



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Constitution Hills, Quezon City



SEVENTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. **5021**

Introduced by Representative Pantaleon D. Alvarez

EXPLANATORY NOTE

Information Technology, needless to emphasize, has made life, living life and doing life facile and convenient. The explosion of online activity in recent years has led to several pitfalls that need to be addressed, one of which is the abuse and misuse of social media which should be curtailed.

The internet and social media are firm fixtures in the daily lives of billions of people around the world. Social media as a new medium of communication is one of the newest trends in information technology. People can instantly connect and have correspondence with one another by just the use of their cellphones, laptops or tablets through these social media sites.

However, for every benefit social media may bring lies the danger of some who take social media as a means to take advantage of another. In many occasions, users open fake accounts by presenting themselves to the online world as persons whom they are not. This is a classic case of identity theft that is detrimental to society.

This proposed bill seeks to afford a remedial measure on the foregoing matters and will regulate these social media mediums by mandating the social media companies (Facebook, twitter, Instagram, etc.) to reasonably verify the identity of user applicants before they are allowed to open an account. Penalties are also provided for failure to comply with this verification requirement. Likewise, those who steal someone else's identity shall also be penalized.

Hence, the approval of this bill is earnestly requested.



PANTALEON D. ALVAREZ



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**"AN ACT
REGULATING THE USE OF SOCIAL MEDIA, PRESCRIBING
PENALTIES AND FOR OTHER PURPOSES"**

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

SECTION 1. *Short Title.* -This Act shall be known as the "Social Media Regulation Act of 2017".

SEC.2. *Declaration of Policy.* - It is the policy of the State to protect and uphold public interest and to regulate the flow of true and fair information between different sources in order to enhance information and communications technology for national benefit.

SEC.3. *Definition of Terms.* -As used in this Act:

3.1 *Information and Communications Technology* refers to the totality of electronic means to collect, process, and present information to end-users in support of their activities. It consists, among others, of computer systems, office systems and consumer electronics, as well as networked information structure, the components of which include the telephone system, the internet, fax machines and computers;

3.2 *Social Media* refers to as any "electronic medium that allows

interaction among people in which they create, share or exchange information and ideas, including, but not limited to, uploading or downloading videos, still photographs, blogs, video blogs, podcasts, instant messages, electronic mail or internet website profiles or locations."

3.3 *Social Media Network* refers to social media venues such as Facebook, Twitter and LinkedIn, as well as sites like Pinterest and Instagram and the likes. E-mail accounts created through Yahoo!, Google, and other Internet sites shall be included in the definition.

SEC. 4. Responsibility of Social Media Users.- Every person who will communicate, exchange, deliver, blog, or share information through social media must observe a responsible and fair exercise of his right to free expression and opinion. He is, however, prohibited from opening an account for his online presence using someone else's identity and presenting himself to the online world as that person whom he is not.

SEC. 5. Responsibility of Social Media Networks.- Social Media Networks are responsible for ascertaining the veracity of the identity of a social media user. Applicants for social media accounts shall be subjected by the Social Media Networks to effective identity verification in order to ascertain the authenticity of an account. The applications of those found out as presenting himself as another person whom he is not shall be denied. Further, the user accounts of other persons the authenticity of which are subsequently discovered as compromised shall be shutdown.

SEC.6. Penalties.- Any person who intentionally and maliciously commits any act in violation of Sec. 4. and Sec. 5 of this Act shall be punished with imprisonment of not less than six (6) years and one (1) day up to twelve (12) years and a fine ranging from thirty thousand pesos (P30,000.00) to fifty thousand pesos (P50,000.00).

Any person who owns or has control over artificial intelligence programs or similar programs that create social media user accounts that result into acts in violation of Section 4 and/or 5 hereof shall be liable under this Section.

SEC.8. Separability Clause.- If any provision of this Act is declared unconstitutional, the same shall not affect the validity and effectivity of

other provisions thereof.

SEC.9.Repealing Clause.- All laws, decrees, orders and issuances or portions thereof which are inconsistent with the provisions of the Act are hereby repealed or modified accordingly.

SEC. 10. Effectivity Clause.- This Act shall take effect fifteen (15) days following its publication in at least two (2) national newspapers of general circulation.

Approved,