


THIRTEENTH CONGRESS OF THE REPUBLIC
OF THE PHILIPPINES
FIRST REGULAR SESSION

OFFICE OF THE SECRETARY

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SENATE
S.B. NO. 1172

RECEIVED BY: 

Introduced by Senator Magsaysay, Jr.

EXPLANATORY NOTE

Article II, Section 13 of the 1987 Philippine Constitution 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."

Television has an overpowering and pervasive impact on the behavior and intellectual development of children. Empirical studies show that in Metro Manila, children spend about three hours a day of television viewing, or an estimated 5,000 hours by the time they start their formal education. Because television is readily accessible, children are exposed to all kinds of programs including inappropriate information, cuss words and acts with double meanings. Children, unfortunately, sometimes imbibe them without actually understanding these programs.

Close examination of most television programs indicate that they usually depict crimes and lawlessness, sex, violence and other themes which debase values and character. Even cartoon shows are not spared of severe violent scenes which children equate with reality. Research shows that children age 7 and below are particularly vulnerable to the damaging effects of violence on television. They tend to perceive fantasy and cartoon violence as realistic. Thus, it is concluded that TV violence is one of the factors that contribute to aggressive behavior because children learn by imitation. Violent programs make them interpret that in real life, people who are victims of violent acts do not really get hurt at all. Children perceive that they manage to recover from violent acts almost immediately.

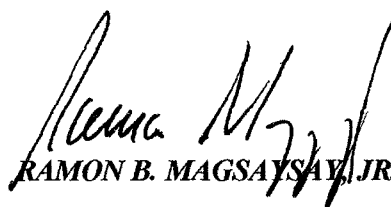
It is essential therefore that parents should have control over the level of violence and sexual material their children watch on television in unsupervised situations. The United States Telecommunications Act of 1996 addressed this by providing for the adoption of blocking technology or the so called "V-chip technology" within two years of the enactment of the law. The "V-chip technology" is blocking system embedded within the television set to allow users to decide which information to receive.

This bill therefore, seeks to enable parents to provide effective guidance over children's viewing by blocking unsuitable television programs. To carry out the purposes of this proposed measure, the Movie and Television Review Advisory Committee under the Movie and Television Review and Classification Board is hereby established (TRAC) to review, classify and rate all television programs on the basis of a uniform rating system. The rating shall be encoded in the programs and displayed on screen. Thus, parents will be able to identify which programs are inappropriate for their children. With the help of a modern technology known as a blocking device, the information is encoded in the rated program and blocks the show accordingly.

This bill also authorizes the MTRCB and National Telecommunication Commission (NTC) to prescribe rules and regulations for the transmission of signals containing specifications for blocking television programs.

With the passage of this bill, the television could be utilized to instill and restore awareness of good values, morals and social norms to the youth, particularly children. This bill will also help raise parents' consciousness and awareness of the correct analysis and examination of the format, theme and content of television programs.


In view of the foregoing, approval of this bill is earnestly sought.


RAMON B. MAGSAYSAY, JR.

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AN ACT
PROVIDING FOR PARENTAL CHOICE IN TELEVISION PROGRAMMING
BY ADOPTING A UNIFORM RATING SYSTEM AND BLOCKING DEVICE,
PRESCRIBING PENALTIES FOR VIOLATIONS THEREFOR, AND FOR
OTHER PURPOSES

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 "**Parental Choice in Television Programming Act of 2004**".

SEC. 2. Declaration of Policy - It is hereby declared a policy of the State to recognize the vital role of the youth in nation-building and to promote and protect their physical, moral, spiritual, intellectual and social well-being.

Likewise, the State recognizes the pervasive influence and impact of television programs on the value formation and intellectual development of children. Pursuant to these policies, the well-being of children must be promoted by providing parents the choice to block television programs containing violent, sexual and other harmful materials which produce negative and prejudicial effects on them.

SEC. 3. Uniform Rating System - A uniform rating system of television programs is hereby adopted which shall be disseminated and displayed on the television screen. The system, likewise called as "TV Parental Guidelines", shall be as follows:

1. **TV-Y (All Children)** - The program is designed to be appropriate for all children. Whether animated or live-action, the themes and elements in this program are specifically designed for a very young audience, including children from ages to (2) to six (6) and not expected to frighten younger children.

2. TV-Y7 - (Children age seven (7) and above). - The program is designed to be appropriate for children who have acquired the developmental skills needed to distinguish between make-believe and reality. Themes and elements in this program may include mild fantasy or comedic violence, or may frighten children under the age of 7. Therefore, parents may wish to consider the suitability of this program for their young children.
3. TV-Y7-FV - The same as the above-mentioned programs but fantasy violence may be more intense or more combative.

For programs for the entire audience, the categories shall be follows:

4. TV-G - (General Audience) - The program is suitable for all ages. Although this rating does not signify a program designed specifically for children, parent may let younger children watch this program unattended. It contains little or no violence, no strong language and little or no sexual dialogue or situations.
5. TV-PG (Parental Guidance Suggested) - This program contains material that parents may find unsuitable for younger children. The these itself may call for parental guidance and/or the program contains one or more of the following: moderate violence some sexual situation, infrequent coarse language, or some suggestive sexual dialogue.
6. TV-14 (Parents Strongly Cautioned) - The program contains some material that many parents would find unsuitable for children under 14 years of age. Parents are strongly urged to exercise greater care in monitoring this program and are cautioned against letting children under the age of 14 watch unattended. This program may contain one or more of the following: intense violence, intense sexual situations, strong coarse language, or intensely sexually suggestive dialogue.
7. TV-MA (Mature Audience Only) - This program is specifically designed to be viewed by adults and therefore may be unsuitable for children under seventeen (17). This program may contain one or more of the following: graphic violence, implicit sexual activity or coarse language.
8. Exempt - This program includes all information based programming such as: newscast, public affairs shows, talk shows and documentaries, sports shows and music videos. This exempt category shall not be required to be given a rating.

