in good faith and with reasonable
27 verification of sources.
28

29 **Section 10. Judicial Recourse and Appeals.** -

- 30 a. All prosecutions under this Act shall be filed in the Regional Trial Court of the
31 province or city where the offense was committed, or where the content was
32 first accessed or downloaded.
33 b. The accused shall be entitled to legal counsel, to confront witnesses, and to a
34 fair and public trial under the Rules of Court.
35 c. Convicted persons may appeal to the Court of Appeals and, where warranted,
36 to the Supreme Court, in accordance with the Rules of Criminal Procedure.
37 d. Injunctive relief or constitutional remedies (e.g., habeas corpus, amparo,
38 certiorari) may be sought by the accused if the enforcement of this Act results
39 in violation of fundamental rights.
40 e. The Commission on Human Rights (CHR) may provide legal and monitoring
41 assistance in cases alleging abuse of this Act for political or retaliatory
42 purposes.

1
2 **Section 11. Designation of Liaison Officers by Social Media Platforms. -**

3 a. All social media platforms operating within the Philippines or providing
4 services to users in the Philippines shall designate a duly authorized liaison
5 officer to the Department of Information and Communications Technology
6 (DICT).

7
8 b. The liaison officer shall serve as the platform's official point of contact for
9 matters involving:

- 10 1. Compliance with this Act and other cyber-related laws;
11 2. Coordination on takedown or moderation requests involving malicious
12 disinformation that threatens national security or public order;
13 3. Emergency responses during critical events such as elections, disasters,
14 or public health crises and;
15 4. Reporting obligations and transparency measures as may be required by
16 the DICT or Congress.

17
18 c. Social media platforms shall submit to the DICT:

- 19 1. The full name and contact information of the designated liaison;
20 2. Updates to the designation within fifteen (15) days of any change and;
21 3. An annual report on the platform's enforcement actions related to
22 disinformation targeting Filipino users.

23
24 d. The DICT, in consultation with stakeholders, shall issue guidelines for the
25 registration, responsibilities, and performance evaluation of designated
26 liaisons within sixty (60) days from the effectivity of this Act.
27

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

- 31 a. Monitor implementation of this Act;
32 b. Review enforcement procedures for potential abuse or overreach; and
33 c. Submit a triennial report with recommendations for amendment or repeal, if
34 warranted.
35

36 **Section 13 Separability Clause. -** If any provision of this Act is declared
37 unconstitutional, the remaining provisions shall remain valid and in effect.
38

39 **Section 14 Repealing Clause. -** All laws, decrees, rules and regulations
40 inconsistent with this Act are hereby repealed or amended accordingly.
41

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

3

4 Approved,