

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

18TH CONGRESS
First Regular Session

HOUSE BILL NO. 2118



Introduced by Representative Michael L. Romero

EXPLANATORY NOTE

In the republic of the Philippines, there is a very **intense identity** aggregation of products like *Google and Facebook* that is pushing users towards anonymous services. Both of them are making headlines, each promising an escape from the ruthless scrutiny of mainstream social networks.

While these services are great for providing a momentary distraction, they are still doing nothing to address the **core problem of online identity**.

In the country today, there are very few situations where it is useful or even desirable to be **anonymous outside of explicitly anti-social or criminal behavior**. The standard examples of corporate leaks, personal confessions, honest reviews, etc., do not benefit from true anonymity. Instead, people want to expose some subset of their identity and nothing more. Likewise, if someone confesses something about their personal life, they want to do it with a supportive community and not to strangers who do not care about or have a lasting relationship with them.

It is not about being anonymous or even pretending to be someone else. It is about controlling which subsets of true facets of a person are relevant in different social contexts. This is fundamentally not deceptive but actually enables one to be authentic.

Outside of the Internet, it is extremely difficult to find out information about a person so that we can easily and naturally compartmentalize our experiences. This person is not a different person in these settings, it is always the same person, but different parts of their identity are relevant.

All These social media giants of the world want to aggregate all of these personas into a single identity. They want to do this, not because they think this is good for users or because this is how they think society works, **but rather because it helps them monetize user interactions**. However, this type of aggregation is a very bad deal for users.

With this comes in the form of hyper-targeted advertisements. This is a scary proposition. Even though users primarily are reacting to this **"stalking"** factor, there is actually a delicate but much more dangerous force at work.

This House Bill seeks to persecute and penalize social media identity theft comparable to that of a regular theft offense under our existing penal codes. To foster the imposition of all existing policies and guidelines and provide stiffer penalties and sanctions for all offenders.

Thus, the early passage of this bill is earnestly requested.



MICHAEL L. ROMERO Ph.D.

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AN ACT

**PENALIZING ALL FORMS OF MEDIA IDENTITY THEFT, ANY
PERSON CREATING, PRETENDING AND STEALING THE
IDENTITY OF ANOTHER PERSON, AND FOR OTHER PURPOSES**

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

SECTION 1. DECLARATION OF POLICY – it is hereby declared a policy
of the state to protect and uphold the social media identity of any person:

- a. Any person creating, pretending and stealing the identity of any other person in social media and in the internet shall be subjected to identity theft.
- b. These social media identity theft, shall be treated to penalties that are comparable to that of **regular theft offenses** under the existing penal codes.
- c. The **Philippine National Police (PNP), National Bureau of Investigation (NBI)** cyber crime division and the **Internet Service Provider (ISP)** host like *Facebook, Twitter and Google* shall assist in finding and persecuting these offenders.

SECTION 2. TRANSITORY PROVISION – Existing industries, businesses and offices affected by the implementation of this Act shall be given six **(6)** months transitory period from the effectivity of the IRR or such other period as may be determined, to comply with the requirements of this Act.

SECTION 3. IMPLEMENTING RULES AND REGULATIONS – The departments and agencies charged, to be lead by the PNP and NBI with carrying out the provisions of this Act, shall within sixty **(60)** days after the effectivity of this Act, formulate the necessary rules and regulations for its effective implementation.

SECTION 4. REPEALING CLAUSE – All laws, decrees, executive orders, rules and regulations, or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 5. SEPARABILITY CLAUSE – If, for any reason, any section or provision of this Act is held unconstitutional or invalid, the other sections or provisions hereof shall not be affected thereby.

SECTION 6. EFFECTIVITY CLAUSE – This Act shall take effect after fifteen (15) days from its publication in the Official Gazette or in at least two (2) national newspapers of general circulation whichever comes earlier.

Approved,