

SEVENTEENTH CONGRESS OF THE REPUBLIC
OF THE PHILIPPINES

First Regular Session



Senate
Office of the Secretary

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SENATE
S. B. 883

RECEIVED BY: 

Introduced by Senator Poe

AN ACT
ENHANCING THE CAPABILITIES, MANDATE, AND ORGANIZATIONAL
STRUCTURE OF THE MOVIE AND TELEVISION REVIEW AND
CLASSIFICATION BOARD (MTRCB), AMENDING FOR THE PURPOSE
PRESIDENTIAL DECREE 1986

Explanatory Note

The 1987 Philippine Constitution provided the following guarantees, in Article XIV:

- "The State shall foster the preservation, enrichment, and dynamic evolution of a Filipino national culture based on the principle of unity in diversity in a climate of free artistic and intellectual expression."
- "Arts and letters shall enjoy the patronage of the State. The State shall conserve, promote, and popularize the nation's historical and cultural heritage and resources, as well as artistic creations."
- "All the country's artistic and historic wealth constitutes the cultural treasure of the nation and shall be under the protection of the State which may regulate its disposition."

The equivalent constitutional provisions in the 1935 and 1973 fundamental law served as backdrops for the issuance of P.D. No. 1986, the present Movie and Television Review and Classification Board (MTRCB). The same statute recognizes the crucial role of prudent film and television regulation. In addition to classification and review, P.D. No. 1986 states

that film and television regulation includes developing the industry "to make it viable as a source for fuelling the national economy."

The MTRCB has been frequently modified and upgraded to adequately address the demands of our constantly changing media industry. Its earliest precursor is the Board of Censors which was established in 1960 through R.A. No. 3060. The Board as then constituted had the power to censor or prohibit the introduction of motion pictures which were deemed "immoral, indecent, contrary to law and/or good custom or injurious to the prestige of the Republic of the Philippines or its people" and to classify those approved for exhibition. In addition, it was empowered to appoint its own personnel, to promulgate its internal procedures and to charge fees for each review. These powers and functions have remained essentially unchanged.

The significance of any film and television regulatory agencies can be mirrored in establishing an equilibrium of balancing conflicting interests and satisfying consumer demand for quality entertainment. For example, in one of the most effective regulatory laws on film and television, the law governing the Australian Communications and Media Authority (ACMA), the following are among its powers:

- a. Plan the availability of segments of the broadcasting services bands on an area basis.
- b. Allocate, renew, suspend and cancel licenses and to take other, enforcement action (including conducting investigations, designing and administering price-based systems for the allocation of licenses and collecting fees).
- c. Conduct or commission research into community attitudes on issues relating to programs.
- d. Assist broadcasting service providers in developing codes of practice and monitor compliance.
- e. Keep itself and the Minister informed on technological advances and service trends in the broadcasting industry.¹

With these information as rationale, this policy measure is submitted. Likewise, in addition to the constitutional provisions on arts and culture mentioned, the pro-active dictates that, '[t]he State shall provide the policy environment for the full development 'of Filipino

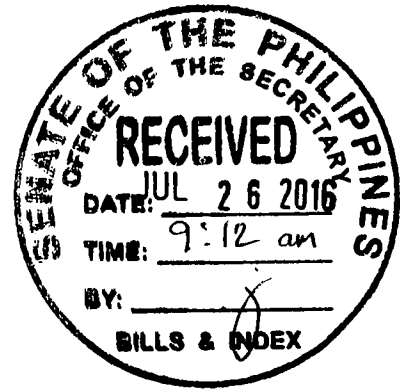
¹ *Australian Communication and Media Authority Act of 2005.*

capability and the emergence of communication structures suitable to the needs and aspirations of the nation" is a strong boost to the proposed improvement on the MTRCB Charter.

The MTRCB must be able to adequately address the changing demands of our film and television industry and protect generations and generations of Filipinos, and hence, the swift and timely approval of this bill is urgently sought.


