

Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City

**NINETEENTH CONGRESS**  
Third Regular Session



---

**COMMITTEE REPORT NO. 1411**

Submitted by the Committee on Suffrage and Electoral Reforms on February 4, 2025 .

Re: House Bill No. 11412

Recommending its approval in substitution of House Bill No. 2820

Sponsors: Representatives Keith Micah “Atty. Mike” D.L. Tan and Maximo Y. Dalog, Jr.

---

Mr. Speaker:

The Committee on Suffrage and Electoral Reforms, to which was referred House Bill No. 2820, introduced by Representative Keith Micah “Atty. Mike” D.L. Tan, entitled:


**“AN ACT PROVIDING FOR THE FAIR USE OF THE INTERNET AND SOCIAL MEDIA FOR THE HOLDING OF FREE, ORDERLY, HONEST, PEACEFUL AND CREDIBLE ELECTIONS”**

has considered the same and recommends that the attached House Bill No. 11412 , entitled:

**“AN ACT PROVIDING FOR THE FAIR USE OF THE INTERNET AND SOCIAL MEDIA FOR THE HOLDING OF FREE, ORDERLY, HONEST, PEACEFUL AND CREDIBLE ELECTIONS”**

be approved in substitution of House Bill No. 2820 with Representatives Keith Micah “Atty. Mike” D.L. Tan, Maximo Y. Dalog, Jr., Ma. Rene Ann Lourdes G. Matibag, Drixie Mae S. Cardema, Reynante U. Arrogancia, Elpidio F. Barzaga, Jr., Ma. Victoria Co-Pilar, Edgardo Salvame, Emigdio P. Tanjuatco III, Jefferson F. Khonghun, Roy M. Loyola, Wowo Fortes, Francisco Paolo P. Ortega V, JC Abalos, Raoul Dannel A. Manuel, Franz S. Pumaren, Richard I. Gomez, DPA, and France L. Castro, as authors thereof.

Respectfully submitted,

  
**MAXIMO Y. DALOG JR.**  
*Chairperson*  
Committee on Suffrage and Electoral Reforms

**THE HONORABLE SPEAKER**  
HOUSE OF REPRESENTATIVES  
QUEZON CITY

Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City

**NINETEENTH CONGRESS**  
Third Regular Session

**HOUSE BILL NO. 11412**  
(In substitution of House Bill No. 2820)

---

Introduced by Representatives Keith Micah “Atty. Mike” D.L. Tan, Maximo Y. Dalog, Jr., Ma. Rene Ann Lourdes G. Matibag, Drixie Mae S. Cardema, Reynante U. Arrogancia, Elpidio F. Barzaga, Jr., Ma. Victoria Co-Pilar, Edgardo Salvame, Emigdio P. Tanjuatco III, Jefferson F. Khonghun, Roy M. Loyola, Wowo Fortes, Francisco Paolo P. Ortega V, JC Abalos, Raoul Dannel A. Manuel, Franz S. Pumaren, Richard I. Gomez, DPA, and France L. Castro

---

**AN ACT**  
**PROVIDING FOR THE FAIR USE OF THE INTERNET AND SOCIAL MEDIA FOR THE HOLDING OF FREE, ORDERLY, HONEST, PEACEFUL AND CREDIBLE ELECTIONS**

*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 “Internet and Social Media Regulation  
2 for Fair Elections Act”.

3  
4           **SEC. 2. Declaration of Policy.** – The State shall, during the election period, supervise and  
5 regulate the privileges granted under franchises or permits for the operation of the internet and  
6 social media communication or information to guarantee equal opportunity for public service,  
7 including access to internet and social media time and space; the equitable right to reply, for public  
8 information campaigns and fora among candidates; and assure free, orderly, honest, peaceful and  
9 credible elections.

10  
11           The State shall ensure that candidates for any public office shall be free from any form of  
12 online harassment and discrimination.

