

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

Senate
Office of the Secretary

'22 SEP -7 P3:32

SENATE

S. No. 1296



Introduced by Senator Jinggoy Ejercito Estrada

**AN ACT
CRIMINALIZING THE CREATION AND DISSEMINATION OF FAKE NEWS
FOR THE PROTECTION FROM ONLINE FALSEHOODS AND MANIPULATION,
AMENDING FOR THE PURPOSE, REPUBLIC ACT NO 10175, OTHERWISE
KNOWN AS THE CYBERCRIME PREVENTION ACT OF 2012**

EXPLANATORY NOTE

The State also endeavors to establish a policy to provide its citizens with a means for the protection from online falsehood and manipulation. It aims to protect our society from the damage caused by deliberate online falsehoods and fake news and seeks to criminalize the actions of malicious actors who knowingly spreads false news or offer disinformation tools and services.

The Cybercrime Prevention Act of 2012 recognizes the vital role of information and communication industries such as content production, telecommunications, broadcasting electronic commerce, and data processing, in the nation's overall social and economic development.

This legislative measure hopes to put a stop to the proliferation of disinformation and misinformation on the internet by criminalizing fake news as a cybercrime and by providing penalties thereof, therefore amending the provisions of RA 10175 otherwise known as the Cybercrime Prevention Act of 2012.

Hence, approval of this legislative measure is earnestly sought.



JINGCOY EJERCITO ESTRADA
Senator

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

1 Section 1. Section 3 of Republic Act No 10175 otherwise known as the
2 "Cybercrime Prevention Act of 2012" is hereby amended to include:

3 "xxx

4 **"(M) FAKE NEWS REFERS TO MISINFORMATION**
5 **AND DISINFORMATION OF STORIES, FACTS AND NEWS**
6 **WHICH IS PRESENTED AS A FACT, THE VERACITY OF**
7 **WHICH CANNOT BE CONFIRMED, WITH THE PURPOSE OF**
8 **DISTORTING THE TRUTH AND MISLEADING ITS**
9 **AUDIENCE."**

10 Sec. 2. All succeeding subsections under Section 3 of Republic Act No 10175
11 shall be renumbered accordingly.

12 Sec. 3. Section 4 of Republic Act No 10175 otherwise known as the
13 Cybercrime Prevention Act of 2012 is hereby amended to include:

14 "xxx

15 "(c) Content-related offenses:

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“xxx

“(5) FAKE NEWS – THE CREATION AND DISSEMINATION OF FAKE NEWS AS DEFINED IN SECTION 3 HEREOF, COMMITTED THROUGH A COMPUTER SYSTEM OR ANY OTHER SIMILAR MEANS WHICH MAY BE DEvised IN THE FUTURE.”

Sec. 4. *Repealing Clause.* – Any law, presidential decrees or issuance, executive orders, letter of instruction, administrative order, rule, or regulation contrary to or inconsistent with the provisions of this Act are hereby repealed, modified or amended accordingly.

Sec. 5. *Separability Clause.* –If any provision or provision of this Act is declared unconstitutional or invalid, the remainder of this Act or any provisions not affected thereby shall remain in force and effect.

Sec. 6. *Effectivity.* – This Act shall take effect fifteen (15) days from the date of its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,