

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



Senate  
Office of the Secretary

'13 JUL -3 P12:46

SENATE

S.B. No. 349

RECEIVED BY: *ja*

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Introduced by Senator LOREN LEGARDA

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#### EXPLANATORY NOTE

This bill seeks to require the broadcast of television programs and showing of motion pictures and other audio-visual presentations with closed caption and providing penalties for violation thereof to respond to the needs of hearing impaired individuals.

Closed-caption is a method of captioning or subtitling of television, home video programs and films for hearing-impaired or foreign language viewers without interfering with the normal television picture and films, by coding captions as vertical interval data signal, which is decoded at the receiver and superimposed on the television picture or on films of motion pictures.

With the advances of information technology and the relevance of television programs, motion pictures, and other audio-visual presentation as tools or learning, there is a need to enable persons with hearing impairments to take advantage of such technology and enjoy audio-visual entertainments with their seemingly unbounded innovations.

This proposed measure aims to address such need by making it compulsory for all franchise holders or operators of television stations, producers of television programs, home video programs and motion pictures to have their programs and films broadcast with closed captions.

In view of the foregoing, immediate passage of this bill is earnestly sought.

  
LOREN LEGARDA  
Senator

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AN ACT  
REQUIRING ALL FRANCHISE HOLDERS OR OPERATORS OF TELEVISION  
STATIONS, PRODUCERS OF TELEVISION PROGRAMS, HOME VIDEO  
PROGRAMS AND MOTION PICTURES TO BROADCAST OR PRESENT  
THEIR PROGRAMS AND FILMS WITH CLOSED-CAPTION AND  
PROVIDING PENALTIES FOR VIOLATION THEREOF

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

1       **SECTION 1.** All franchise holders or operators of television stations,  
2 producers of television stations, producers of television programs, home video  
3 programs and motion pictures, shall be required to have their programs and films  
4 with closed-captions to benefit persons with hearing impairment.  
5

6       As used in this Act, closed-caption shall mean a method of captioning or  
7 subtitling of television, home video programs and films for hearing-impaired or  
8 foreign language viewers without interfering with the normal television picture and  
9 films, by coding captions as vertical interval data signal which is decoded at the  
10 receiver and superimposed on the television picture or on films of motion pictures.  
11

12       **SECTION 2.** Any franchise holder or operator of television stations, producer  
13 of television programs, home video programs and motion pictures, who shall violate  
14 the provision of Section 1 hereof shall be punished by a fine of not less than Fifty  
15 Thousand Pesos (P50,000.00) nor more than One Hundred Thousand Pesos  
16 (P100,000.00) or by imprisonment of not less than six (6) months nor more than one  
17 (1) year, or both such fine and imprisonment, at the discretion of the Court.  
18

19       In case the offender is a corporation, partnership or association, or any other  
20 juridical person, the president, manager, administrator, or person-in-charge of the

21 management of the business shall be liable therefore. In addition, the license or  
22 permit to operate its business shall be canceled.

23

24 If the offender is an alien, in addition to the penalties herein prescribed, he  
25 shall, after service of sentence, be deported without further proceedings on the part  
26 of the Bureau of Immigration.

27

28 **SECTION 3.** The National Telecommunications Commission, in consultation  
29 with the Movie and Television Review and Classification Board and Videogram  
30 Regulatory Board, shall promulgate the necessary rules and regulations for the  
31 effective implementation of this Act.

32

33 **SECTION 4.** If any part, section or provision of this Act is declared invalid or  
34 unconstitutional, other parts or provisions hereof not affected thereby shall remain  
35 in full force and effect.

36

37 **SECTION 5.** All laws, decrees, orders, rules and regulations and other  
38 issuances or parts thereof inconsistent with any of provision of this Act are hereby  
39 amended, repealed or modified accordingly

40

41 **SECTION 6.** This Act shall take effect after fifteen (15) days following its  
42 publication in two (2) newspapers of general circulation.

43

44 Approved,