

NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



'22 JUL 13 P4:42

SENATE
S. No. 547

RECEIVED BY: 

Introduced by Senator Grace Poe

**AN ACT
TO FURTHER PROMOTE PROFESSIONALISM IN INFORMATION
DISSEMINATION AMONG PUBLIC OFFICIALS AND EMPLOYEES BY
ENSURING THAT THEY DO NOT BECOME SOURCE OF MISINFORMATION,
AMENDING FOR THIS PURPOSE, PERTINENT PROVISIONS OF REPUBLIC
ACT NO. 6713 OR THE "CODE OF CONDUCT AND ETHICAL STANDARDS
FOR PUBLIC OFFICIALS AND EMPLOYEES"**

EXPLANATORY NOTE

Information is defined as the communication or reception of knowledge or intelligence. It has been used to mean either of the following; (a) knowledge obtained from investigation, study, or instruction; (b) intelligence, news; or (c) facts, data.

In an article entitled, "Making Sense of the News: The Power of Information", Michael Spikes of Moyers & Company emphasized the importance of sharing and receiving information and/or news, of significance: *"...there is a universal need to receive and share news. To illustrate this concept we use a science metaphor and say this need stretches back to the earliest humans and is so ingrained in us that is almost part of our DNA. What makes information so integral to all humans is that it Alerts, Diverts and Connects us all... We are all drawn to consuming and sharing news. Many anthropologists have found in their studies of prehistoric societies that systems of exchanging news and information were highly prized."*

Verily, the truthfulness and veracity of information being shared and/or communicated are paramount and sacred. No less than the 1987 Constitution of the Philippines declared that "*the State recognizes the vital role of communication and information in nation-building.*" Even the Revised Penal Code of the Philippines prohibits and punishes the publication of "false news", to wit:

"Art. 154. Unlawful use of means of publication and unlawful utterances. - The penalty of *arresto mayor* and a fine ranging from ₱200 to ₱1,000 pesos shall be imposed upon:

Any person who by means of printing, lithography, or any other means of publication shall publish or cause to be published as news any false news which may endanger the public order, or cause damage to the interest or credit of the State."

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The Government, thru its officials, when it disseminates "information", bears the seal of being "official" and thus automatically carries with it the presumption of truthfulness, reliability and accuracy. As such, it is logical and necessary that government officials, particularly those charged with the duty and/or mandate to disseminate information in their respective offices, agencies and/or departments, must be subjected to higher standards of proper conduct particularly in their usage of social media and other platforms of information dissemination.

It is thereby the goal of this legislative measure to hold public officials to higher standards in the advent of the unavoidable continuous rise of the influence and internet penetration brought about by social media by amending pertinent provisions of Republic Act No. 6713, otherwise known as the "Code of Conduct and Ethical Standards for Public Officials and Employees".

In order to uphold the accuracy, reliability and truthfulness expected from Government officials and/or employees, the immediate enactment into law of this legislative measure is hereby sought.

Grace Poe
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Office of the Secretary

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

- 1 Section 1. *Short Title.* — This Act shall be known as the "Anti-Fake News Act".
2 Sec. 2. Section 4 (b) of Republic Act No. 6713, otherwise known as the "Code
3 of Conduct and Ethical Standards for Public Officials and Employees", is hereby
4 amended to read as follows:
5 "(b) Professionalism. - Public officials and employees shall perform and
6 discharge their duties with the highest degree of excellence, professionalism,
7 intelligence and skill. They shall enter public service with utmost devotion and
8 dedication to duty. They shall endeavor to discourage wrong perceptions of
9 their roles as dispensers or peddlers of undue patronage. **PUBLIC**
10 **OFFICIALS AND EMPLOYEES OF GOVERNMENT AGENCIES,**
11 **INSTRUMENTALITIES, OFFICES AND/OR DEPARTMENTS,**
12 **ESPECIALLY THOSE TASKED TO DISSEMINATE NEWS AND/OR**
13 **INFORMATION, MUST REFRAIN FROM PUBLISHING OR**
14 **DISSEMINATING, OR CAUSING TO PUBLISH OR DISSEMINATE, IN**
15 **THEIR OFFICIAL AND PERSONAL CAPACITIES, FALSE NEWS OR**
16 **INFORMATION THAT SHALL ERODE THE RELIABILITY, ACCURACY**

1 iii. The acceptance by a public official or employee of travel grants
2 or expenses for travel taking place entirely outside the Philippine
3 (such as allowances, transportation, food, and lodging) of more
4 than nominal value if such acceptance is appropriate or
5 consistent with the interests of the Philippines, and permitted by
6 the head of office, branch or agency to which he belongs.

7 The Ombudsman shall prescribe such regulations as may be
8 necessary to carry out the purpose of this subsection, including
9 pertinent reporting and disclosure requirements.

10 Nothing in this Act shall be construed to restrict or prohibit any
11 educational, scientific or cultural exchange programs subject to
12 national security requirements."

13 Sec. 4. *Separability Clause.* — If, for any reason, any part, section or
14 provision of this Act is held invalid or unconstitutional, the remaining provisions not
15 affected thereby shall continue to be in full force and effect.

16 Sec. 5. *Repealing Clause.* — All laws, decrees, orders, rules, regulations and
17 other issuances or parts thereof which are inconsistent with the provisions of this Act
18 are hereby repealed or modified accordingly.

19 Sec. 6. *Effectivity Clause.* — This Act shall take effect fifteen (15) days after
20 its publication in the Official Gazette or in a newspaper of general circulation.

Approved,