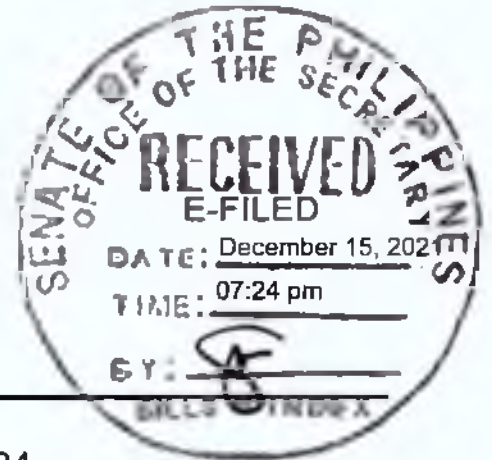


EIGHTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
Third Regular Session )

SENATE



COMMITTEE REPORT No. 434

Submitted by the Committee on Electoral Reforms and People's Participation on  
December 15, 2021.

RE: Senate Bill No. 1343

Recommending the approval of Senate Bill No. 1343 with amendments

Sponsor: Senator Imee R. Marcos

**MR. PRESIDENT:**

The Committee on Electoral Reforms and People's Participation to which was referred **Senate Bill No. 1343** introduced by Senator Vicente C. Sotto III, *entitled*:

**"AN ACT  
AMENDING SECTIONS 3, 4 AND 6 OF REPUBLIC ACT NO. 9006  
ALSO KNOWN AS THE FAIR ELECTIONS ACT TO INCLUDE  
STATIC AND LED BILLBOARDS AND OTHER OUTDOOR  
ADVERTISING MEDIA AS LAWFUL ELECTION PROPAGANDA"**

has considered the same and has the honor to report it back to the Senate with the recommendation that Senate Bill No. 1343 be approved with the following amendments:

1) On page 1, line 10, delete the word "**lamination**" and replace it with the word "**limitation**";

2) On the same page, line 11, delete the word "**the**" before the word "**candidates**";

3) On page 2, line 4, insert a comma (,) after the word "**posters**";

4) On the same page and line, delete the comma (,) after the word "**framed**";

5) On the same page, line 16, remove the boldface font style on the number "**3.5**";

6) On the same page, line 19, add the letter "**S**" to the word "**PURPOSE**";

7) On the same page, line 24, insert the word "**OTHER**" in between the words "**AND**" and "**RELATED**";

8) On the same page, line 34, replace the semicolon (;) with a colon (:) and insert thereafter the following proviso: "***PROVIDED, THAT NOT LATER THAN ONE HUNDRED EIGHTY (180) DAYS BEFORE THE DAY OF THE ELECTIONS, OWNERS OR OPERATORS OF OUTDOOR STATIC OR LED BILLBOARDS SHALL APPLY FOR ACCREDITATION FROM COMELEC, PROVIDING THEREWITH A LIST OF SITES OF THE BILLBOARDS;***"

9) On page 3, line 2, replace the semicolon (;) with a colon (:) and insert thereafter the following proviso: "***PROVIDED FURTHER, THAT NOT LATER THAN ONE HUNDRED EIGHTY (180) DAYS BEFORE THE DAY OF THE ELECTION, OWNERS OR OPERATORS OF PUBLIC UTILITY VEHICLE FOR MOBILE OR TRANSIT ADVERTISEMENT SHALL APPLY FOR ACCREDITATION FROM COMELEC, PROVIDING THEREWITH CERTIFIED TRUE COPY OF FRANCHISE DOCUMENTS ISSUED BY THE LTFRB AND A LIST OF LICENSE PLATE NUMBERS OF ALL PUBLIC UTILITY VEHICLES TO BE USED FOR MOBILE OR TRANSIT ADVERTISEMENT;***"

10) On the same page, line 3, apply a boldface font style to the number **"3.7"**;

11) On the same page, line 5, insert a comma (,) after the number **"9006"** and insert thereafter the following phrase: **"as amended,"**;

12) On the same page, line 24, delete the comma (,) after the word **"broadcast"**;

13) On the same page, line 29, insert a comma (,) after the number **"9006"** and insert thereafter the following phrase: **"as amended,"**;

14) On the same page, line 34, replace the period (.) with a colon (:) after the word **"COMELEC"**;

15) On page 4, line 31, insert a colon (:) after the word **"VEHICLES"**;