GRACE POE

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

1 SEC. 1. Section 1 of P.D. No. 1986 is hereby amended to read as follows:
2
3

4 "SEC 1. TITLE. – THIS ACT SHALL BE KNOWN AS THE "MOVIE AND
5 TELEVISION REVIEW AND CLASSIFICATION BOARD OF 2016". THE
6 BOARD SHALL BE PLACED under the Office of the President AND shall
7 have its principal office in Metropolitan Manila.
8

9 SEC. 2. Section 2 of P.D. No. 1986 is hereby amended to read as follows:
10

11 "SEC. 2. Composition: Qualification; Benefits. - The BOARD shall be
12 composed of a ChairPERSON, a Vice-ChairPERSON and thirty (30) members,
13 who shall all be appointed by the President of the Philippines. The
14 ChairPERSON shall hold office for a term of THREE (3) YEARS, while the
15 Vice-Chairman, and the members of the BOARD shall hold office for a term of
16 TWO (2) YEARS, unless in all cases sooner removed by the President for
17 cause; *Provided*, that the CHAIRPERSON, VICE-CHAIRPERSON AND
18 THIRTY (30) MEMBERS OF THE BOARD shall be eligible for reappointment
19 after the expiration of their respective terms. If the ChairPERSON, or the Vice-
20 ChairPERSON or any member of the BOARD fails to complete his/HER term,
21 any person appointed to fill the vacancy shall serve only for the unexpired
22 portion of the term of the officer whom he succeeds. *PROVIDED, FURTHER*,
23 THAT THE INCUMBENT CHAIRPERSON, VICE-CHAIRPERSON AND
24 MEMBERS OF THE BOARD SHALL CONTINUE TO HOLD OFFICE
25 UNTIL THEIR SUCCESSORS SHALL HAVE BEEN APPOINTED AND
26 DULY QUALIFIED.

1
2 No person shall be appointed to the BOARD, unless he/SHE is a natural-
3 born citizen of the Philippines, not less than twenty-one (21) years of age, and
4 of good moral character and standing in the community; *Provided*, that in the
5 selection of the members of the BOARD due consideration shall be given to
6 such qualifications as would produce a multi-sectoral combination of expertise
7 in the various aspects of motion picture and television industries; *Provided*,
8 *further*, that at least SEVEN (7) members of the BOARD shall be members of
9 the Philippine Bar, NOT COUNTING THE CHAIRPERSON AND THE VICE-
10 CHAIRPERSON; *Provided, finally*, that at least fifteen (15) members of the
11 BOARD, ASIDE FROM THE CHAIRPERSON AND THE VICE-
12 CHAIRPERSON, SHALL come from the movie and television industries,
13 PREFERABLY nominated by legitimate associations representing the various
14 sectors of said industries.
15

16 THE CHAIRPERSON SHALL HAVE THE RANK, SALARY,
17 RIGHTS, PRIVILEGES, BENEFITS, DISQUALIFICATIONS AND
18 PROHIBITIONS EQUIVALENT TO A DEPARTMENT
19 UNDERSECRETARY BASED ON CURRENT APPROVED UNIFIED
20 COMPENSATION AND POSITION CLASSIFICATION SYSTEM OF THE
21 GOVERNMENT. THE VICE CHAIRPERSON AND THE MEMBERS OF
22 THE BOARD SHALL BE ENTITLED TO REASONABLE PER DIEM,
23 HONORARIA AND ALLOWANCES AS MAYBE DETERMINED BY THE
24 BOARD, BASED ON EXISTING LAWS, RULES AND REGULATIONS.
25

26 SEC. 3. Section 3 of P.D. No. 1986 is hereby amended to read as follows:
27

28 "SEC. 3. Powers and Functions. - The Board shall have the following
29 functions, powers and duties:
30

- 31 a) [To] promulgate such rules and regulations as are necessary or proper
32 for the implementation of this Act, and the accomplishment of its
33 purposes and objectives, including guidelines and standards for
34 production, advertising and titles. Any such rules and regulations shall
35 take effect after fifteen (15) days following their publication in
36 newspapers of general circulation in the Philippines;
37
- 38 b) [To] screen, review and examine all motion pictures as herein defined,
39 television programs, including publicity materials such as
40 advertisements, trailers and stills, whether such motion pictures and
41 publicity materials be for theatrical or non-theatrical distribution, for
42 television broadcast or for general viewing, imported or produced in the
43 Philippines, and in the latter case, whether they be for local viewing or
44 for export;
45
- 46 c) [To] approve or disapprove objectionable portions from and/or prohibit
47 the importation, exportation, production, copying, distribution, sale,
48 lease, exhibition and/or television broadcast of the motion pictures,
49 television programs and publicity materials subject of the preceding

