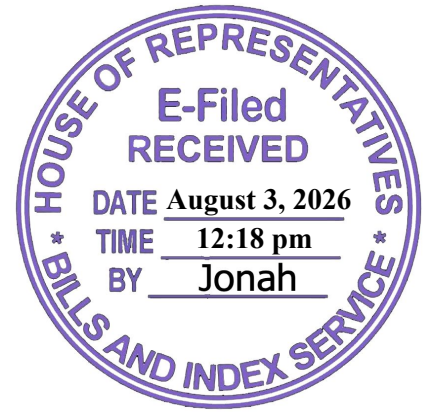


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City
20TH CONGRESS
Second Regular Session

House Bill No. 10491



Introduced by: **REP. JOEL R. CHUA**

EXPLANATORY NOTE

Artificial intelligence has transformed our lives in many ways. It has opened new opportunities in education, business, healthcare, and countless other fields. However, the same technology has also made it alarmingly easy to fabricate highly realistic images, videos, and audio recordings that falsely portray a person saying or doing things that never happened.

These digitally forged or "deepfake" materials have become powerful tools for fraud, identity theft, online scams, sexual exploitation, harassment, political disinformation, and reputational attacks. Because they are often difficult to distinguish from authentic content, they undermine public trust in digital communications and expose individuals to serious harm.

While existing laws penalize offenses such as cybercrime, identity theft, defamation, and violations of privacy, they do not directly address the non-consensual creation and dissemination of digitally manipulated content that exploits a person's face, likeness, voice, or other identifying characteristics through artificial intelligence and similar technologies.

This bill seeks to fill that gap by defining and penalizing the crime of Digital Forgery. It criminalizes the knowing and unauthorized creation, publication, distribution, and use of digitally manipulated content that falsely represents an identifiable person, while preserving legitimate uses of technology for lawful purposes.

As technology continues to advance, our laws must keep pace to ensure that innovation is encouraged without sacrificing the dignity and security of every Filipino.

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


JOEL R. CHUA
Representative, 3rd District, Manila

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City
20TH CONGRESS
Second Regular Session

House Bill No. 10491

Introduced by: **REP. JOEL R. CHUA**

AN ACT DEFINING AND PENALIZING DIGITAL FORGERY, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 10175, OTHERWISE KNOWN AS THE "CYBERCRIME PREVENTION ACT OF 2012," AND FOR OTHER PURPOSES

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 "Digital Forgery Prevention Act."

Section 2. Declaration of Policy. – It is hereby declared the policy of the State to protect the dignity, identity, privacy, security, and reputation of every person against the misuse of rapidly evolving digital technologies.

While artificial intelligence and similar technologies offer significant benefits for innovation, education, creativity, and economic development, they likewise present serious risks when used to fabricate or manipulate a person's face, likeness, voice, or other identifying characteristics without consent. Such acts facilitate fraud, identity theft, financial scams, political disinformation, sexual exploitation, harassment, extortion, and other forms of abuse that undermine public trust in digital communications.

The State shall therefore prohibit the malicious and unauthorized creation, alteration, distribution, publication, or use of digitally forged content that falsely represents an identifiable person.

Section 3. Amendment to Republic Act No. 10175. – Section 4 of Republic Act No. 10175 is hereby amended by inserting a new paragraph to read as follows:

"(g) Digital Forgery. – Digital Forgery is committed by any person who, without the free, prior, and informed consent of another identifiable person, knowingly creates, alters, manipulates, generates, publishes, distributes, transmits, sells, or otherwise makes available any image, photograph, video, audio recording, voice, facial likeness, body, biometric feature, or any other identifying characteristic of such person through artificial intelligence, machine learning, deepfake technology, synthetic media, computer-generated imagery, digital editing software, or any similar or future technological means, in such a manner as to falsely represent that the person performed, uttered, appeared in,

consented to, or participated in an act, statement, event, communication, or circumstance that did not actually occur."

