NINETEENTH CONGRESS OF THE	
REPUBLIC OF THE PHILIPPINES	
First Regular Session	



'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.

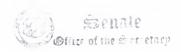
This legislative measure hopes to put a stop to the proliferation of disinformation and misinformation on the internetby criminalizing fake news as a cybercrime and by providing penalties thereof, therefore amending the provisions of RA 10175 otherwise known as the Cybercrime Prevention Act of 2012.

Hence, approval of this legislative measure is earnestly sought.

JINGGOY EJERCITO ESTRADA

Senator

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

Section 1. Section 3 of Republic Act No 10175 otherwise known as the 1 "Cybercrime Prevention Act of 2012" is hereby amended to include: 2 "XXX 3 "(M) FAKE NEWS REFERS TO MISINFORMATION 4 AND DISINFORMATION OF STORIES, FACTS AND NEWS 5 WHICH IS PRESENTED AS A FACT, THE VERACITY OF 6 WHICH CANNOT BE CONFIRMED, WITH THE PURPOSE OF 7 DISTORTING THE TRUTH AND **MISLEADING** ITS 8 **AUDIENCE."** 9 Sec. 2. All succeeding subsections under Section 3 of Republic Act No 10175 10 shall be renumbered accordingly. 11 Sec. 3. Section 4 of Republic Act No 10175 otherwise known as the 12 Cybercrime Prevention Act of 2012 is hereby amended to include: 13 "XXX 14 "(c) Content-related offenses: 15

1	"XXX
2	"(5) FAKE NEWS - THE CREATION AND
3	<b>DISSEMINATION OF FAKE NEWS AS DEFINED IN SECTION</b>
4	3 HEREOF, COMMITTED THROUGH A COMPUTER SYSTEM
5	OR ANY OTHER SIMILAR MEANS WHICH MAY BE DEVISED
6	IN THE FUTURE."
7	Sec. 4. Repealing Clause. – Any law, presidential decrees or issuance,
8	executive orders, letter of instruction, administrative order, rule, or regulation
9	contrary to or inconsistent with the provisions of this Act are hereby repealed,
10	modified or amended accordingly.
11	Sec. 5. Separability ClauseIf any provision or provision of this Act is
12	declared unconstitutional or invalid, the remainder of this Act or any provisions not
13	affected thereby shall remain in force and effect.
14	Sec. 6. Effectivity This Act shall take effect fifteen (15) days from the date
15	of its publication in the Official Gazette or in a newspaper of general circulation.
	Approved,