16) On the same page, line 32, insert a comma (,) after the word **"PROVIDED"**;

17) On page 5, line 8, insert the following subparagraphs:

**"6.3. xxx.**

**6.4. xxx.**

**xxx.**

**xxx.**

**6.5. xxx.**

**6.6. xxx.**

**6.7. xxx.**

**6.8. xxx."**

18) On the same page and line, insert a new Section 4, which shall read as follows:

SECTION 4. Section 11 of Republic Act No. 9006, as amended, is hereby amended to read as follows:

SEC. 11. *Rates of Political Propaganda.* – During the election period, media outlets shall give registered political parties and *bona fide* candidates a discount of fifty percent (50%) for television, forty percent (40%) for radio and ten percent (10%) for print, from the average of the published rates charged in the last three calendar years prior to the election.

**“OWNERS OR OPERATORS OF OUTDOOR STATIC OR LED BILLBOARDS AND PUBLIC UTILITY VEHICLES FOR MOBILE OR TRANSIT ADVERTISEMENT SHALL GIVE REGISTERED POLITICAL PARTIES AND *BONA FIDE* CANDIDATES A DISCOUNT OF TEN PERCENT (10%) OVER THE AVERAGE RATES DURING THE FIRST THREE CALENDAR YEARS PRIOR TO THE ELECTION. THE COMELEC SHALL DETERMINE THE UNIFORM RATES PER AREA AFTER CONSULTATION WITH THE STAKEHOLDERS.**

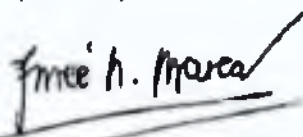
“Nothing in this provision prohibits a media outlet, **OWNER OR OPERATOR OF OUTDOOR STATIC OR LED BILLBOARDS, OR A PUBLIC UTILITY VEHICLE** from giving higher discounts: *Provided,* That the discount it gives one candidate shall be the same discount it gives to other candidates for the same position.

"In no case shall rates charged to registered political parties and *bona fide* candidates be higher than the rates charged to non-political advertisers."

- 19) Renumber the succeeding sections accordingly; and
- 20) The title shall be amended to read as follows:

**"AN ACT  
AMENDING SECTIONS 3, 4, 6, AND 11 OF REPUBLIC ACT NO. 9006, AS  
AMENDED, ALSO KNOWN AS THE FAIR ELECTIONS ACT TO INCLUDE  
STATIC AND LED BILLBOARDS AND OTHER OUTDOOR ADVERTISING  
MEDIA AS LAWFUL ELECTION PROPAGANDA"**

Respectfully submitted:



**SEN. IMÉE R. MARCOS**  
*Chairperson*

*Committee on Electoral Reforms and People's Participation*



**SEN. PANFILO M. LACSON**  
*Vice Chairperson*

*Members*



**SEN. MARIA LOURDES NANCY S. BINAY**



**SEN. RONALD "BATO" DELA ROSA**



**SEN. AQUILINO "KOKO" PIMENTEL III**



**SEN. CHRISTOPHER BONG GO**



**SEN. FRANCIS "TOL" N. TOLENTINO**



**SEN. RAMON BONG REVILLA JR.**



**SEN. CYNTHIA A. VILLAR**



**SEN. FRANCIS "KIKO" PANGILINAN**



**SEN. RISA HONTIVEROS**



*Ex Officio Members*

**SEN. RALPH G. RECTO**  
*President/Pro-Tempore*



**SEN. JUAN MIGUEL F. ZUBIRI**  
*Majority Leader*



**SEN. FRANKLIN M. DRILON**  
*Minority Leader*

**HON. VICENTE C. SOTTO III**  
*Senate President*

20 FEB 13 AM 10:06

**EIGHTEENTH CONGRESS OF THE  
REPUBLIC OF THE PHILIPPINES**  
*First Regular Session*

RECEIVED BY: \_\_\_\_\_

**SENATE**  
**S.B. No. 1343**

---

Introduced by **SENATOR VICENTE C. SOTTO III**

---

**AN ACT AMENDING SECTIONS 3,4 AND 6 OF REPUBLIC ACT NO. 9006  
ALSO KNOWN AS THE FAIR ELECTIONS ACT TO INCLUDE STATIC AND  
LED BILLBOARDS AND OTHER OUTDOOR ADVERTISING MEDIA AS  
LAWFUL ELECTION PROPAGANDA**

**EXPLANATORY NOTE**

One of the most important aspects of free, orderly, honest, peaceful and credible elections through fair and reasonable exercise of the right of suffrage is the need for information dissemination. This is to better inform the voters of the candidates and their respective platforms.

