

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



24 AUG -6 P2:13

SENATE

S. No. 2768

RECEIVED BY: 

Introduced by Senator Raffy T. Tulfo

AN ACT
PROHIBITING THE DISSEMINATION OF FALSE INFORMATION ON BOMB
THREATS, EXPLOSIVES, OR ANY OTHER LIFE-THREATENING OR
DESTRUCTIVE MATERIALS AND PROVIDING PENALTIES THEREFOR

EXPLANATORY NOTE

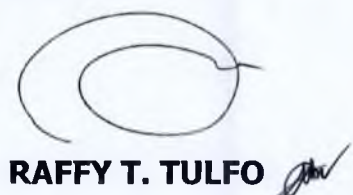
The Philippines is not a stranger to bombings. Such acts of lawless elements pose a grave and positive danger to public safety and security. Despite the gravity of this crime, there are pranksters who choose to convey, propagate or disseminate false information and make a joke about the alleged presence of bombs, explosives, incendiary devices, or any similar device or means of destruction in buildings, tenements, and other places.

The recent wave of bomb threats caused unnecessary disturbances and inconveniences in schools, malls, government offices, trains, airports and similar crowded places as each threat received through any means of communicated is treated as real. The situation is worsen by the use of modern technology – the threat or joke can be easily transmitted through social media, text messages, calls and e-mails, even from individuals outside the Philippine jurisdiction.

The Philippine National Police recorded a total of six fake bomb threats in our train stations¹ while eleven (11) cases of bomb jokes in airports² between 2023 and 2024. In May 2024, a bomb threat call from an unidentified foreign woman resulted in a five-hour delay of a Japan-bound flight.³ In February 2024, the Department of Environment and Natural Resources (DENR) Philippine Information Agency (PIA) central offices, National Housing Authority (NHA), Commission on Higher Education (CHED), and the Department of Science and Technology (DOST), Insurance Commission, Philippine Competition Commission and Power Sector Assets and Liabilities Management (PSALM), Department of Information Technology (DICT) received a bomb threat which turned out to be a hoax, through an e-mail from a domain registered in Japan.^{4 5}

This bill aims to curtail the high rate of incidence of bomb threats through the imposition of stiffer penalties. It prescribes maximum penalties of P5,000,000, or not exceeding six (6) years imprisonment, or both, if the violation of this Act is directed at high density areas or sensitive areas and causes the evacuation of a dwelling, building, place of assembly, facility, including public transportation, aircraft, ship, and other common carriers, or the stoppage, cancellation or disruption of any kind of service to the public, or results to death or deaths in relation to the chaos created herein, or losses in productivity and resources.

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


RAFFY T. TULFO

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¹ Katrina Domingo (August 5, 2024). "Police to beef up patrols, presence on Metro Manila trains". Information received from <https://news.abs-cbn.com/news/2024/8/5/police-to-beef-up-patrols-presence-on-metro-manila-trains-1523>

² Ma. Cristina Arayata (January 25, 2024). *Aviation cops, airlines to raise awareness on anti-bomb joke law*". Information received from <https://www.pna.gov.ph/articles/1217644>

³ Vito Barcelo (May 2, 2024). "Bomb joke causes 5-hr. delay for PAL flight." Information received from <https://manilastandard.net/news/national/314442592/bomb-joke-causes-5-hr-delay-for-pal-flight.html>

⁴ Emmanuel Tupas and Mark Ernest Villeza (February 13, 2024). "Bomb threats hit Metro Manila, Luzon offices, schools". Information retrieved from <https://www.philstar.com/headlines/2024/02/13/2332960/bomb-threats-hit-metro-manila-luzon-offices-schools>

⁵ Ma. Cristina Arayata and Marita Moaje (February 12, 2024). "Hoax bomb threats disrupt operations of gov't offices". Information retrieved from <https://www.pna.gov.ph/articles/1218703>

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CHAPTER I
GENERAL PROVISIONS

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 “*Anti-Bomb Joke Act of*
2 *2024*”.

3 Sec. 2. *Declaration of Policy.* – The State is committed to safeguarding its
4 citizens from the dissemination of false information pertaining to bomb threats,
5 explosives, and other life-threatening or destructive materials that pose risk to life and
6 property. This policy underscores the imperative of undertaking comprehensive
7 measures to mitigate the harmful impact of such misinformation and threats on public
8 safety and well-being.

