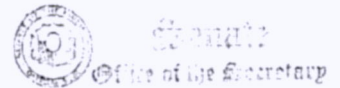


SEVENTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)



'18 APR -4 P3:17

RECEIVED

SENATE
S. B. No. 1777

Introduced by Senator Aquilino “Koko” Pimentel III

**AN ACT AMENDING REPUBLIC ACT NO. 9006, OTHERWISE
KNOWN AS THE “FAIR ELECTION ACT”**

EXPLANATORY NOTE

Article II, Section 26 of our Constitution provides that the State shall guarantee equal access to opportunities for public service. In this day and age, an undeniable feature of running a successful election campaign involves media exposure. Unfortunately, many qualified but financially disadvantaged candidates are unable to compete in this regard because of prohibitive rates charged by media entities. For example, in the 2016 presidential election, presidential candidates spent anywhere from PHP 100 million to over PHP 300 million in a matter of two months at the estimated rate of PHP 2.25 million for every hour of air time for their political advertisements.¹

In order to even the playing field, our current law—*Republic Act No. 9006*, or the “Fair Election Act”—should be amended so that media entities are required to sell advertising time or space to political candidates at rates lower than what they charge their most favored advertisers for the same advertising time or space. The rate should be fifty percent (50%) lower for television, thirty percent (30%) lower for radio, and twenty percent (20%) lower for print. In order to pre-empt

¹ Mechu Macapagal, *Who has spent the most money on campaign ads?* CNN PHILIPPINES, (April 28, 2016, 10:41 a.m.), <http://cnnphilippines.com/news/2016/04/27/biggest-campaign-ad-spenders-pcij-nielsen.html>.

media entities from spiking their rates immediately prior to an election, the rates will be based on an average of rates charged to their most favored advertisers during the first three quarters of the two calendar years preceding the elections.

Media entities have shown that they can accept and run advertisements at a lower price for certain parties, hence there should be no issue with lowering prices in the interest of democratizing public service.

For the foregoing reasons, speedy passage of this measure is earnestly sought.


AQUILINO "KOKO" PIMENTEL III

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KNOWN AS THE “FAIR ELECTION ACT”**

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

1 **SECTION 1. Amended Rates of Political Propaganda.** — Section
2 *11 of Republic Act No. 9006, otherwise known as the “Fair Election*
3 *Act”, is hereby amended to read as follows:*

4
5 “SEC. 11. *Rates of Political Propaganda.* – During the
6 election period, media outlets shall charge registered political
7 parties and bona fide candidates a discounted rate of [thirty]
8 **FIFTY** percent ([30]**50**%) for television, [twenty] **THIRTY**
9 percent ([20]**30**%) for radio and [ten] **TWENTY** percent
10 ([10]**20**%) for print over the average rates charged **TO**
11 **THEIR MOST FAVORED ADVERTISERS** during the
12 first three quarters of the **TWO (2)** calendar yearS preceding
13 the elections.

14
15 **MOST FAVORED ADVERTISERS ARE THOSE**
16 **ADVERTISERS THAT ARE CHARGED THE**
17 **LOWEST RATES BY A MEDIA ENTITY.”**

18
19 **SEC. 2. Implementing Rules and Regulations.** — Within thirty
20 (30) days from the effectivity of this Act, the Commission on Elections

1 shall issue Implementing Rules and Regulations for the effective
2 implementation of the provisions of this Act.

3
4 **SEC. 3. *Repealing Clause.*** — All laws, decrees, executive orders,
5 rules and regulations, and issuances inconsistent with the provisions of
6 this Act are hereby repealed, amended, or modified accordingly.

7
8 **SEC. 4. *Effectivity.*** — This Act shall take effect immediately upon
9 its publication in the *Official Gazette* or in two (2) newspapers of
10 general circulation.

Approved,