

In view of foregoing, elimination of the **sub judice** rule is earnestly sought in this Bill.

A handwritten signature in black ink, consisting of stylized initials 'M' and 'J' with a vertical line extending downwards from the 'J'.

MANUEL B. VILLAR, JR.

THIRTEENTH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES
First Regular Session

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04 JUN 30 PM 59

RECEIVED BY: 

SENATE

S. No. 789

INTRODUCED BY HON. MANUEL B. VILLAR JR.

THE JUDICIAL RIGHT TO KNOW ACT

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

SECTION 1. Title. This Act shall be known as the Judicial Right to Know Act.

SECTION 2. Declaration of Policy. Conformably with the constitutional guarantees of free press and of the people's right to petition and to information on matters of public concern, it is hereby declared a national policy that no court order, writ or injunction shall issue that would have the effect of enjoining the press and other media from publishing information in connection with a criminal, civil, or administrative case of widespread concern to the community.

SECTION 3. Gag Orders Generally Unlawful; Exception. Court orders, writs, or injunctions which prohibit media reports and commentaries on, or publication of, proceedings held in public or on events that transpire in the courtroom shall be invalid. In cases where the report, commentary, or publication is based on information gained from other sources, i.e., based on events that did not transpire in the courtroom or in a public hearing, a gag order may lawfully issue only upon prior showing by the party who seeks its issuance that the report, commentary, or publication will likely prevent, directly and irreparably, a fair and impartial resolution of the case. This requires a clear showing that the report, commentary or publication will prejudice the outcome of the proceedings of the case and that no less restrictive alternatives are available. Notwithstanding such a showing, a gag order, writ or injunction may not issue, unless it is also shown that a previous report, commentary, or publication will not render the order, writ or injunction inefficacious.

SECTION 4. Repealing Clause. All laws, rules and regulations inconsistent with this Act are hereby repealed or modified accordingly.

SECTION 5. Effectivity. This Act shall take effect fifteen (15) days from the date of the publication in at least two (2) newspapers of general circulation.

Approved,