Provided, That nothing in this section shall be construed to authorize any rating of programming on the basis of its political or religious content.

SEC. 4. Basis for Blocking - The Uniform Advisory system shall serve as a guideline for parents in identifying which programs to block from their television screens at home.

SEC. 5. Television Rating Advisory Committee - There is hereby established a Television Rating Advisory Committee (TRAC) under the Movie and Television Review and Classification Board (MTRCB). It shall coordinate with the MTRCB in adopting, and revising when necessary, the uniform advisory system pertaining to all television programs. The Committee shall be composed of one (1) representative from the MTRCB, one (1) representative from National Telecommunication Commission (NTC), one (1) representative from the National Council for Children's Television (NCCT), two (2) parents, two (2) television broadcasters, one (1) representative from each cable operator, two (2) television programming producers, one (1) representative from concerned non-government organizations for children, one (1) representative from Department of Social Welfare and one (1) representative from Department of Education, Culture's and Sports, and one (1) individual from the private sector, to be appointed by the President for a four (4) year term.

SEC. 6. Function of the Television Rating Advisory Committee - The TRAC shall have the following functions:

- a. Coordinate with all television stations for the submission of all television programs;
- b. Review, classify and rate all television programs;
- c. Submit the rating report of all the television programs to the Chairman of the MTRCB within one (1) month from the date of their rating;
- d. Review periodically all the television programs;
- e. Revise, when necessary the uniform rating system; and
- f. Exercise such other functions which are necessary or incidental to the review, classification and rating of all television programs.

SEC. 7. Encoding and Transmission of Television Ratings - The MTRCB and the NTC shall, jointly prescribe rules for the encoding of the ratings into television networks as well as its downloading and transmission to all individual television units together with signal and blocking specifications. The ratings shall also be printed in newspaper and magazines.

SEC. 8. Screen Rating Tags - The MTRCB shall require all television stations to display on screen the rating of all television programs before and during the entire

duration of the show based on the rating specified by the TRAC. Non-compliance with this Section shall constitute as a violation of this Act.

SEC. 9. Blocking Device - Within two (2) years from the effectivity of this Act, all television sets, locally manufactured or imported, that have a picture screen 33 centimeters (13 inches) or larger (measured diagonally) must be equipped with a blocking device that conform to the signal and blocking specifications by MTRCB and NTC to enable parents to block programming with ratings they consider inappropriate for their children to view.

SEC. 10. Monitoring of Television Rating - The MTRCB shall monitor and ensure that the rating guidelines are applied accurately and consistently to television programming.

SEC. 11. Show of Non-Rated Programs - It shall be unlawful for television stations and cable networks to show any non-rated program. A non-rated program is not blockable by electronic means because the same was not submitted to TRAC for review and classification.

SEC. 12. Penalties for Violation of any of the provision of this Act. - The television station or cable network shall be penalized as follows:

1. One Hundred Thousand Pesos (P100,000.00) fine for first offense;
2. Two Hundred Thousand Pesos (P200,000.00) fine for second offense;
3. One week suspension of license to operate for third offense violation.
4. Revocation of License to operate for the fourth offense.

Likewise, a fine one Million pesos (P1,000,000.00) or cancellation of business permit or both shall be imposed on importer, manufacturer or seller who will violate this Act.

SEC. 13. Implementing Rules and Regulations - Within ninety days (90) days from the effectivity of this Act, the MTRCB, in coordination with the NTC, shall promulgate the necessary implementing rules and regulations, measures, guidelines and other standards. They shall make an annual review to determine whether such rules and regulations conform to the provisions of this Act or have to be updated as a result of technological advances.

SEC. 14. Appropriations - The amount necessary for the effective implementation of this Act shall be charged to the appropriations of the MTRCB under the 2004 General Appropriations Act.

SEC. 15. Transitory Provision - All television units being sold in the market without the blocking device at the time of the effectivity of this Act, including those manufactured prior to the effectivity of this Act, may remain in the market. Provided, that such units shall contain warnings or notices that it is without any blocking device and its use by children should be under strict parental guidance. Upon the full implementation of this Act, the sale of such units without blocking device shall be unlawful.

SEC. 16. Separability Clause - Any portion or provisions of this Act that may be declared unconstitutional or invalid shall not have the effect of nullifying other portions or provisions hereof as long as such remaining portions or provisions can still subsist and be given effect in their entirety.

SEC. 17. Repealing Clause - All laws, decrees, executive orders, rules and regulations or other issuance or parts thereof, which are inconsistent with the provision of this Act are hereby repealed or modified accordingly.

SEC. 18. Effectivity Clause - This Act shall take effect fifteen (15) days from the date of its publication in at least two (2) newspaper of general circulation, whichever comes earlier.

Approved,