1 paragraph, which, in the judgment of the BOARD, applying
2 contemporary Filipino cultural values as standard, are objectionable for
3 being immoral, indecent, contrary to law and/or good customs, injurious
4 to the prestige of the Republic of the Philippines or its people, or with a
5 dangerous tendency to encourage the commission of violence or of a
6 wrong or crime, such as but not limited to:

- 7
8 i. Those which tend to incite subversion, insurrection, rebellion or
9 sedition against the State, or otherwise threaten the economic and/or
10 political stability of the State;
11 ii. Those which tend to undermine the faith and confidence of the
12 people in their government and/or the duly constituted authorities;
13 iii. Those which glorify criminals or condone crimes;
14 iv. Those which serve no other purpose but to satisfy the market for
15 violence or pornography;
16 v. Those which tend to abet the traffic in and use of prohibited drugs;
17 vi. Those which are libelous or defamatory to the good name and
18 reputation of any person, whether living or dead; and
19 vii. Those which may constitute contempt of court or of any quasi-
20 judicial tribunal, or pertain to matter which are sub-judice in nature.

21
22 *Provided*, however, that deletions or cuts must not be made on the
23 master negative of the films, and that such master negative shall be
24 deposited with the Film Archives of the Philippines and shall be released
25 for export purposes to the film owner only upon showing of the proper
26 export permit; *Provided, finally*, that the film owner shall execute his
27 own undertaking that such master negative shall be exclusively used for
28 export purposes and not for local viewing;

- 29
30 d) [To] supervise, regulate, and grant, deny or cancel, permits for the
31 importation, exportation, production, copying, distribution, sale, lease,
32 exhibition, and/or television broadcast of all motion pictures, television
33 programs and publicity materials, to the end that no such pictures,
34 programs and materials as are determined by the BOARD to be
35 objectionable in accordance with paragraph (c) hereof shall be imported,
36 exported, produced, copied, reproduced, distributed, sold, leased,
37 exhibited and/or broadcast by television;
38
39 e) [To] classify motion pictures, television programs and similar shows
40 into categories such as "G" or "For General Patronage" (all ages
41 admitted), "P" or "Parental Guidance Suggested", "R" or "Restricted"
42 (for adults only), "X" or "Not for Public Viewing", or such other
43 categories as the BOARD may determine for the public interest;
44
45 f) [To] close movie houses and other similar establishments engaged in the
46 public exhibition of motion pictures, television programs and publicity
47 materials, which violate the provisions of this Act and the rules and
48 regulations promulgated by the BOARD pursuant hereto;

1 g) [To] levy, assess and collect, and periodically adjust and revise the rates
2 of, fees and charges for the work of review and examination and for the
3 issuance of the licenses and permits which the BOARD is authorized to
4 grant in the exercise of its powers and functions and in the performance
5 of its duties and responsibilities;
6

7 h) [To] deputize representatives from the government and from the various
8 associations in the movie industry, whose main duties shall be to help
9 ensure compliance with all laws relative to the importation, exportation,
10 copying, distribution, sale, lease, exhibition and/or television broadcast
11 of motion pictures, television programs, advertisements and publicity
12 materials. For this purpose, the BOARD may constitute such Regulatory
13 Council or Councils composed of representatives from the government
14 and the movie and television industry as may be appropriate to
15 implement the purposes and objectives of this Act. The BOARD may
16 also call on any law enforcement agency for assistance in the
17 implementation and enforcement of its decisions, orders or awards;
18

19 i) [To] cause the prosecution, on behalf of the People of the Philippines, of
20 violators of this Act, of anti-trust, obscenity, censorship and other laws
21 pertinent to the movie and television industry;
22