Just like television, radio and newspapers, Out-of-Home Advertisements through static billboards and LED billboards can also be used effectively by the political parties, candidates and private persons in information dissemination. In utilizing static and LED billboards, their platforms, agenda and sentiments will be able to reach out a greater segment of the voting public.

The purpose for common poster areas or public billboards, in public places is to better inform the public of the candidates and parties and the platforms on which they stand. Unlike television or radio advertisements where the political advertisement can only last for few seconds to a minute, a candidate or party can advertise its programs, agenda and platform in a static or LED billboard longer and more frequently. The comparison between a newspaper and a billboard is also readily apparent because a newspaper is only good for the day when it is published but a billboard is available 24/7.



Also, with respect to campaign expenditures, the amount of contracting or leasing a billboard space is substantially lower compared to hundreds of thousands of pesos spent on advertisement in radio or television or newspaper. Political advertisement through an outdoor media like billboards and LED billboards make it readily accessible to a political candidate with limited funds.

Clearly, Static billboards and LED billboards are outdoor media that can be used by political candidates, parties and even private persons during the election period to advertise the platform or agenda or express advocacies and sentiments. These medium, however, were not specifically mentioned under the Fair Election Act or Republic Act No. 9006, which is why this representation seeks to amend the same.

Thus, it becomes imperative to amend the provisions of the Fair Elections Act to specifically include Static and LED Billboards as lawful election propaganda.

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

  
VICENTE C. SOTTO III





EIGHTEENTH CONGRESS OF THE }  
REPUBLIC OF THE PHILIPPINES }  
First Regular Session }

20 FEB 13 AM 10:06

RECEIVED BY

SENATE  
S.B. No. 1343

Introduced by **SENATOR VICENTE C. SOTTO III**

**AN ACT AMENDING SECTIONS 3,4 AND 6 OF REPUBLIC ACT NO. 9006  
ALSO KNOWN AS THE FAIR ELECTIONS ACT TO INCLUDE STATIC AND  
LED BILLBOARDS AND OTHER OUTDOOR ADVERTISING MEDIA AS  
LAWFUL ELECTION PROPAGANDA**

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

1 SECTION 1. Section 3 of Republic Act No. 9006, as amended, also known as  
2 the Fair Elections Act, is hereby amended to read as follows:

3 "Sec. 3. Lawful Election Propaganda. - Election propaganda  
4 whether on television, cable television, radio, newspapers or any  
5 other medium, **INCLUDING OUTDOOR STATIC AND LED**  
6 **BILLBOARDS AND MOBILE OR TRANSIT ADVERTISEMENT**, is  
7 hereby allowed for all registered political parties, national, regional,  
8 sectoral parties or organizations participating under the party-list  
9 elections and for all bona fide candidates seeking national and local  
10 elective positions subject to the lamination on authorized expenses  
11 of the candidates and political parties, observance of truth in  
12 advertising and to the supervision and regulation by the  
13 Commission on Elections (COMELEC).

14 For the purpose of this Act, lawful election propaganda shall  
15 include:

16 3.1 Pamphlets, leaflets, cards, decals, stickers or other written  
17 or printed materials the size of which does not exceed eight  
18 and one-half inches in width and fourteen inches in length;

1           3.2     Handwritten or printed letters urging voters to vote for or  
2                     against any particular political party or candidate for public  
3                     office;

4           3.3     Cloth, paper or cardboard posters whether framed, or  
5                     posted, with an area not exceeding two (2) feet by three (3)  
6                     feet, except that, at the site and on the occasion of a public  
7                     meeting or rally, or in announcing the holding of said  
8                     meeting or rally, streamers not exceeding three (3) feet by  
9                     eight (8) feet in size, shall be allowed: Provided, That said  
10                    streamers may be displayed five (5) days before the date of  
11                    the meeting or rally and shall be removed within twenty-  
12                    four (24) hours after said meeting or rally;

13          3.4     Paid advertisements in print or broadcast media: Provided,  
14                     That the advertisements shall follow the requirements set  
15                     forth in Section 4 of this Act; [and]