13  
14           **SEC. 3. Definition of Terms.** – As used in this Act:

- 15  
16           (a) *Blog and collective blog* refer to websites on which an individual or group of users,  
17 respectively, record news, opinions, and information, in varying degrees of regularity. A  
18 “micro-blog” refers to a blogging format which allows users to exchange small elements  
19 of content – referred to variously as posts, entries or status updates – such as short  
20 sentences, individual images, or links to video material uploaded to the Internet;  
21           (b) *Candidate* refers to any person seeking an elective public office, who has filed a certificate  
22 of candidacy, and who has not died, withdrawn the certificate of candidacy, nor the  
23 certificate of candidacy denied due course or cancelled, or has been otherwise  
24 disqualified before the start of the campaign period for which the certificate of candidacy  
25 was filed: *Provided*, That unlawful acts or omissions applicable to a candidate shall take

- 1 effect only upon the start of the aforesaid campaign period. It also refers to any registered  
2 national, regional, or sectoral party, organization or coalition thereof that has filed a  
3 manifestation of intent to participate under the party-list system, which has not  
4 withdrawn the said manifestation, or which has not been disqualified before the start of  
5 the campaign period;
- 6 (c) *Contractors and business firms* refer to persons, natural or juridical, or firms to whom the  
7 electoral expenditure is paid or due for payment in accordance with Section 112 of the  
8 Omnibus Election Code, including media entities, media outlets, internet and social media  
9 platforms, advertising agencies, public relations firms and other intermediaries, event  
10 organizers, talent endorsers and their managers, digital influencers, and printing press for  
11 the purpose of entering into political advertisement contracts;
- 12 (d) *Election campaign or partisan political activity* refers to an act designed to promote the  
13 election or defeat of a particular candidate or candidates to a public office, and shall  
14 include any of the following:
- 15 (i) Forming organizations, associations, clubs, committees or other groups of persons  
16 for the purpose of soliciting votes and/or undertaking any campaign for or against  
17 a candidate;
- 18 (ii) Creating on any social media platform, user groups or community pages, for the  
19 purpose of conducting campaigns or related partisan political activity;
- 20 (iii) Holding political caucuses, conferences, meetings, rallies, parades or other similar  
21 assemblies for the purpose of soliciting votes and/or undertaking any campaign or  
22 propaganda for or against a candidate;
- 23 (iv) Making speeches, announcements or commentaries, or holding interviews for or  
24 against the election of any candidate for public office;
- 25 (v) Publishing, displaying or distributing campaign literature or materials designed to  
26 support or oppose the election of any candidate; or
- 27 (vi) Directly or indirectly soliciting votes, pledges or support for or against any  
28 candidate.
- 29 (e) *Electoral ads and electoral posts* refer to advertisements and social media posts that have  
30 for their primary purpose the promotion of the victory or defeat of a candidate;
- 31 (f) *E-rally* refers to a rally under Article X of the Omnibus Election Code which is conducted  
32 for online audiences;
- 33 (g) *Livestreaming* refers to the live broadcasting of an event over the internet;
- 34 (h) *Microtargeting* refers to a form of targeting online advertisements that uses recent  
35 technological developments to analyze a person's online usage, to preferentially serve  
36 advertisements and other information that specifically reflect that individual user's  
37 preferences and personality;
- 38 (i) *Online campaigning* refers to the use of the internet to distribute campaign propaganda.  
39 This includes text-only posts on social media, pictures, audio clips, and video clips,  
40 regardless of duration, and all combinations of such formats;
- 41 (j) *Party* refers to either a political party, whether national or sectoral party, or a coalition of  
42 parties, and party-list organizations duly registered/accredited with the Commission on  
43 Elections (COMELEC);
- 44 (k) *Political advertisement or election propaganda* refers to any matter broadcasted,  
45 published, printed, displayed or exhibited, in any medium, which contains the name,  
46 image, logo, brand, insignia, initials, and other symbol or graphic representation that is  
47 capable of being associated with a candidate, and is exclusively intended to draw the

