NINETEENTH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES
First Regular Session



22 JIL 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 GRACE POE

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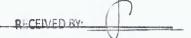
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Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:

Section 1. Short Title. — This Act shall be known as the "Anti-Fake News Act".

Sec. 2. Section 4 (b) of Republic Act No. 6713, otherwise known as the "Code of Conduct and Ethical Standards for Public Officials and Employees", is hereby amended to read as follows:

"(b) Professionalism. - Public officials and employees shall perform and discharge their duties with the highest degree of excellence, professionalism, intelligence and skill. They shall enter public service with utmost devotion and dedication to duty. They shall endeavor to discourage wrong perceptions of their roles as dispensers or peddlers of undue patronage. PUBLIC **EMPLOYEES** OFFICIALS AND OF **GOVERNMENT** INSTRUMENTALITIES, **OFFICES** AND/OR DEPARTMENTS, ESPECIALLY THOSE TASKED TO DISSEMINATE NEWS AND/OR INFORMATION, **MUST** REFRAIN FROM **PUBLISHING** DISSEMINATING, OR CAUSING TO PUBLISH OR DISSEMINATE, IN THEIR OFFICIAL AND PERSONAL CAPACITIES, FALSE NEWS OR INFORMATION THAT SHALL ERODE THE RELIABILITY, ACCURACY

1	AND TRUTHFULNESS ACCORDED BY THE PUBLIC TO THE
2	GOVERNMENT."
3	Sec. 3. Section 7 of R.A. No. 6713 is hereby amended to read as follows:
4	"Section 7. Prohibited Acts and Transactions In addition to acts and
5	omissions of public officials and employees now prescribed in the Constitution
6	and existing laws, the following shall constitute prohibited acts and
7	transactions of any public official and employee and are hereby declared to be
8	unlawful:
9	(a) Financial and material interest Public officials and employees
LO	shall not, directly or indirectly, have any financial or material interest in
11	any transaction requiring the approval of their office.
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13	(d) SOURCE OF MISINFORMATION PUBLIC OFFICIALS AND
L4	EMPLOYEES SHALL NOT PUBLISH OR DISSEMINATE, OR
15	CAUSE TO PUBLISH OR DISSEMINATE FALSE NEWS OR
16	INFORMATION IN ANY PLATFORM, IN RELATION TO SECTION
17	4 (B) OF THIS ACT.
L8	(e) [(d)] Solicitation or acceptance of gifts Public officials and
L9	employees shall not solicit or accept, directly or indirectly, any gift,
20	gratuity, favor, entertainment, loan or anything of monetary value from
21	any person in the course of their official duties or in connection with
22	any operation being regulated by, or any transaction which may be
23	affected by the functions of their office.
24	As to gifts or grants from foreign governments, the Congress
25	consents to:
26	i. The acceptance and retention by a public official or employee of
27	a gift of nominal value tendered and received as a souvenir or
28	mark of courtesy;
29	ii. The acceptance by a public official or employee of a gift in the
30	nature of a scholarship or fellowship grant or medical treatment;
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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,