

SIXTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



Senate
Office of the Secretary

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SENATE

S. No. 149

RECEIVED BY: *ji*

Introduced by SENATOR PIA S. CAYETANO

EXPLANATORY NOTE

The right to freedom of speech and expression is a pillar of democracy. An environment that encourages public discourse and debate is one that fosters progress and development in a democratic nation.

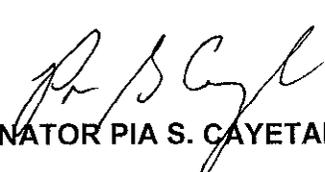
As such, this bill decriminalizes libel as defined and penalized in Articles 355-357 and Articles 360-362 of the Revised Penal Code such that our constitutional right to free speech, specifically through writing and similar means, is upheld, without fear or threat of incarceration or restraint of liberty.

In recent years, media has evolved to accommodate the views and perspectives of the common Filipino, and has strengthened its important role of being the watchdogs of the government. This bill reinforces this function and truly enables them to be of service to the Filipino people through responsible journalism that pushes for complete transparency.

Moreover, technology has so far advanced thereby allowing for common people to air their grievances against any person or entity, whether with malice or not, through online publication. This bill shall continue to protect our freedoms of speech and expression which are essential to the survival of a free, open and democratic society.

However, the decriminalization of libel does not mean that one's right to privacy, dignity and peace of mind as enshrined in Articles 19 and 26 of the Civil Code will be impinged. Violations thereof will hold the violator civilly liable, and the remedy of filing an action for damages to seek redress for the wrong done shall still be available.

Immediate passage of this bill is thus earnestly sought.


SENATOR PIA S. CAYETANO



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S. No. 149

Introduced by SENATOR PIA S. CAYETANO RECEIVED BY: 

**AN ACT DECRIMINALIZING LIBEL THEREBY REPEALING ARTICLES 353 TO
357 AND ARTICLES 360-362 OF THE REVISED PENAL CODE**

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

1 **Section 1.** Articles 353, 354, 356, 357, 360, 361 and 362 of Act No. 3815 as
2 amended, otherwise known as the Revised Penal Code are hereby repealed thereby
3 decriminalizing libel.

4
5 **Section 2.** The repeal of the above-mentioned articles shall in no way impede on the
6 exercise of a person's right to privacy, dignity, and peace of mind as enshrined in
7 Articles 19 and 26 of Republic Act No. 386 as amended, otherwise known as the
8 Civil Code.

9
10 **Section 3.** All laws, executive orders, decrees, instructions, rules and regulations
11 contrary or inconsistent with the provisions of this Act are hereby repealed or
12 modified accordingly.

13
14 **Section 4.** If any provision of this Act shall be held unconstitutional or invalid, the
15 other provisions not otherwise affected shall remain in full force and effect.

16
17 **Section 5.** This act shall take effect fifteen (15) days following its complete
18 publication in two (2) newspapers of general circulation.

Approved,