1 attention of the public or a segment thereof to promote or oppose, directly or indirectly,  
2 the election of the said candidate or candidates to a public office. In broadcast media,  
3 political advertisements may take the form of spots, appearances on television shows and  
4 radio programs, live or taped announcements, teasers, and other forms of advertising  
5 messages or announcements used by commercial advertisers. Political advertising  
6 includes endorsements, statements, declarations, or information graphics, appearing on  
7 any internet website, social network, blogging site, and micro-blogging site, which – when  
8 taken as a whole – has for its principal object the endorsement of a candidate only, or  
9 which were posted in return for consideration or are otherwise capable of pecuniary  
10 estimation;

- 11 (l) *Social media* refers to the collective of online communication channels, including websites  
12 and applications, that enable users to create and share content, collaborate, and interact  
13 with each other. For purposes of this Act, video sharing sites which allow users to post  
14 comments on individual entries shall be considered as falling within the broad category  
15 of “social media”;
- 16 (m) *Social media account* refers to a user’s personalized access to a social networking site or  
17 application, typically using a username and password combination. A social media  
18 account allows a user to interact with other users on the same social networking site;
- 19 (n) *Social media associates* refer to contractors whose primary duty is to promote the  
20 election or defeat of any candidate through social media interactions and engagement;  
21 and
- 22 (o) *Social media post* refers to any text, audio, or graphic content – or any combination  
23 thereof – published online using a social media account.  
24

25 **SEC. 4. Use of the Internet and Social Media as Lawful Election Propaganda.** – Election  
26 propaganda on the internet and the social media are hereby allowed for all candidates seeking  
27 national and local elective positions, subject to the limitation on authorized expenses of candidates  
28 and parties, observation of truth in advertising, and to the supervision and regulation by the  
29 COMELEC.  
30

31 Social media posts, regardless of format, whether original or re-posted from some source,  
32 which may either be incidental to the poster’s advocacies of social issues or which may have, for its  
33 primary purpose, the endorsement of a candidate only including paid advertisements in internet  
34 subject to the requirements set forth in Section 5 hereof and the Fair Elections Act shall also be  
35 allowed.  
36

37 **SEC. 5. Requirements and/or Limitations on the Use of Election Propaganda through**  
38 **Internet and Social Media.** – The use of the internet and social media for purposes of election  
39 propaganda shall be allowed subject to the following limitations:  
40

- 41 (a) Each registered political party/coalitions and candidate shall register with the Education  
42 and Information Department (EID) of the COMELEC, the website name and web address  
43 of all platform-verified official accounts, websites, blogs and/or other social media pages  
44 of such political party or candidate within thirty (30) days from the last day of the period  
45 for the filing of the Certificates of Candidacy. Websites completing the verification process  
46 after the said period and other social media accounts established after the said period

1 must be registered with the COMELEC-EID within five (5) days from its verification or  
2 registration;

- 3 (b) Any other website, blog, or social media page not registered above but which, when taken  
4 as a whole, has for its primary purpose the endorsement of a candidate, whether or not  
5 directly maintained or administered by the candidate or their official campaign  
6 representatives, shall be considered additional official websites, blogs or social media  
7 pages of the said candidate, for all regulatory purposes;
- 8 (c) Only verified accounts, websites, blogs, and/or social media pages may run electoral ads,  
9 and boost or promote electoral posts;
- 10 (d) Microtargeting of electoral ads shall not be allowed: *Provided*, That electoral ads can be  
11 targeted using only the following criteria: geographical location, except radius around a  
12 specific location; age; and gender: *Provided, further*, That contextual targeting options  
13 may also be used in combination with the above-mentioned criteria: *Provided, finally*,  
14 That processing of personal data should comply with the provisions of Republic Act No.  
15 10173 or the Data Privacy Act of 2012, its Implementing Rules and Regulations and related  
16 issuances of the National Privacy Commission;
- 17 (e) Information contained in online campaign propaganda shall be truthful and not  
18 misleading, nor shall it tend to unjustifiably cast doubt on the integrity of the electoral  
19 process; and
- 20 (f) All electoral ads must show a disclosure that identifies who paid for the ad. All electoral  
21 posts must show a disclosure that identifies it as a paid electoral ad, and discloses who  
22 paid for the ad.