9 Sec. 3. *Definition of Terms.* – for the purpose of this Act, the term:

10 a. *Bomb* refers to a container filled with explosive, incendiary material, smoke,
11 gas or other destructive substance, designed to explode. It can appear obvious or
12 concealed and can vary in size, shape or sophistication and may not necessarily
13 explode such as in the case of incendiary and dirty bombs or other such devices. It
14 may be referred to as Improvised Explosive Device (IED) or ordinance.

1 b. *Explosive* refers to any material that causes a sudden, almost
2 instantaneous, release of gas, heat and pressure, accompanied by a loud noise when
3 subjected to a certain amount of shock, or temperature.

4 c. *High density areas* refer to areas which are regularly populated with people,
5 including public spaces like public parks, airports, seaports, hotels, and malls or where
6 people are gathered for an event.

7 d. *Incendiary device* refers to a weapon designed to start fires or destroy
8 sensitive equipment using fire that uses materials such as napalm, thermite,
9 magnesium poser, chlorine trifluoride, or phosphorus.

10 e. *Life-threatening or destructive material* refers to any matter or substance
11 that is capable of causing death, including an explosive; incendiary device; poison gas;
12 mine; grenade; a rocket having a propellant charge of more than four (4) ounces; a
13 missile having an explosive or incendiary charge of more than one-quarter ounce; any
14 type of weapon, other than shotgun or shotgun shell, by whatever name known which
15 will, or which may be readily converted to, expel a projectile by the action of an
16 explosive or other propellant, and which has any barrel with a bore of more than one-
17 half inch in diameter; or any combination of parts either designed or intended for use
18 in converting any device into a destructive device described above and from which a
19 destructive device may be readily assembled; and,

20 f. *Sensitive areas* refer to those which are subject to high-risk upon violation
21 of this Act because of the magnitude of the resulting consequences such as possible
22 losses in productivity, resources, and religious value, notwithstanding the number of
23 people present therein, including educational institutions, offices, government
24 institutions, hospitals, and churches and other places of worship.

25 Sec. 4. *Prohibition.* – Any person who, by word of mouth or through the use of
26 mail, electronic mail, telephone, cellular phone, fax machine, telegraph, printed
27 materials, video recording, social media and other instrument or means of
28 communication, makes any threat or conveys, communicates, transmits, imparts,
29 passes on, or otherwise disseminates false information, knowing the same to be false,
30 concerning an attempt or alleged attempt being made to kill, injure, or intimidate any
31 individual or group or to unlawfully damage or destroy any building, vehicle, or other
32 real or personal property, by means of explosives, incendiary devices, and other

destructive forces of similar nature or characteristics, shall be penalized as prescribed in Section 5 hereof.

Sec. 5. *Penalties.* – (a) Any person who violates this Act shall be subject to imprisonment of not more than two (2) years or a fine not exceeding One hundred thousand pesos (P100,000.00), or both, at the discretion of the court having jurisdiction over the offense herein defined and penalized;

(b) If the violation of this Act is directed at high density areas or sensitive areas and causes the evacuation of a dwelling, building, place of assembly, facility, including public transportation, aircraft, ship, and other common carriers, or the stoppage, cancellation or disruption of any kind of service to the public, or results to death or deaths in relation to the chaos created herein, or losses in productivity and resources, the penalty shall be imprisonment of not more than six (6) years or a fine not exceeding Five million pesos (P5, 000,000.00), or both, at the discretion of the court having jurisdiction over the offense herein defined and penalized.

The foregoing penalties shall be imposed without prejudice to other liabilities under the Revised Penal Code or any special law, arising out of, or on occasion of the herein prohibited act.

Sec. 6. *Separability Clause.* – If any provision of this Act is held invalid or unconstitutional, the other provisions may not affect thereby shall remain valid and subsisting.

Sec. 7. *Repealing Clause.* – Presidential Decree No. 1727, otherwise known as "*Declaring as Unlawful the Malicious Dissemination of False Information of the Willful Making of Any Threat Concerning Bombs, Explosive or Any Similar Device or Means of Destruction and Imposing Penalties Therefor*", is hereby repealed. All other laws, executive orders, proclamations, rules and regulations, or parts thereof inconsistent with or contrary to this Act are hereby repealed or modified accordingly.

Sec. 8. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,