23 J) HEAR AND RESOLVE ADMINISTRATIVE CASES AGAINST
24 VIOLATORS OF THIS ACT AND IMPOSE ADMINISTRATIVE
25 SANCTIONS INCLUDING, BUT NOT LIMITED TO, THE
26 IMPOSITION OF FINES AND PENALTIES; PREVENTIVE
27 CUSTODY OF EQUIPMENT AND MATERIALS USED IN THE
28 EXHIBITION AND/OR COPYING OF MOTION PICTURES;
29 SUSPENSION, NON-RENEWAL OR CANCELLATION OF THE
30 LICENSES OR PERMITS TO OPERATE AND/OR EXHIBIT;
31 SUSPENSION OF TELEVISION PROGRAMS; SEIZURE AND
32 CONFISCATION OF THE OBJECTIONABLE MATERIAL BEING
33 EXHIBITED OR SHOWN WITHOUT APPROVAL OF THE BOARD
34 OR IN VIOLATION OF THIS ACT; AND THE CLOSURE OF
35 MOVIE THEATERS, TELEVISION STATIONS, CABLE
36 TELEVISION NETWORKS, ESTABLISHMENTS OR ENTITIES
37 ENGAGED IN THE PUBLIC EXHIBITION OF MOTION PICTURES,
38 TELEVISION PROGRAMS AND PUBLICITY MATERIALS THAT
39 VIOLATE THE PROVISIONS OF THIS ACT AND ITS RULES AND
40 REGULATION. FOR THIS PURPOSE, THE BOARD SHALL HAVE
41 THE POWER TO CITE IN CONTEMPT PERSONS OR ENTITIES
42 WILLFULLY DISREGARDING ITS PROCESSES AND TO ISSUE
43 SUBPOENA OR SUBPOENA *DUCES TECUM* TO COMPEL THE
44 ATTENDANCE OF WITNESSES AND PRODUCTION OF
45 DOCUMENTS AND OTHER EFFECTS;
46

47 k) [To] prescribe the internal and operational procedures for the exercise of
48 its powers and functions as well as the performance of its duties and
49 responsibilities, including the creation and vesting of authority upon

1 sub-committees of the BOARD for the work of review and other related
2 matters; and
3

4 L) ACQUIRE, UTILIZE OR DISPOSE OF, IN ANY MANNER
5 RECOGNIZED BY LAW, REAL OR PERSONAL PROPERTY IN
6 THE PHILIPPINES OR ELSEWHERE NECESSARY TO CARRY
7 OUT THE PURPOSES OF THIS ACT;
8

9 M) HAVE THE POWER OF SUCCESSION, TO SUE AND BE SUED IN
10 COURTS OF LAW, AND TO ENTER INTO, MAKE, PERFORM
11 AND CARRY OUT CONTRACTS OF EVERY KIND AND
12 DESCRIPTION WITH ANY PERSON, FIRM OR ASSOCIATION
13 OR CORPORATION, DOMESTIC OR FOREIGN;
14

15 N) TO INVEST, OWN OR OTHERWISE PARTICIPATE IN EQUITY IN
16 ANY ESTABLISHMENT, FIRM OR ENTITY;
17

18 O) ADOPT FROM TIME TO TIME A BUDGET OF CAPITAL AND
19 OPERATING EXPENDITURES IN THE INTEREST OF
20 EFFECTIVE ADMINISTRATION AND OPERATIONS AGAINST
21 ALL FUNDS AVAILABLE TO THE BOARD UNDER THIS ACT,
22 AS WELL AS, TO APPROVE THE ANNUAL AND
23 SUPPLEMENTAL BUDGET OF RECEIPTS AND EXPENDITURES
24 INCLUDING SALARIES AND ALLOWANCES OF BOARD
25 PERSONNEL;
26

27 P) COMPROMISE, CONDONE OR RELEASE, IN WHOLE OR IN
28 PART, ANY INTEREST, PENALTY OR ANY CIVIL LIABILITY
29 TO THE BOARD IN CONNECTION WITH THE FEES AND
30 CHARGES IMPOSED BY THE BOARD, UNDER SUCH TERMS
31 AND CONDITIONS AS IT MAY PRESCRIBED;
32

33 Q) APPROVE THE BOARD'S ORGANIZATIONAL AND
34 ADMINISTRATIVE STRUCTURES AND STAFFING PATTERN,
35 AND TO ESTABLISH, FIX, REVIEW, REVISE AND ADJUST THE
36 APPROPRIATE COMPENSATION PACKAGE FOR THE
37 OFFICERS AND EMPLOYEES OF THE BOARD, IN
38 ACCORDANCE WITH THE PROVISIONS OF THIS ACT.
39

40 r) [To] exercise such powers and functions as may be necessary or
41 incidental to the attainment of the purposes and objectives of this Act,
42 and to perform such other related duties and responsibilities as may be
43 directed by the President of the Philippines.
44