Section 4. Prohibited Acts. - The following acts, when committed with the intent specified in the preceding section, shall constitute Digital Forgery:

- (a) Creating or generating digitally altered or synthetic content falsely depicting another identifiable person without his or her consent;
- (b) Publishing, uploading, sharing, broadcasting, transmitting, distributing, selling, or otherwise making available digitally forged content;
- (c) Using digitally forged content to deceive another person or the public;
- (d) Using digitally forged content to facilitate fraud, extortion, harassment, identity theft, defamation, financial scams, election-related deception, sexual exploitation, or any other unlawful purpose;
- (e) Representing digitally forged content as authentic despite knowledge of its falsity;
- (f) Knowingly possessing digitally forged content with the intent to use, distribute, or facilitate the commission of an offense under this Act or any other law.

Section 5. Aggravating Circumstances. - The penalties prescribed under this Act shall be imposed in their maximum period when:

- (a) the victim is a minor;
- (b) the victim is a senior citizen or person with disability;
- (c) the offense involves sexually explicit material;
- (d) the offender gains financial or commercial benefit;
- (e) the offense is committed against a public officer, election candidate, journalist, healthcare worker, member of the judiciary, law enforcement officer, or any person engaged in public service, for purposes of intimidation, harassment, or disinformation;
- (f) the offender is part of an organized group or syndicate;
- (g) the digitally forged content is disseminated through automated accounts, coordinated networks, or paid advertising resulting in widespread public distribution.

Section 6. Exceptions. - This Act shall not apply to:

- (a) obvious satire, parody, caricature, or artistic expression where a reasonable person would not believe the content to be authentic;

(b) visual effects, dubbing, restoration, or editing used in films, television, theater, advertising, documentaries, or similar creative works where consent has been obtained from the identifiable person or where otherwise authorized by law;

(c) academic, scientific, cybersecurity, law enforcement, judicial, or forensic research conducted in good faith;

(d) lawfully authorized activities of courts, law enforcement agencies, or government authorities;

(e) incidental alterations that do not materially misrepresent the identity or actions of a person.

Section 7. Penalties. – Any person found guilty of Digital Forgery shall suffer the penalty of:

(a) Prison Mayor or imprisonment of six (6) years and one (1) day to twelve (12) years; and

(b) a fine of not less than Five Hundred Thousand Pesos (₱500,000.00) but not more than Five Million Pesos (₱5,000,000.00).

If the offender is a juridical person, the responsible officers who authorized, directed, tolerated, or knowingly allowed the commission of the offense shall be held criminally liable.

Foreign persons who commit offenses punishable under this Act that produce effects within the Philippines shall be subject to prosecution in accordance with Republic Act No. 10175 and other applicable laws.

Section 8. Duties of Digital Platforms. - Upon receipt of a lawful order from a court or competent authority, internet intermediaries, online platforms, hosting providers, and similar digital service providers shall, within a reasonable period, preserve relevant data and remove or disable access to digitally forged content found to be in violation of this Act, without prejudice to existing rights under the Constitution, Republic Act No. 10173, and other applicable laws.

Nothing in this Act shall impose general monitoring obligations upon digital platforms.

Section 9. Other Liabilities. – The prosecution of Digital Forgery shall be without prejudice to the filing of charges under the Revised Penal Code, Republic Act No. 10175, Republic Act No. 10173, Republic Act No. 9995, Republic Act No. 9262, Republic Act No. 11313, Republic Act No. 7610, the Civil Code, or any other applicable law.

Section 10. Extraterritorial Application. – This Act shall apply whenever the digitally forged content is accessed in the Philippines, the victim is a Filipino citizen or resident, the offender is a Filipino citizen, or the prohibited act produces substantial effects within Philippine jurisdiction.

Section 11. Implementing Rules and Regulations. – Within ninety (90) days from the effectivity of this Act, the Department of Justice, in coordination with the Department of

Information and Communications Technology, the National Privacy Commission, the Philippine National Police Anti-Cybercrime Group, the National Bureau of Investigation Cybercrime Division, and other concerned agencies, shall promulgate the necessary rules and regulations for the effective implementation of this Act.

Section 12. Separability Clause. – If any provision of this Act is declared unconstitutional or invalid, the remaining provisions not affected thereby shall continue to be in full force and effect.

Section 13. Repealing Clause. – All laws, executive orders, rules and regulations, or parts thereof inconsistent with this Act are hereby repealed or modified accordingly.

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