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SENATE
S.B. 2239

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Prepared by the Committee on Public Information and Mass Media
with Senators Revilla, Legarda and Poe as authors thereof

AN ACT
REQUIRING ALL FRANCHISE HOLDERS OR OPERATORS OF TELEVISION
STATIONS AND PRODUCERS OF TELEVISION PROGRAMS TO BROADCAST OR
PRESENT THEIR PROGRAMS WITH CLOSED CAPTIONS OPTION, AND FOR OTHER
PURPOSES

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

1 Section 1. **Requirement.**- All franchise holders or operators of television stations and
2 producers of television programs are required to broadcast their programs with closed captions
3 option to benefit persons with hearing disabilities, including but not limited to newscast or news
4 programs and pre-scripted programs.

5 Section 2. **Definition of Terms.**- As used in this Act:

6 a) "Closed caption" shall mean a method of subtitling television programs by coding
7 statements as vertical data signal that are decoded at the receiver and superimposed at the
8 bottom of the television screen.

9 b) "Economically burdensome" shall mean that which result in a significant difficulty or
10 expense to be determined by the following factors:

- 11 1) The nature and cost of the closed captions for the programming;
12 2) The impact on the operation of the provider or producer;
13 3) The financial resources of the provider or producer;
14 4) The type of operations of the provider or producer.

15 c) "Newscast" or "news programs" shall refer only to report of happenings of recent
16 occurrence of a varied character, such as political, social, moral, religious and other
17 subjects intended for the information of the general public. It shall also refer to straight
18 news reporting as distinguished from news analyses or editorials, commentaries and
19 opinions.

20
21 Section 3. **Exempt Programming.** The following shall be exempt from closed
22 captioning:

- 23 1) Public service announcements that are shorter than ten (10) minutes;
24 2) Programs shown in the early morning hours from 1:00 am to 6:00 am;
25 3) Programs that are primarily textual in nature;
26 4) When compliance would be economically burdensome.

1 Section 4. **Penalties.**- Any franchise holder or operator of television stations and
2 producer of television programs, who shall violate the provisions of this Act shall be
3 punished by a fine of not less than Fifty Thousand Pesos (P50,000.00) but not more than
4 One Hundred Thousand Pesos (P100,000.00) or by imprisonment of not less than six (6)
5 months but not more than one (1) year, or both, at the discretion of the court.

6 In case the offender is a corporation, partnership or association, or any other
7 juridical person, the president, manager, administrator, or person-in-charge of the
8 management of the business shall be liable therefor. In addition, the license or permit to
9 operate its business shall be cancelled.

10
11 Section 5. **Implementing Rules and Regulations.**- The National Telecommunication
12 Commission and the Movie and Television Review and Classification Board, in
13 consultation with other concerned agencies and entities, shall promulgate the necessary
14 rules and regulations within one hundred twenty (120) days from the effectivity date of
15 this Act.

16 Section 6. **Repealing Clause.**- All laws, decrees, orders, rules or regulations, other
17 issuances or parts thereof inconsistent with this Act are hereby repealed or amended
18 accordingly.

19 Section 7. **Separability Clause.** – If any provision of this Act is declared invalid, other
20 parts or provisions thereof not affected thereby shall remain and continue to be in full
21 force and effect.

22 Section 8. **Effectivity.**- This Act shall take effect fifteen (15) days after the completion of
23 its publication in the Official Gazette or in at least two (2) newspapers of general
24 circulation.

25 Approved,