16          **3.5     OUTDOOR AND STATIC OR LED BILLBOARDS OWNED**  
17                    **BY PRIVATE ENTITIES OR PERSONS PROVIDED THAT**  
18                    **THE OWNERS OF THE SAID BILLBOARDS SHALL GIVE**  
19                    **THEIR CONSENT. FOR PURPOSE OF THIS ACT,**  
20                    **“BILLBOARD” MEANS A SIGNBOARD, IDENTIFICATION,**  
21                    **ILLUSTRATION, IMAGE, PICTURE OR ANY OTHER**  
22                    **DEVISE FOR OUTDOOR ADVERTISEMENT CONSISTING**  
23                    **OF A SUPPORT STRUCTURE, A DISPLAY OR MESSAGE**  
24                    **AREA, AN OPTIONAL LIGHTING SYSTEM AND RELATED**  
25                    **COMPONENTS INSTALLED ON LAND, BUILDING OR**  
26                    **PROPERTY TO ATTRACT OR DIRECT ATTENTION TO A**  
27                    **PARTICULAR     PRODUCT,     SERVICE,     IDEA,**  
28                    **INFORMATION,     DESIGN,     SYSTEM,     ACTIVITY,**  
29                    **INSTITUTION,     BUSINESS,     BELIEF     AND/OR**  
30                    **PERSONALITY. A STATIC BILLBOARD REFERS TO**  
31                    **TRADITIONAL BILLBOARDS PRINTED ON A TARPAULIN**  
32                    **OR SOLID BOARD WHILE LED OR DIGITAL**  
33                    **BILLBOARDS ARE ELECTRONIC DISPLAYS THAT ARE**  
34                    **CONTROLLED REMOTELY BY COMPUTERS;**

35          **3.6     MOBILE OR TRANSIT ADVERTISEMENT ON PUBLIC**  
36                    **UTILITY     VEHICLES     PROVIDED     THAT     THE**  
37                    **ADVERTISEMENT     IS     CONSISTENT     WITH     THE**  
38                    **GUIDELINES OF THE LAND TRANSPORTATION AND**

1                   **FRANCHISING REGULATORY BOARD (LTFRB) FOR**  
2                   **COMMERCIAL ADVERTISEMENTS; AND**

3           3.7     All other forms of election propaganda not prohibited by the  
4                   Omnibus Election Code or this Act.”

5   SECTION 2. Section 4 of Republic Act No. 9006 is hereby amended to read  
6   as follows:

7           “Section 4. *Requirements for Published or Printed and Broadcast Election*  
8           *Propaganda.* – 4.1. Any newspaper, newsletter, newsweekly, gazette or  
9           magazine advertising, posters, pamphlets, comic books, circulars,  
10          handbills, bumper stickers, streamers, sample list of candidates or any  
11          published or printed political matter and any broadcast of election  
12          propaganda by television or radio **OR ANY OUTDOOR ELECTION**  
13          **PROPAGANDA IN THE FORM OF STATIC OR LED BILLBOARDS** for or  
14          against a candidate or group of candidates to any public office shall  
15          bear and be identified by the reasonably legible or audible words  
16          “political advertisement paid for,” followed by the true and correct name  
17          and address of the candidate or party for whose benefit the election  
18          propaganda was printed or aired.

19          4.2. If the broadcast is given free of charge by the radio or television  
20          station, it shall be identified by the words “airtime for this broadcast  
21          was provided free of charge by” followed by the true and correct name  
22          and address of the broadcast entity.

23          4.3. Print, broadcast or outdoor advertisements donated to the  
24          candidate or political party shall not be printed, published, broadcast,  
25          or exhibited without the written acceptance by the said candidate or  
26          political party. Such written acceptance shall be attached to the  
27          advertising contract and shall be submitted to the COMELEC as  
28          provided in Subsection 6.3. hereof.”

29   SECTION 3. Section 6 of Republic Act No. 9006 is hereby amended to read as  
30   follows:

31          “Section 6. *Equal Access to Media Time and Space.* – All registered  
32          parties and bona fide candidates shall have equal access to media time  
33          and space. The following guidelines may be amplified on by the  
34          COMELEC.

35          6.1. Print advertisements shall not exceed one-fourth (1/4) page, in  
36          broad sheet and one-half (1/2) page in tabloids thrice a week per

1 newspaper, magazine or other publications, during the campaign  
2 period.

