

JUN 17 1918

SENATE
S. No. 3384

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

The popularity and portability of mobile phones and other audio-visual electronic devices have made them ubiquitous; everybody has one and cannot leave home without it. However, the portability of these gadgets has made it harder to discourage people from carrying them into movie theaters, concert halls and other areas where performances are held. In such places, noises made from the use of phones and other gadgets are a nuisance to the rest of the audience, who have paid to see the performance.

Unfortunately, despite repeated reminders from theater operators to turn off cel phones or complaints from other members of the audience who are bothered by the noise, many patrons continue using these devices in the midst of a show.

The bright light from screens and the noise generated from people who answer calls, play games, surf the internet and access other media on their electronic gadgets are highly disruptive in closed spaces; their conduct distracts others from their purpose for being in the theater.

However, without the prospect of facing any consequences for such disruptive behavior, it is easy to disregard polite requests to stop using these devices. Hence, it is time to establish a law with corresponding penalties to marshal rude gadget users and allow other patrons to fully appreciate and enjoy the performance. Jurisprudence has consistently upheld the government's right to impose restraints which regulate the time, place and manner of expression in public places.

This bill prohibits the use of mobile phones, two-way radios and audio-visual electronic devices inside movie theaters, concert halls and other venues where public performances are being held. Theater owners must escort violators out of the venue immediately, and fines will be

meted out to those who violate this Act. Through this bill, the government shall be able to provide a safe and enjoyable public space for the benefit of its citizens.

acc. *Miriam Defensor Santiago*
MIRIAM DEFENSOR SANTIAGO

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1 AN ACT
2 PROHIBITING THE USE OF CELLULAR OR MOBILE TELEPHONES, TWO-WAY
3 RADIOS AND OTHER AUDIO-VISUAL ELECTRONIC DEVICES INSIDE MOVIE
4 THEATERS AND OTHER SIMILAR ARENA

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

7 SECTION 1. *Short Title.* – This Act shall be known as the “Silent Mode Act.”

8 SECTION 2. *Definition of Terms.* – For the purposes of this Act, the term:

9 (A) “Movie theater” shall mean a building where theatrical performances or motion-
10 picture shows can be presented;

11 (B) “Mobile telephone” means a cellular, analog, wireless, digital or other similar
12 telephone or communications device, which can be used to access two-way real time
13 voice telecommunications service that is interconnected to a public switched
14 telephone network

15 (C) “Two-way radios” means portable wireless communications systems that can receive
16 and transmit signals

17 (D) “Audio-visual electronic devices” include personal digital assistants, video and still
18 cameras, video game devices, computer tablets, portable media players and other
19 similar gadgets.

20 SECTION 3. *Prohibition on the use of cel phones and audio-visual electronic device.* –
21 Mobile telephones, two-way radios and audio visual electronic devices shall be turned off or
22 placed on vibrate or silent mode at all times in the following places:

23 (A) Movie theaters;

24 (B) Concert halls and auditoriums;

1 (C) Any other indoor venue in which theatrical, musical, dance cinema, lecture or other
2 similar public performances are exhibited.

3 SECTION 4. *Responding to calls.* – Patrons must leave the theater or move to an area
4 where they cannot be heard, in order to make or answer a call or otherwise use the device.

5 SECTION 5. *Obligation of establishment owners and employees.* – Owners and
6 employees of the establishments which fall under Section 3 shall escort anyone caught violating
7 this Act out of the venue immediately. The cost of the ticket will not be refunded to the violator.

8 Before every performance, the establishment shall issue a reminder to the audience to
9 turn off their gadgets or put them on silent mode. It shall also be their obligation to post copies
10 of this Act at the entrance of the venue in plain view of patrons.

11 SECTION 6. *Penalties.* – Every person who is found to have violated this Act, shall be
12 penalized as follows:

13	First Offense	:	Five Hundred Pesos (P500.00)
14	Second Offense	:	One Thousand Pesos (P1,000.00)
15	Third Offense	:	Three Thousand Pesos (P3,000.00)

16 SECTION 7. *Separability Clause.* – If any provision, or part hereof is held invalid or
17 unconstitutional, the remainder of the law or the provision not otherwise affected shall remain
18 valid and subsisting.

19 SECTION 8. *Repealing Clause.* – Any law, presidential decree or issuance, executive
20 order, letter of instruction, administrative order, rule or regulation contrary to or inconsistent
21 with, the provisions of this Act is hereby repealed, modified, or amended accordingly.

22 SECTION 9. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its
23 publication in at least two (2) newspapers of general circulation.

24 Approved,

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