

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

8 AUG 14 2017

SENATE
S. No. 2539

RECEIVED BY: _____



Introduced by Senator Manny Villar

EXPLANATORY NOTE

Media, be it print or broadcast is considered to be one of the most powerful and effective medium of communication as it stretches from rural to the remotest parts of every nation. It tends to affect and influence every individual's opinion or decision on any matters of public concern. One of the fundamental principles under a democratic society is the constitutional guaranteed right of free expression. Although such right is entitled under the broad protection of the freedom of expression clause under our constitution, it is neither absolute nor an unbridled right. That protection can only be extended to speech or publications that are entertaining, instructive and informative.

The Supreme Court held that the freedom of film, television and radio broadcasting is somewhat lesser in scope than the freedom accorded to newspapers and other print media. The difference in the treatment is due to the latter's vulnerability to abuse and its unique accessibility and influence to children.

The proposed bill aims to regulate advertisements and impose stiffer penalties both to print and media broadcast agencies who undermines and exploits women and those that extols violence in the practice of their advertising profession.

Based on the foregoing, it is earnestly sought the immediate passage of this proposed bill.

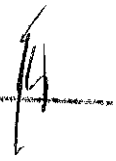


MANNY VILLAR

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

8 AUG 14 22:07

SENATE

RECEIVED BY: 

S. No. 2539

Introduced by Senator Manny Villar

**AN ACT PENALIZING ANY ADVERTISING AGENCY, TELEVISION OR
RADIO STATION AND PUBLICATION WHICH EXPLOIT
WOMEN AND GLORIFY SEXUAL VIOLENCE IN ITS
ADVERTISEMENTS**

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

SECTION 1. *Short Title.* – This Act shall be known as the “Advertisement Regulation Act of 2007”.

SEC. 2. *Declaration of Policy.* – Realizing the need to protect the morals of society, in view of the pervasive effect of advertisements in various media on the values of children and the public in general, and recognizing the need to protect the vulnerable sectors of society from machinations and manipulations designed to increase profit, it is hereby declared the policy of the State to regulate advertisements in print, radio, television, outdoor advertisements including posters and billboards, in movie theaters and other media.

SEC. 3. *Definition of Terms.* – For purposes of this Act, the following terms shall mean:

- (a) “Advertisement” refers to any paid form of nonpersonal presentation and promotion of ideas, goods and services by an identified sponsor. Advertisement may be in print, radio, television, cable television, outdoor advertisement including posters and billboards, in movie theaters or in any other media.
- (b) “Advertising agency” refers to any person, firm, corporation, partnership, association or other entities engaged in solicitation, production or conceptualization of advertisements in any media.
- (c) “Sexual violence” refers to any prejudice, discrimination, harassment or physical violence committed upon a person by another because of his or her gender, or the perception that persons belonging to a particular gender are weak.
- (d) “Sexual exploitation” shall include any portrayal or attitude of an individual or an object as sexually attractive or stimulating which portrayal or attitude are naturally calculated to excite impure imaginations and are not germane to the goods or services that are advertised.

SEC. 4. *Prohibition and Penalties.* – Any advertising agency, television or radio station and publication which exploit individual and glorify sexual violence in its advertisements shall, for the first offense, be liable for a fine of not less than Fifty thousand pesos (P50,000.00) nor more than Seventy thousand pesos (P70,000.00) plus suspension of license or permit for thirty (30) days; for the second offense, to a fine of not less than Seventy thousand pesos (P70,000.00) nor more than Eighty thousand pesos (P80,000.00) plus suspension of license or permit for sixty (60) days; and for the third and final offense, imprisonment of not less than six (6) months nor more than six (6) years or a fine of not less than Eighty thousand pesos (P80,000.00) nor more than One hundred thousand pesos (P100,000.00), or both such imprisonment and fine, at the discretion of the court, plus the cancellation of the license or permit.

If the offender is a firm, corporation, partnership or association, the penalty shall be imposed upon the owner, manager, president or any responsible officer of the advertising agency, television or radio station and publication.

If the offender is an alien, he shall be deported after serving his sentence without further proceeding and shall be barred from entering the Philippines.

SEC. 5. *Monitoring.* – The Movie and Television Review and Classification Board shall monitor compliance with the provisions of this Act.

SEC. 6. *Rule-making Powers.* – The Board and the Department of Justice shall promulgate a prosecution of violators of this Act and other necessary rules and regulations for the effective implementation of this Act.

SEC. 7. *Repealing Clause.* – No provision of this Act shall affect Article 201, Title VI of the Revised Penal Code, as amended. All other laws, executive orders, decrees, rules or regulations and other issuances or parts thereof which are inconsistent herewith are hereby repealed or amended accordingly.

SEC. 8. *Effectivity Clause.* – This Act shall take effect upon its approval.

Approved,