23  
24 **SEC. 6. Regulation of Election Propaganda through Internet and Social Media.** – In all  
25 instances, the COMELEC shall supervise the use and employment of online facilities insofar as the  
26 placement of political advertisements is concerned, to ensure that candidates are given equal  
27 opportunity under equal circumstances to make known their qualifications and their stand on public  
28 issues, within the limits set forth in the Omnibus Election Code, the Fair Election Act, and appropriate  
29 rules.

30  
31 **SEC. 7. E-rallies and Livestreams Allowed.** – Any political party or candidate, individually or  
32 jointly with other aspirants, may hold peaceful online political meetings, rallies or other similar  
33 activities during the campaign period. Such online political meetings, rallies, and similar activities are  
34 not covered by the limitations on broadcast advertising.

35  
36 Live streaming on the candidates' social media platforms shall be considered a form of e-rally,  
37 subject to the following rules:

- 38  
39 (a) All e-rallies shall include a disclosure that identifies it as a political meeting or rally and  
40 providing the relevant date, time, and location information. For this purpose, a live stream  
41 on the candidate's social media platforms shall be considered a political meeting or rally;
- 42 (b) Recordings of e-rallies shall be submitted to the COMELEC within 72 hours from the airing  
43 of the same; and
- 44 (c) Candidates may receive in-platform gifts and game currency but shall not be allowed to  
45 give gifts to livestream audiences, nor to run promotions and campaigns that will award  
46 in-platform gifts or game currency to platform users and livestream audiences.
- 47

1           **SEC. 8. Prohibition on the Regulation of Legitimate Expressions by Private Individuals.** – The  
2 COMELEC is hereby mandated to regulate expressions of candidates and political parties but shall  
3 not in any manner include legitimate expressions by private citizens.  
4

5           Public expressions or opinions or discussions of probable issues in an election or on attributes  
6 of or criticisms against candidates shall not be construed as part of any election campaign or partisan  
7 political activity.  
8

9           **SEC. 9. Reporting Requirements to be Submitted by Contractors and Business Firms.** –  
10 Certified true copies of all contracts, reports and receipts, and other documents, accompanied by all  
11 its digitization copies, shall be submitted by contractors and business firms to the COMELEC.  
12

13           Every content creator of a post, owner, or administrator of any website who airs or shows the  
14 political advertisements, without the required data or having false information, in violation of this  
15 Act shall be criminally liable with the candidate under Sec. 264 of the Omnibus Election Code and, if  
16 applicable, suffer the penalties of suspension or revocation of franchise or permit in accordance with  
17 law.  
18

19           Within thirty (30) days after the conduct of the election, every person or firm to whom any  
20 payment for electoral expenditure has been made shall file a written report using the prescribed  
21 form which shall contain the following information, and accompanied with the official receipts issued  
22 to the person with whom the contractor or business firm had transacted:  
23

- 24           i.       The full name of the candidate who incurred such expenditures;
- 25           ii.      The nature or purpose of each expenditure;
- 26           iii.     The description of the goods or services provided by the contractor or business firm;
- 27           iv.     The date when the expenses were incurred;
- 28           v.       The amount or cost thereof; and
- 29           vi.     The serial number of the official receipt, cash invoice, or other Bureau of Internal  
30           Revenue-approved document issued.

31  
32           Reportorial requirements shall apply to all contractors and business firms transacting or doing  
33 business in the Philippines, whether or not incorporated under the Philippine laws.  
34

35           Social media associates, including paid digital influencers and online content creators, who  
36 use social media platforms to promote or defeat the election of any candidate, are considered  
37 individual contractors subject to reportorial requirements under this Act.  
38

39           Agencies and other intermediaries between the entities producing and placing online political  
40 advertisements and the candidate, political party, or party-list group shall also submit a similar  
41 report.  
42

43           Within the period provided by law, internet companies which include social media companies,  
44 transacting or doing business in the Philippines, whether or not incorporated under the Philippine  
45 laws, which a candidate or party utilize to directly reach out to voters and mobilize support through  
46 the use of ads, paid promoted hashtags/trends, shall provide the COMELEC of the information or  
47 documents containing the following:

