

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 3729



Introduced by Rep. Winston "Winnie" Castelo

EXPLANATORY NOTE

First off, let it be laid that it is the declared policy of the State to "maintain honesty and integrity in the public service and to take positive and effective measures against graft and corruption."

Secondly, the act of plagiarism has cast its binding shadows not just in the academe but even in high places. More contemporary examples to illustrate this view are the alleged "copying" of brand by a line department and the show-cause order against the UP College of Law faculty.

Thirdly, never before has the act of plagiarism been meted out as a criminal act but merely confronted as a moral infringement and therefore allotted with disciplinary action.

I, the author, view that we can now propose to criminalize plagiarism and provide penalties therefore precisely to strengthen that State policy of promoting honesty and integrity in the public service.

The urgent passage of this legislative measure is most earnestly sought.

WINNIE CASTELO

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AN ACT

CRIMINALIZING PLAGIARISM, PROVIDING PENALTIES THEREFOR AND FOR OTHER PURPOSES

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

SECTION 1. *Short Title.* – This Act shall be known as "The Anti-Plagiarism Law of the Philippines."

SEC. 2. *Declaration of State Policy.* – It is the declared policy of the State to maintain honesty and integrity in the public service and to take positive and effective measures against graft and corruption.

SEC. 3. *Definition of Terms.* – Plagiarism shall be defined as the unauthorized use or close imitation of the language and thoughts of another author and the representation of them as one's own original work.

SEC. 4. *Plagiarism as a Crime.* – Under this Act, plagiarism ceases to be categorized as a mere copyright infringement and becomes a reprehensible act, the commission of which whether intentional or unintentional, shall be punishable.

Plagiarism is committed under any of the following conditions:

1. passing off of the work of another as one's own
2. use of copied materials without attribution to the author
3. unfair use of copyrighted material
4. transgression of the moral rights of copyright holders
5. use of someone else's work without prior authorization

SEC. 5. *Application of Penalties.*

- a) If committed by a public official or employee, dismissal from the service and imprisonment for a period to be determined by a competent court
- b) If committed by a government lawyer, disbarment and that of *prision mayor*
- c) If committed by a justice, disbarment and that of *reclusion perpetua*
- d) If committed by a student, a private individual or private employee, dismissal from the school, organization or firm, respectively and imprisonment for a period to be determined by a competent court

SEC. 6. *Repealing Clause.* – All other general and special laws, acts, decrees, executive orders, proclamations, administrative rules and regulations, or part thereof, inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 7. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in any two (2) newspapers of general circulation.

Approved,