45 SEC. 4. Section 4 of P.D. No. 1986 is hereby amended to read as follows:
46

47 "SEC. 4. Decision. - The decision of the BOARD either approving or
48 disapproving for exhibition in the Philippines a motion picture, television
49 program, still and other pictorial advertisement submitted to it for examination

1 and review must be rendered within a period of ten (10) days which shall be
2 counted from the date of receipt by the BOARD of an application for the
3 purpose, together with motion picture, television program, still or other pictorial
4 advertisement to be reviewed.
5

6 For each review session, the ChairPERSON of the BOARD shall
7 designate a sub-committee composed of at least three (3) BOARD Members to
8 undertake the work of review. Any disapproval or deletion must be approved by
9 a majority of the sub-committee members so designated. After receipt of the
10 written decision of the sub-committee, a motion for reconsideration in writing
11 may be made, upon which the ChairPERSON of the BOARD shall designate a
12 sub-committee of five (5) MEMBERS OF THE BOARD to undertake a second
13 review session, whose decision on behalf of the BOARD shall be rendered
14 through a majority of the sub-committee members so designated and present at
15 the second review session. This second review session shall be presided over by
16 the ChairPERSON, or the Vice-ChairPERSON, or by a member designated by
17 the ChairPERSON. The decision of the BOARD in the second review session
18 shall be rendered within five (5) days from the date of receipt of the motion for
19 reconsideration.
20

21 Every decision of the BOARD disapproving a motion picture, television
22 program or publicity material for exhibition in the Philippines must be in
23 writing, and shall state the reasons or grounds for such disapproval. No film or
24 motion picture intended for exhibition at movie houses or theaters or on
25 television shall be disapproved by reason of its topic, theme or subject matter,
26 but upon the merits of each picture or program considered in its entirety.
27

28 A DECISION OF THE BOARD IN THE SECOND REVIEW
29 SESSION shall be final, with the exception of a decision disapproving or
30 prohibiting a motion picture or television program in its entirety which shall be
31 appealable to the President of the Philippines, who may himself decide the
32 appeal, or be assisted either by an *ad hoc* committee he may create or by the
33 Appeals Committee herein created.
34

35 An Appeals Committee in the Office of the President of the Philippines
36 is hereby created composed of a ChairPERSON and four (4) members to be
37 appointed by the President of the Philippines, which shall submit its
38 recommendations to the President. The Office of the DEPUTY EXECUTIVE
39 SECRETARY for Legal Affairs shall serve as the Secretariat of the Appeals
40 Committee.
41

42 The decision of the President of the Philippines on any appealed matter
43 shall be final.
44

45 SEC. 5. Section 5 of P.D. No. 1986 is hereby amended to read as follows:
46

47 "SEC. 5. Executive Officer. - The ChairPERSON of the BOARD shall be the
48 Chief Executive Officer of the BOARD. He shall exercise the following
49 functions, powers and duties:

- 1
2 a. execute, implement and enforce the decisions, orders, awards, rules and
3 regulations issued by the BOARD;
4 b. direct and supervise the operations and the internal affairs of the
5 BOARD;
6 c. establish the internal organization and administrative procedures of the
7 BOARD, and recommend to the BOARD the appointment of the
8 necessary administrative and subordinate personnel; and
9 d. exercise such other powers and functions and perform such duties as are
10 not specifically lodged in the BOARD.
11

12 The Chief Executive Officer shall be assisted by an Executive Director
13 who shall be appointed by the President of the Philippines. The Executive
14 Director shall hold office for a term of TWO (2) YEARS, unless sooner
15 removed by the President of the Philippines for any cause; *Provided*, that any
16 appointee shall be eligible for re-appointment after the expiration of his/HER
17 term.
18

19 UNLESS OTHERWISE PROVIDED BY LAW, THE EXECUTIVE
20 DIRECTOR SHALL HAVE THE RANK, SALARY, RIGHTS, PRIVILEGES
21 AND BENEFITS EQUIVALENT TO A DIRECTOR IV UNDER THE
22 PREVAILING COMPENSATION AND POSITION CLASSIFICATION
23 SYSTEM OF THE GOVERNMENT.
24

