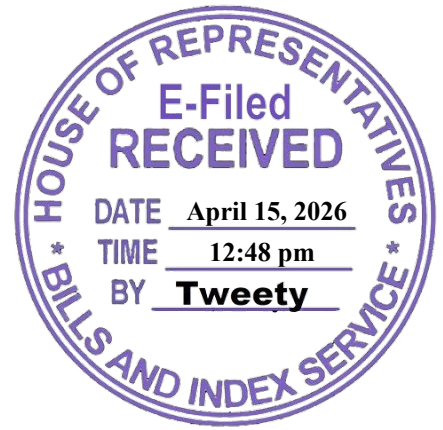




Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session



House Bill No. 8871

Introduced by CIBAC Party-List Representative
EDUARDO “BRO. EDDIE” C. VILLANUEVA

EXPLANATORY NOTE

“A good name is more desirable than great riches; to be esteemed is better than silver or gold.” – Proverbs 22:1

“Lying lips are an abomination to the LORD, but those who deal truthfully are His delight.” – Proverbs 12:22

The spread of disinformation and misinformation—commonly referred to as false or fake news—has caused confusion, fear, and disorder among the public through the deliberate creation and dissemination of false, misleading, or deceptive content. However, among the many forms of fake news, nothing inflicts more harm to a person’s life than the falsehoods which destroy one’s reputation and integrity. This is commonly called character assassination or peddling of fake news against a person’s reputation. Character assassination is said to be more fatal than actual physical death because it rips a defamed person with “life and value” even though he or she is still living and breathing.

To illustrate the deadly impact of character assassination to a person’s life, Alan Barth, a known American journalist and author once said: “Character assassination is at once easier and surer than physical assault; and it involves far less risk for the assassin. It leaves him free to commit the same deed over and over again, and may, indeed, win him the honors of a hero in the country of his victims.” An old saying also goes like this: when wealth is lost, nothing is lost; when health is lost, something is lost; when character is lost, all is lost

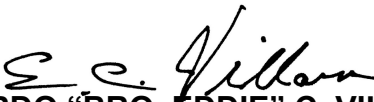
Character assassination can be done through any form of mass media. However, the rise of internet-based platforms, including blogs and similar outlets often motivated by profit, has worsened this problem. By sensationalizing public issues to attract viewership and generate revenue, these platforms have become arena for destroying one’s name while hiding behind the cloak of invoking freedom of speech and/or expression.

While the 1987 Philippine Constitution guarantees freedom of speech, it clearly does not condone libel or defaming one's reputation and integrity. Thus, it is the State's bounden duty to safeguard communication and information not to be instrument of character assassination.

This bill seeks to punish the deliberate and malicious creation, publication and dissemination of falsities that destroy or discredit one's name. The element of having full knowledge or having a reasonable ground to believe that an information is false or fake and yet a person, natural or juridical, still undertakes to offer, publish, distribute, circulate and/or spread false news or information, or cause the publication, distribution, circulation or spreading of said falsehood in print, broadcast or online media is the defining requisite of this crime. This element distinguishes this offense from other form of crimes punished under existing laws. This measure aims to impose the highest possible penalty to a willful, deliberate and brazen act of spreading falsity against a person.

It is hoped that with the enactment of this bill, we will cultivate a culture that only promotes truth and accountability and abhors destructive lies and falsities.

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


EDUARDO "BRO. EDDIE" C. VILLANUEVA



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HOUSE BILL NO. 8871

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**AN ACT PENALIZING THE MALICIOUS PUBLICATION OF FALSE NEWS
AGAINST A PERSON**

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

1 **SECTION 1. Short Title.** – This Act shall be known as the “*Anti-Fake News Against*
2 *a Person Act.*”
3

4 **SEC. 2. Definition of Terms.** – For purposes of this Act, the term:
5

- 6 a. **Mass media enterprise** refers to any person, whether natural or juridical,
7 engaged in the management or operation of television or radio broadcasting station,
8 or in the distribution of newspapers periodicals, magazines, journals, publications,
9 cinema, billboards, posters, streamers, hand bills, leaflets, mails and similar means
10 or methods of conveying, advertising or publicizing messages to the public. This
11 shall also include persons, or group of persons, managing or operating social
12 media pages or profiles for publication of news or information, whose contents are
13 monetized by a social media platform.
14
- 15 b. **Social media account** – refers to an account used and/or owned by a person,
16 natural or juridical, in social media platforms which include websites, mobile
17 applications, or other digital systems that enable users to create, share, or
18 disseminate content, including but not limited to Facebook, YouTube, TikTok,
19 Instagram, X (formerly Twitter), and other similar networks.
20

21 **SEC. 3. False News Against a Person.** – It shall be unlawful for any person to
22 maliciously offer, publish, distribute, circulate and/or spread false news or information, or
23 cause the publication, distribution, circulation and/or spreading of the same in print,
24 broadcast or online media, provided that, such false news or information cause or tend to
25 cause discredit or harm to a person’s reputation and the person knowingly commits such

1 act with full knowledge that such news or information is false, or with reasonable grounds
2 to believe that the same is false.

3
4 Any person who shall be found guilty of committing any of the foregoing acts shall
5 be punished by imprisonment of *reclusion perpetua* and/or a fine ranging from One Million
6 Pesos (P1,000,000) to Five Million Pesos (P5,000,000), both at the discretion of the court.

7
8 **SEC. 4. Failure to Remove False News.** – It shall be unlawful for any mass media
9 enterprise or social media account to fail, neglect or refuse to remove false news or
10 information within a reasonable period after having knowledge, or having reasonable
11 grounds to believe, of its falsity. Any person, who is the owner, administrator and/or
12 manager of such mass media enterprise or social media account, violating this provision
13 shall be punished by imprisonment of *reclusion temporal* and/or a fine ranging from Five
14 Hundred Thousand Pesos (P 500,000) to Three Million Pesos (P3,000,000), both at the
15 discretion of the court.

16
17 If the offender is a corporation, the President, Chief Executive Officer, and/or other
18 responsible officers shall suffer the penalties provided under this section.

19
20 **SEC. 5. Separability Clause.** – If any portion or provision of this Act is declared
21 unconstitutional, the remainder hereof or any provisions not affected thereby shall remain
22 in force and effect.

23
24 **SEC. 6. Repealing Clause.** – Any law, presidential decree or issuance, executive
25 order, letter of instruction, rule, or regulation inconsistent with the provisions of this Act is
26 hereby repealed or modified accordingly.

27
28 **SEC. 7. Effectivity.** – This Act shall take effect fifteen (15) days after its complete
29 publication in the Official Gazette or in a newspaper of general circulation.

30
31 *Approved,*