- 1
- 2 i. The name of the candidate or party in the advertisement;
- 3 ii. The name of the person or advertising agency/public relations firm who paid the
- 4 advertisement;
- 5 iii. Page Name or Account Name or Handle where the advertisement was posted,
- 6 originated, or uploaded;
- 7 iv. The particulars of the political advertisement; and
- 8 v. The amount or cost of the advertisement.
- 9

10 **SEC. 10. Election Offense.** – Any violation of the provisions of this Act shall constitute an  
11 election offense punishable under the first and second paragraph of Section 264 of Batas Pambansa  
12 Blg. 881, otherwise known as the Omnibus Election Code of the Philippines, and other pertinent laws,  
13 rules and regulations, whenever applicable. The COMELEC shall, through its duly authorized legal  
14 officers, have the power, concurrent with other prosecuting arms of the government, to conduct  
15 preliminary investigation of all election offenses and prosecute the same.

16  
17 **SEC. 11. Right of Reply.** – Any candidate or person accused of violating any provision of this  
18 Act shall be given the right of reply.

19  
20 **SEC. 12. Authority of the COMELEC to Promulgate Rules.** – The COMELEC shall promulgate  
21 and furnish all political parties and candidates and all concerned entities the rules and regulations for  
22 the implementation of this Act, consistent with the criteria established in Article IX-C, Section 4 of  
23 the Constitution and Section 86 of the Omnibus Election Code.

24  
25 Rules and regulations promulgated by the COMELEC under and by authority of this Section  
26 shall take effect on the seventh day after their publication in at least two (2) daily newspapers of  
27 general circulation. Prior to the effectivity of said rules and regulations, no political advertisement or  
28 propaganda for or against any candidate or political party shall be published or broadcast through  
29 the internet and social media.

30  
31 **SEC. 13. Separability Clause.** – In case any provision of this Act is declared invalid or  
32 unconstitutional, such declaration shall have no effect in the validity or constitutionality of the  
33 remaining provisions hereof.

34  
35 **SEC. 14. Repealing Clause.** – All laws, decrees, rules and regulations inconsistent with the  
36 provisions of this Act are hereby repealed or amended accordingly.

37  
38 **SEC. 15. Effectivity.** - This Act shall take effect fifteen (15) days after its publication in the  
39 *Official Gazette* or in a newspaper of general circulation.

40  
41 *Approved,*

# House of Representatives

## Committee Affairs Department

### FACT SHEET

#### House Bill No. 11412

(In substitution of House Bill No. 2820)

#### **“AN ACT PROVIDING FOR THE FAIR USE OF THE INTERNET AND SOCIAL MEDIA FOR THE HOLDING OF FREE, ORDERLY, HONEST, PEACEFUL AND CREDIBLE ELECTIONS”**

*Introduced by the Honorable Representatives:*

Keith Micah “Atty. Mike” D.L. Tan, Maximo Y. Dalog, Jr., Ma. Rene Ann Lourdes G. Matibag, Drixie Mae S. Cardema, Reynante U. Arrogancia, Elpidio F. Barzaga, Jr., Ma. Victoria Co- Pilar, Edgardo Salvame, Emigdio P. Tanjuatco III, Jefferson F. Khonghun, Roy M. Loyola, Wowo Fortes, Francisco Paolo P. Ortega V, JC Abalos, Raoul Dannel A. Manuel, Franz S. Pumaren, Richard I. Gomez, DPA, and France L. Castro

*Committee Referral: COMMITTEE ON SUFFRAGE AND ELECTORAL REFORMS*

*Committee Chairperson: MAXIMO Y. DALOG, JR.*

#### **OBJECTIVE:**

- To guarantee free, orderly, honest, peaceful and credible elections

#### **KEY PROVISIONS:**

- Allows the State to supervise and regulate the utilization of the internet and social media platforms during election period;
- Defines the use of internet and social media as lawful election propaganda; and
- Sets parameters for the use and regulation of election propaganda through internet and social media.

#### **RELATED LAW:**

- Section 264, Batas Pambansa Blg. 881, otherwise known as the “Omnibus Election Code of the Philippines”