SIXTEENTH CONGRESS OF THE REPUBLIC OF THE PHILIPPINES First Regular Session



SENATE

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S.B. No. 349

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Introduced by Senator LOREN LEGARDA

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

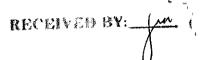
| SIXTEENTH CONGRESS OF THE | |
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| REPUBLIC OF THE PHILIPPINES | |
| First Regular Session | |



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SENATE S.B. No. <u>34</u>9

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Introduced by Senator LOREN LEGARDA

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:

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

As used in this Act, closed-caption shall mean 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.

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

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

| 21 | management of the business shall be flable therefore. In addition, the license or |
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| 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 |
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| 41 | SECTION 6. This Act shall take effect after fifteen (15) days following its |
| 42 | publication in two (2) newspapers of general circulation. |
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| 44 | Approved, |