

THIRTEENTH CONGRESS OF THE }  
REPUBLIC OF THE PHILIPPINES }  
*First Regular Session*

SENATE  
OFFICE OF THE SECRETARY

04 JUN 30 PM 11:00

SENATE

S. No. 790

RECEIVED BY: *[Signature]*

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INTRODUCED BY HON. MANUEL B. VILLAR, JR.

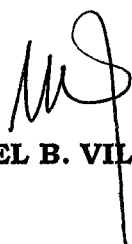
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**EXPLANATORY NOTE**

As a policy, the State recognizes the pivotal roles of mass media in providing all citizens broad access to public information, consistent with the constitutional provisions which emphasize the vital role of communication in nation-building, and the right of the people to information on matters of public concern. The State likewise provides the policy environment for the full development of Filipino capability and the emergence of communication structures suitable to the needs and aspirations of the nation and the balanced flow of information into, out of, and across the country, in accordance with a policy that respects the freedom of speech and of the press.

In accordance with these policies, this bill promotes and provides incentives, protection and benefits to members of the media industry for their indispensable role in providing an effective check and balance system in our democratic and republican state and serving as a symbol of truth in public information and communication.

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

  
MANUEL B. VILLAR, JR.

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**AN ACT**  
**GRANTING SPECIAL PROTECTION AND ADDITIONAL BENEFITS TO**  
**MEDIA PERSONS AND FOR OTHER PURPOSES**

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

SECTION 1. This Act shall be known as Media Special Protection and Additional Benefits Act of 2004.

SECTION 2. It is hereby declared the policy of the State to recognize the pivotal roles of mass media in providing all citizens broad access to public information, consistent with the constitutional provisions which emphasizes the vital role of communication in nation-building, and the right of the people to information on matters of public concern. The State likewise provides the policy environment for the full development of Filipino capability and the emergence of communication structures suitable to the needs and aspirations of the nation and the balanced flow of information into, out of, and across the country, in accordance with a policy that respects the freedom of speech and of the press.

In accordance with these policies, the State shall promote and provide incentives, protection and benefits to members of the media industry as defined in this Act for their indispensable role in providing an effective check and balance system in our democratic and republican state and serving as a symbol of truth in public information and communication.

SECTION 3. This Act shall apply to members of Mass media which are active and operating in the country.

SECTION 4. When used in this Act, the following words and phrases shall have the following meanings:

- a. Mass Media - refers to the menus of communications and information, like broadcast, print media and the internet, that reach substantial number of people on a regular basis.
- b. Broadcast Media - refers to radio, television, cable broadcast and the like, active and operating within the Republic of the Philippines.

- c. Print Media - refers to newspapers, magazines, reviews bulletins, journals and other publications of similar nature whether found in the internet or otherwise, appearing at least on a bi-monthly basis, with fixed prices for subscription and sale acid published within the Philippines for general circulation.
- d. Media persons - are natural or juridical persons who fare the registered owners, as evidenced by records from proper government agency, of a franchise to operate a broadcast media or holder of a permit or license to operate a print media issued by a proper government agency or those that are duly accredited and principally engaged in news, information and opinion dissemination and gathering on a regular basis that reaches a substantial number of people. For purposes of applying the provisions of this Act, media owners shall be deemed members of mass media.

SECTION 5. For purposes of this Act, media owners and all media persons while in the actual performance of their occupation or on occasion of such performance, shall be deemed persons in authority and their agents respectively in the thought provided for by Chapter Four, Sections 148-152 of the Revised Penal Code.

SECTION 6 By virtue of this Act, additional incentives and benefits over and above those provided for by the Labor Code of the Philippines or other existing laws and implementing policies affecting the same or the applicable contractual agreements between the parties, shall be accorded to all it media persons with the following benefits, as follows:

- a. Compulsory Health, Accident and/or Death Insurance Coverage in the amount of not less than One hundred thousand pesos (P100,000.00) shall be provided by a media owner to its regular members provided, that the corresponding premiums shall be paid by the parties on a fifty-fifty percent (50-50%) basis and under the terms acceptable to both parties.
- b. Educational Plan Coverage - A media owner licensed and operating for at least five (5) years shall provide educational plan coverage to the legitimate children not to exceed three (3), of its members who are its regular employees for at least thee (3) years provided that the value or amount of coverage of such plan shall be based on the standard of living of each and every media worker as mutually set and agreed upon with the media owner.
- c. Stock Ownership Option - A media owner licensed and operating for at least five (5) years shall provide ten percent (10%) stock option plan to its members who are already regular employees of such owner for at least three (3) years.

- d. Discounted Fares and Accommodations. Media persons in the exercise of their official functions or on the occasion of such performance shall enjoy discounted fares equivalent to ten percent (10%) of the regular fares for domestic travel by land, air or sea within the Philippines and ten percent (10%) discount on hotel rooms and/or lodging costs anywhere in the Philippine.
- e. Security of Tenure. Media persons who have rendered work of at least six (6) months, shall be automatically considered as a regular employee and shall enjoy all the benefits accorded under the Labor Code of the Philippines; provided that the employment relationship between media persons on part-time basis and media owners shall be governed by their subsisting contractual arrangements and whenever applicable, the provisions of the laws of obligations and contracts under the Civil Code of the Philippines, provided finally, that in no case shall a media person's employment contract be terminate except for a just cause as defined by law.

SECTION 7. All public records, papers, documents or matters which are of public concern shall be made transparent and available to all members of media who request for its copies in order for them to discharge their duties and responsibilities except those which affect national security matters as declared by a competent authority or such other instances specifically justified for by law.

SECTION 8. Repealing Clause. - All laws, degrees, orders, rules and regulations, and all other issuances, or parts thereof, which are inconsistent with this Act is hereby repealed.

SECTION 9. Separability Clause. - If any part or provisions of this Act is held unconstitutional or invalid, other parts of provisions hereof which are not affected thereby shall continue to be in full force and effect.

SECTION 10 Effectivity. This Act shall take effect after fifteen (15) days following its complete publication in at least two (2) newspapers of general circulation.

*Approved,*