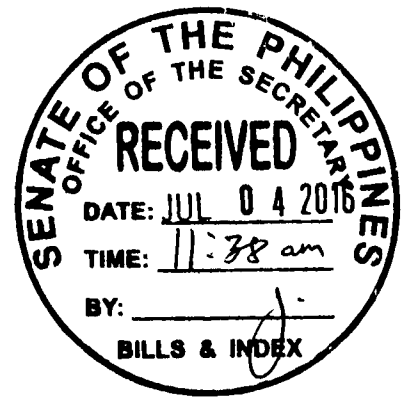


SEVENTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)

SENATE

S.B. No. 307



Introduced by Sen. Juan Miguel F. Zubiri

**AN ACT
AMENDING REPUBLIC ACT NO. 9006, OTHERWISE KNOWN AS THE
FAIR ELECTIONS ACT**

EXPLANATORY NOTE

The 1987 Constitution provides that the State shall guarantee equal access to opportunities for public service. Furthermore, it provides that the State shall maintain honesty and integrity in the public service and take positive and effective measures against graft and corruption. These same principles have guided the crafting of laws such as Republic Act No. 9006, or the Fair Elections Act, which upholds fair election practices throughout the country. However, fifteen years after its enactment, it is observed that certain provisions of the act lack clear mechanisms, which have resulted to the circumvention of said provisions and, ultimately, the failure to achieve the true objective of the law.

In the recently concluded 2016 elections, the rate of political advertisements have reached exorbitant heights, with television media outlets charging as much as P1,424,000 for every 30-second prime time spot and P1,187,000 for every 30-second non prime spot. Under the law, media outlets are mandated to charge registered political parties and bona fide candidates a discounted rate of thirty percent (30%) for television, which brings the published rate down to P997,000 for every 30-second prime time spot and P831,000 for every 30-second non prime spot.

While the law is clear on the rate of discount that shall be extended to political parties and candidates, it does not provide media outlets with clear parameters on the allowable increase in rates of political propaganda. Hence, to compensate for the losses from the discounts being extended, media outlets are increasing the rates of political advertisements upon the start of the 90-day election campaign period, with some employing an increase of almost one hundred percent (100%).

These outrageous rates have prevented some of the country's qualified candidates from placing political advertisements in the tri-media, i.e., in television, radio, and print media, thus robbing them of the opportunity to make use of this platform to inform the electorate of their qualifications and position on matters of national significance. Furthermore, the current system encourages graft and corruption, with candidates forced to look for donors who can fund their campaign, and to whom they will be indebted for the duration of their terms.

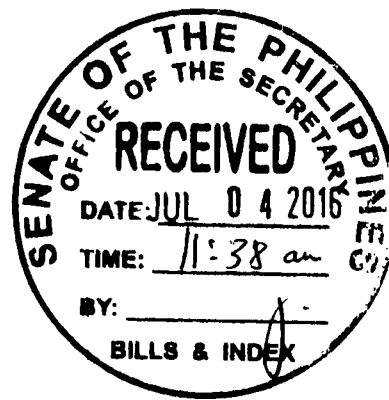
In line with the objective of ensuring equal access to opportunities for public service, and taking positive and effective measures against graft and corruption, this bill seeks to prevent media outlets from increasing the rates to more than the average rates charged to regular advertisers one (1) year prior to the start of the campaign period; empower the COMELEC to regulate the rates of political propaganda during the election period; and require media outlets to provide registered political parties and bona fide candidates a discount of fifty percent (50%) for television, radio and print.

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



JUAN MIGUEL F. ZUBIRI

SEVENTEENTH CONGRESS OF THE REPUBLIC)
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S.B. No. 307

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AN ACT
AMENDING REPUBLIC ACT NO. 9006, OTHERWISE KNOWN AS THE
FAIR ELECTIONS ACT

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

1 **SECTION 1.** Section 11 of Republic Act No. 9006, otherwise known as the Fair
2 Elections Act, is hereby amended to read as follows:

3 "Sec. 11. **REGULATION OF** Rates of Political Propaganda. – [During the
4 election period, media outlets shall charge registered political parties and
5 bona fide candidates a discounted rate of thirty percent (30%) for
6 television, twenty percent (20%) for radio and ten percent (10%) for print
7 over the average rates charged during the first three quarters of the
8 calendar year preceding the elections.]

9 **THE COMELEC SHALL HAVE THE POWER TO REGULATE THE**
10 **RATES OF POLITICAL PROPAGANDA AND PREVENT MEDIA**
11 **OUTLETS FROM INCREASING THE RATES TO MORE THAN THE**
12 **AVERAGE RATES CHARGED TO REGULAR ADVERTISERS ONE (1)**
13 **YEAR PRIOR TO THE START OF THE CAMPAIGN PERIOD. THE**
14 **POWER TO REGULATE RATES SHALL BE EXERCISED DURING THE**
15 **ELECTION PERIOD.**

16 **DURING THE CAMPAIGN PERIOD, MEDIA OUTLETS SHALL**
17 **PROVIDE REGISTERED POLITICAL PARTIES AND BONA FIDE**
18 **CANDIDATES A DISCOUNT OF FIFTY PERCENT (50%) FOR**
19 **TELEVISION, RADIO AND PRINT. IN NO CASE SHALL RATES**
20 **CHARGED TO REGISTERED POLITICAL PARTIES AND BONA FIDE**
21 **CANDIDATES BE HIGHER THAN RATES CHARGED TO REGULAR**
22 **ADVERTISERS.**

23 **SEC. 2. Separability Clause.** - If any provision or part hereof, is held invalid or
24 unconstitutional, the remainder of the law or the provision not otherwise affected shall
25 remain valid and subsisting.

26 **SEC. 3. Repealing Clause.** - Any law, presidential decree or issuance,
27 executive order, letter of instruction, administrative order, rule or regulation contrary to
28 or is inconsistent with the provision of this Act is hereby repealed, modified, or
29 amended accordingly.

1 **SEC. 4. Effectivity Clause.** - This Act shall take effect fifteen (15) days after its
2 publication in at least two (2) newspapers of general circulation.

Approved,