25 SEC. 6. Section 6 of P.D. No. 1986 is hereby amended to read as follows:
26

27 "SEC. 6. Examination and Review. - Except members of the BOARD AND
28 persons specifically authorized by the BOARD, no person shall be allowed
29 inside the REVIEW room during the examination and review of a motion
30 picture, television program or publicity material. Before each review session,
31 the distributor or producer shall submit to the BOARD a sworn statement
32 declaring the exact number of prints made for the picture or material to be
33 examined or reviewed, AND SUCH OTHER INFORMATION AS THE
34 BOARD MAY REQUIRE.
35

36 SEC. 7. Section 7 of P.D. No. 1986 is hereby amended to read as follows:
37

38 "SEC. 7. PROHIBITED ACTS. -
39

- 40 A) It shall be unlawful for any person or entity to distribute or exhibit or
41 cause to be distributed or exhibited in any movie theater, television,
42 CABLE TELEVISION OR SIMILAR ESTABLISHMENTS, any
43 motion picture, television program, publicity material OR
44 ADVERTISEMENT WHICH, IN THE JUDGMENT OF THE BOARD
45 APPLYING CONTEMPORARY FILIPINO CULTURAL VALUES AS
46 STANDARD, IS OBJECTIONABLE FOR BEING IMMORAL,
47 INDECENT, CONTRARY TO LAW, PUBLIC POLICY OR GOOD
48 CUSTOMS, OR WITH DANGEROUS TENDENCY TO
49 ENCOURAGE THE COMMISSION OF VIOLENCE, OR OF A

1 WRONG, OR CRIME, SUCH AS BUT NOT LIMITED TO: THOSE
2 WHICH GLORIFY CRIMINALS OR CONDONE CRIMES; THOSE
3 WHICH SERVE NO OTHER PURPOSE BUT TO SATISFY THE
4 MARKET FOR VIOLENCE OR PORNOGRAPHY; THOSE WHICH
5 TEND TO ABET THE TRAFFIC IN AND USE OF PROHIBITED
6 DRUGS; THOSE WHICH ARE LIBELOUS OR DEFAMATORY TO
7 THE GOOD NAME AND REPUTATION OF ANY PERSON,
8 WHETHER LIVING OR DEAD; OR THOSE WHICH MAY
9 CONSTITUTE CONTEMPT OF COURT OR OF ANY QUASI-
10 JUDICIAL TRIBUNAL, OR PERTAIN TO MATTERS SUB-JUDICE
11 IN NATURE.
12

13 B) IT SHALL BE UNLAWFUL FOR ANY MOVIE THEATER,
14 TELEVISION NETWORKS, CABLE TELEVISION STATIONS AND
15 OTHER PERSONS OR ENTITIES ENGAGED IN THE MOVIE,
16 TELEVISION AND ADVERTISING INDUSTRY TO EXHIBIT
17 MOTION PICTURES, TELEVISION PROGRAMS, PUBLICITY
18 MATERIALS AND ADVERTISEMENTS, WITHOUT THE ENTITY
19 FIRST BEING REGISTERED WITH THE BOARD.
20

21 C) IT SHALL BE UNLAWFUL FOR ANY PERSON OR ENTITY TO
22 DISTRIBUTE OR EXHIBIT OR CAUSE TO BE DISTRIBUTED OR
23 EXHIBITED IN ANY MOVIE THEATER, TELEVISION, CABLE
24 TELEVISION OR SIMILAR ESTABLISHMENTS, ANY MOTION
25 PICTURE, TELEVISION PROGRAM, PUBLICITY MATERIAL OR
26 ADVERTISEMENT THAT HAS NOT BEEN OR DIFFERENT FROM
27 THAT AS REVIEWED, CLASSIFIED AND APPROVED FOR
28 DISTRIBUTION OR EXHIBITION BY THE BOARD, OR WHICH,
29 ALTHOUGH PREVIOUSLY CLASSIFIED, ARE COVERED BY
30 PERMITS THAT HAVE ALREADY EXPIRED, OR CANCELLED,
31 OR HAVE BEEN TAMPERED WITH.
32

33 D) IT SHALL BE UNLAWFUL TO PRINT OR CAUSE TO BE
34 PRINTED ON ANY MOTION PICTURE, TELEVISION OR CABLE
35 TELEVISION PROGRAM, PUBLICITY MATERIAL OR
36 ADVERTISEMENT A LABEL OR NOTICE TO THE EFFECT THAT
37 THE SAME HAS BEEN OFFICIALLY CLASSIFIED BY THE
38 BOARD WHEN IN FACT IT HAS NOT BEEN SO CLASSIFIED.
39