3 6.2. (a) Each bona fide candidate or registered political party for a  
4 nationally elective office shall be entitled to not more than one hundred  
5 twenty (120) minutes of television advertisement and one hundred  
6 eighty (180) minutes of radio advertisement whether by purchase or  
7 donation.

8 (b) Each bona fide candidate or registered political party for a  
9 locally elective office shall be entitled to not more than sixty (60)  
10 minutes of television advertisement and ninety (90) minutes of  
11 radio advertisement whether by purchase or donation.

12 **(C) EACH BONA FIDE CANDIDATE OR REGISTERED**  
13 **POLITICAL PARTY FOR A NATIONAL OR LOCAL ELECTIVE**  
14 **OFFICE SHALL BE ENTITLED TO NOT MORE THAN TWO (2)**  
15 **STATIC BILLBOARD PER BARANGAY WITH A MAXIMUM**  
16 **BILLBOARD SIZE OF TWO THOUSAND FOUR HUNDRED**  
17 **SQUARE FEET (2400 SQ.FT.) WHETHER BY LEASE OR**  
18 **DONATION.**

19 **(D) EACH BONA FIDE CANDIDATE OR REGISTERED**  
20 **POLITICAL PARTY FOR A NATIONALLY ELECTIVE OFFICE**  
21 **SHALL ALSO BE ENTITLED TO NOT MORE THAN TWO**  
22 **HUNDRED FORTY (240 MINUTES) ADVERTISEMENT PER**  
23 **LED BILLBOARDS WHETHER BY LEASE OR DONATION. FOR**  
24 **LOCAL ELECTIVE OFFICE, EACH BONA FIDE CANDIDATE OR**  
25 **REGISTERED POLITICAL PARTY SHALL BE ENTITLED TO**  
26 **NOT MORE THAN ONE HUNDRED TWENTY (120 MINUTES)**  
27 **ADVERTISEMENT PER LED BILLBOARDS WHETHER BY**  
28 **LEASE OR DONATION.**

29 **(E) EACH BONA FIDE CANDIDATE, WHETHER NATIONAL OR**  
30 **LOCAL, FOR ANY ELECTIVE POSITION MAY UTILIZE MOBILE**  
31 **OUTDOOR ADVERTISEMENTS IN PUBLIC UTILITY VEHICLES**  
32 **PROVIDED THAT THE DIMENSION OF THE ADVERTISEMENT**  
33 **IS CONSISTENT WITH THE GUIDELINES OF THE LAND**  
34 **TRANSPORTATION FRANCHISING AND REGULATORY**  
35 **BOARD ON TRANSIT ADVERTISEMENTS.**

36 For this purpose, the COMELEC shall require any broadcast station or  
37 entity to submit to the COMELEC a copy of its broadcast logs and  
38 certificates of performance for the review and verification of the

1 frequency, date, time and duration of advertisements broadcast for any  
2 candidate or political party. **THE COMELEC SHALL LIKEWISE**  
3 **REQUIRE ANY OUTDOOR COMPANY OR ENTITY TO SUBMIT TO**  
4 **THE COMELEC A COPY OF ITS CONTRACTS FOR ELECTION**  
5 **PROPAGANDA FOR THE REVIEW AND VERIFICATION OF THE**  
6 **FREQUENCY, DATE, TIME AND DURATION OF OUTDOOR**  
7 **ADVERTISEMENTS FOR ANY CANDIDATE OR POLITICAL PARTY.**

8 SECTION 4. The Commission on Election shall promulgate the necessary  
9 implementing rules and regulations within sixty (60) days from the effectivity  
10 of this Act.

11 SECTION 5. *Separability Clause.* – If any part or section of this Act is declared  
12 unconstitutional, such declaration shall not affect the other parts or sections  
13 of this Act.

14 SECTION 6. *Repealing Clause.* — All other laws, acts, presidential decrees,  
15 executive orders, presidential proclamations, issuances, rules and  
16 regulations or parts thereof which are contrary to or inconsistent with any of  
17 the provisions of this Act are hereby repealed, amended, or modified  
18 accordingly.

19 SECTION 7. *Effectivity.* – This Act shall take effect fifteen (15) days after  
20 publication in the Official Gazette or in a newspaper of general circulation.

Approved,