



Republic of the Philippines
Province of Eastern Samar
Municipality of Arteche
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Office of the Sangguniang Bayan

AN ORDINANCE STRICTLY RESTRICTING ANY PERSON OR PERSONS FOR THE POSTING AND SHARING FAKE NEWS AND FALSE INFORMATIONS IN SOCIAL MEDIA IN RELATION WITH THE GLOBAL PANDEMIC COVID-19, IN THE MUNICIPALITY OF ARTECHE, EASTERN SAMAR, AND PENALIZING VIOLATORS HEREOF.

MUNICIPAL ORDINANCE NO. 2020-01
Series of 2020

Introduced & Proposed by:

Hon. Adolf M. Pajanustan

SB Chairman, Committee on Rules

Seconder

Unanimously seconded

WHEREAS, the Philippines was placed under the state of Public Health Emergency through Proclamation No. 922 issued by His Excellency President Rodrigo Roa Duterte dated March 9, 2020, mandating Local Government Unit's for the immediate implementation of urgent and critical measures in order to prevent the spread of Corona Virus (COVID-19) and mitigate its effect and impact to the community;

WHEREAS, Section 16 of Republic Act No. 7160 otherwise known as the "Local Government Code of 1991" provides that, "every local government unit shall exercise the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate, or incidental for an efficient and effective governance together with those essential to the promotion of the general welfare of the community within their territorial jurisdiction;

WHEREAS, Local Government Unit's is also mandated to ensure the safety of the people by maintaining peace and order, promote the healthy conditions of the residents, improve public morals and preserve the comfort and convenience of their inhabitants;

WHEREAS, spreading fake news and false information in person or word of mouth and in all forms of social media, create confusion, panic and irrational fear, to the public which in effect undermines social order;

WHEREAS, creating and sharing fabricated stories or fake news is usually bias and mislead the people, causing damages to concerned person, entities and agencies;

WHEREAS, panicking this time is somewhat inappropriate since what the country need today is cooperation and strict compliance of the community with the law to prevent the spread of COVID-19;

NOW, THEREFORE, BE IT ORDAINED, by the Sangguniang Bayan of Arteche, Eastern Samar, that:

SECTION 1. TITLE- This Ordinance shall be known as "**AN ORDINANCE RESTRICTING THE SHARING AND POSTING OF FAKE NEWS IN THE MUNICIPALITY OF ARTECHE , PROVINCE OF EASTERN SAMAR**".

SECTION 2. PURPOSE – These Rules are promulgated to promote public morale, maintain peace and order, safeguard public health and promote well-being of all its constituents by protecting them from fake news and false information that create confusion or unnecessary panic and irrational fear for the public.

SECTION 3. SCOPE OF POLICY - This Ordinance shall apply, whether natural or juridical, whether resident or not, found guilty within the territorial jurisdiction of Arteche, Eastern Samar.

SECTION 4. DEFINITION OF TERMS:

- a. **FAKE NEWS** – shall refer to statements or stories that is presented as being a genuine item of news but is in fact, no basis, not true or inaccurate and usually made on order to receive. Such statement or story shall also be considered rumors, gossips, or speculations.
- b. **COVID 19** -stands for the Corona Virus Disease 2019.
- c. **SOCIAL MEDIA** -refers to websites and applications that are designed to allow users to create and share content or participate in social networking such as Facebook, Messenger, Tweeter, Instagram, YouTube, WhatsApp, WeChat, QQ, Tumblr, LinkedIn, Viber, Snapchat, Pinterest, Tiktok and others.
- d. **GOOD FAITH** -honest intent to act without taking an unfair advantage over another person or motive without any malice or the desire to defraud others.
- e. **BAD FAITH** – intentional dishonest act by not fulfilling legal obligations, misleading another or violating basic standards of honesty in dealing with others.

SECTION 5. PROHIBITED ACTS:

1. Sharing or posting of Fake news regarding the viral infection either in good or in bad faith through word of mouth or verbal utterances, through writing or text messages and in social media platforms. (Such as Facebook, Messenger, Tweeter, Instagram, YouTube, WhatsApp, WeChat, QQ, Tumblr, LinkedIn, Viber, Snapchat, Pinterest, Tiktok and the likes)
2. Promotion or dissemination of Fake news either alone or in conspiracy by means of printed materials, pamphlets, leaflets, banners and other educational information materials which are classified as anonymous or do not bear the logo, corporate seal or the source or reference of the materials.
3. Promotion or dissemination of stories or information's either true or not using "alias" or fake online accounts, fake logo, corporate seal or reference materials.
4. Promotion or dissemination of "Pranks/Joke" stories or information relative to COVID-19.
5. Providing wrong or false information associated with the COVID-19 as marketing strategies in selling products within the municipality.

6. Dishonesty or non-disclosure of pertinent facts in the Passenger Health Locator Form.

SECTION 6. CATEGORIZATION OF FAKE NEWS:

1. Any information posted in social media without proper verification shall be considered fake news and should not be posted or shared;
2. Information not coming from proper authorities and concerned government agencies shall be avoided to share in social media.

SECTION 7. PENAL PROVISION:

- Penalty of person or persons sharing fake news in social media (fb and messenger) not coming from proper authorities will be higher than the person who originally posted the information.
- Minor/s violating any part or parts hereof shall be imposed of a fine provided in this ordinance and failure to pay or render the corresponding penalty, parents or guardians of the violator will comply the penalty for and in behalf of their children.

SECTION 8. PENAL CLAUSE:

Any person/persons caught or found guilty of sharing and posting fake news thru word of mouth and the social media which have created panic and fear amongst the community will be imposed of a fine of not less than One Thousand Five Hundred (PhP1, 500.00) Pesos but not more than Two Thousand Five Hundred (PhP2, 500.00) Pesos and an imprisonment of not less than 2 months but not more than six (6) months, or both fine and imprisonment at the discretion of the Honorable Court.

Further, minors violating any part or parts of this ordinance shall be imposed of the following:


- a. First Offense - Community Service. Failure of the minor to comply with the imposed penalty, their parents will do it for them.
- b. Second and succeeding offenses, complaint will be filed in court against the violating minor and the courts' decision will be final and executory.

SECTION 8. EFFECTIVITY:

This Ordinance shall take effect immediately.


ENACTED: MARCH 16, 2020, ARTECHE, EASTERN SAMAR.



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