

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



Senate  
Office of the Secretary

13 SEP -5 P5:36

SENATE  
S. No. 1570

RECEIVED BY *js*

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Introduced by Senator Miriam Defensor Santiago

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#### EXPLANATORY NOTE

The Constitution, Article 2, Section 13 provides:

The State recognizes the vital role of the youth in nation-building and shall promote and protect their physical, moral, spiritual, intellectual, and social well-being. It shall inculcate in the youth patriotism and nationalism, and encourage their involvement in public and civic affairs.

Our children are besieged by advertising messages that create the impression that alcohol can help solve life's problems and lead to popularity. These messages are distortions that gloss over the all too prevalent and detrimental results of alcohol consumption – the loss of productivity due to hangovers, the tragic deaths and injuries caused by drunk driving, and the families torn apart by alcohol use.

This bill seeks to establish advertising requirements for alcohol beverages in order to protect the young people of our nation.\*

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*Miriam Defensor Santiago*  
MIRIAM DEFENSOR SANTIAGO

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\* This bill was originally filed during the Thirteenth Congress, First Regular Session.



13 SEP -5 P5:36

SENATE  
S. No. 1570

RECEIVED BY: *jei*

Introduced by Senator Miriam Defensor Santiago

1 AN ACT  
2 ESTABLISHING ADVERTISING REQUIREMENTS FOR ALCOHOLIC BEVERAGES  
3 TO PROTECT YOUNG PEOPLE

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

4 SECTION 1. *Short Title.* – This Act may be cited as the “Children’s Protection From  
5 Alcohol Advertising Act.”

6 SECTION 2. *Declaration of Policy.* – It is hereby the policy of the State to recognize the  
7 vital role of the youth in nation-building, and promote and protect their physical, moral, spiritual,  
8 intellectual, and social well-being.

9 SECTION 3. *Definition of Terms.* – For the purpose of this Act, the term:

10 (A) “Alcoholic beverage” includes any beverage in liquid form which contains not  
11 less than one-half of one percent of alcohol by volume and is intended for human consumption;  
12 and

13 (B) “Secretary” means the Secretary of Health.

14 SECTION 4. – *Advertising Requirements.* –

15 (A) *Prohibitions.* –

16 (1) *General Rule.* – Except as provided in paragraph (B), no alcoholic beverage  
17 may be advertised or promoted in any audio tape, audio disc, videotape,  
18 video arcade game, computer game, or in film. No outdoor advertising of  
19 alcoholic beverages may be located within one (1) kilometer of any school,

1 playground, or other public facility where individuals under the age of  
2 eighteen (18) are reasonably expected to convene.

3 (2) *Exception.* – Paragraph (1) does not apply to any videotape prepared by a  
4 person engaged in the business of manufacturing or selling alcoholic  
5 beverages if such videotape is to be viewed only by other persons engaged  
6 in such business.

7 (B) *Print Advertising.* – In publications with an under the age of eighteen (18)  
8 readership of more than ten thousand (10,000), alcohol advertising shall be restricted to text only  
9 advertising in black and white print.

10 (C) *Broadcast Advertising.* – Any advertising of an alcoholic beverage in a television  
11 broadcast shall, during the hours between 7 a.m. and 10 p.m., be limited to only a picture of the  
12 beverage with factual, objective audio information about the beverage.

13 (D) *Sponsorship.* – An event may be sponsored by an alcohol manufacturer in the  
14 corporate name only and not in the brand name of the alcoholic beverage.

15 (E) *Promotional Items.* –

16 (1) *General Rule.* – No person may manufacture or distribute a product which is  
17 a non-beverage product with an identifiable brand of an alcoholic beverage  
18 manufacturer. Such a product shall bear the corporate name of the alcoholic  
19 beverage manufacturer.

20 (2) *Exception.* – Paragraph (1) does not apply to any product prepared by a  
21 person engaged in the business of manufacturing or selling alcoholic  
22 beverages if such product is to be made available only to other persons  
23 engaged in such business.

24 (F) *Implementing Programs.* – The Secretary shall promulgate such rules and  
25 regulations necessary for the effective implementation of this Act.

26 (G) *Penalty.* – Any person who violates the restrictions prescribed by paragraphs (A),  
27 (B), or (C) shall, upon conviction, be subject to a fine of not less than Fifty thousand pesos  
28 (P50,000.00) or imprisonment of not less than six (6) months but not more than five (5) years, or  
29 both, upon the discretion of the court.

1           If the violation is committed by a corporation, trust or firm, partnership, association or  
2 any other entity, the penalty of imprisonment shall be imposed on the entity's responsible officers,  
3 including, but not limited to, the president, vice-president, chief executive officer, general  
4 manager, managing director, or partner responsible therefor.

5           SECTION 5. *Separability Clause.* - If any provision or part thereof is held invalid or  
6 unconstitutional, the remainder of the law or the provision shall remain valid and subsisting.

7           SECTION 6. *Repealing Clause.* - Any law, presidential decree or issuance, executive  
8 order, letter of instruction, administrative order, rule, or regulation contrary to or inconsistent  
9 with the provisions of this Act is hereby repealed, modified, or amended accordingly.

10           SECTION 7. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after its  
11 publication in at least two (2) newspapers of general circulation.

Approved,