40 E) IT SHALL BE UNLAWFUL FOR ANY PERSON OR ENTITY TO
41 DECEIVE THE PUBLIC BY EXHIBITING A MOTION PICTURE
42 OTHER THAN THE ONE ADVERTISED AS SHOWING EVEN IF
43 THE FILM SHOWN HAS A VALID PERMIT.
44

45 F) IT SHALL BE UNLAWFUL FOR ANY PERSON OR ENTITY TO
46 EXHIBIT OR CAUSE THE EXHIBITION IN MOVIE THEATERS,
47 CINEMAS OR SIMILAR ESTABLISHMENTS OF ANY MOTION
48 PICTURE WHICH HAD ALREADY BEEN SHOWN, WITHOUT

1 THE WORD "RE-ISSUE" CLEARLY AND BOLDLY STAMPED IN
2 THE PUBLICITY MATERIALS OF THE SAID MOTION PICTURE.
3

4 G) IT SHALL BE UNLAWFUL FOR ANY PERSON OR ENTITY TO
5 DISTRIBUTE, EXHIBIT OR SHOW OR CAUSE THE
6 DISTRIBUTION, EXHIBITION OR SHOWING OF ANY MOTION
7 PICTURE, TELEVISION PROGRAM, PUBLIC MATERIAL AND
8 ADVERTISEMENT THAT HAVE BEEN DISAPPROVED FOR
9 PUBLIC EXHIBITION BY THE BOARD.
10

11 H) IT SHALL BE UNLAWFUL FOR ANY FOR ANY PERSON OR
12 ENTITY TO EXHIBIT OR CAUSE THE EXHIBITION OF ANY
13 MOTION PICTURE, TELEVISION OR CABLE TELEVISION
14 PROGRAM, PUBLICITY MATERIAL OR ADVERTISEMENT
15 BELOW THE AUDIENCE SUITABILITY AS INDICATED IN THE
16 "PERMIT TO EXHIBIT."
17

18 I) IT SHALL BE UNLAWFUL FOR ANY PERSON BELOW
19 EIGHTEEN (18) YEARS OLD TO ENTER, MISREPRESENT OR
20 MAKE USE OF ANY FALSE EVIDENCE ABOUT HIS/HER AGE IN
21 ORDER TO GAIN ADMISSION INTO A MOVIE THEATER OR
22 SIMILAR ESTABLISHMENT SHOWING A MOTION PICTURE
23 CLASSIFIED BY THE BOARD AS "R" OR "STRICTLY FOR
24 ADULTS."
25

26 J) IT SHALL BE UNLAWFUL FOR ANY PERSON TO
27 MISREPRESENT OR MAKE USE OF ANY FALSE EVIDENCE
28 ABOUT THE AGE OF A MINOR IN ORDER TO GAIN ADMISSION
29 INTO A MOVIE THEATER OR SIMILAR ESTABLISHMENT
30 SHOWING A MOTION PICTURE CLASSIFIED BY THE BOARD
31 AS NOT SUITED TO THE MINOR'S AGE.
32

33 K) IT SHALL BE UNLAWFUL FOR ANY MOVIE THEATER, CINEMA
34 OR SIMILAR ESTABLISHMENT TO ALLOW THE ADMISSION OF
35 ANY PERSON BELOW THE AGE QUALIFICATION REQUIRED
36 BY THE FILM'S CLASSIFICATION AS INDICATED IN THE
37 "PERMIT TO EXHIBIT." IN CASE OF DOUBT AS TO THE AGE
38 OF THE PERSON SEEKING ADMISSION, THE LATTER SHALL
39 BE REQUIRED TO PRESENT HIS OR HER RESIDENCE
40 CERTIFICATE OR OTHER PROOF OF AGE. IT SHALL NOT BE A
41 DEFENSE FOR THE PERSON ADMITTING THE MINOR THAT HE
42 OR SHE DID NOT KNOW OR WAS NOT AWARE OF THE REAL
43 AGE OF THE MINOR SEEKING ADMISSION TO THE MOVIE
44 THEATER.
45

46 SEC. 8. Section 8 of P.D. No. 1986 is hereby amended to read as follows:
47

48 "SEC. 8. Posting or Display of THEATRICAL PERMIT TO EXHIBIT or
49 CERTIFICATE OF REGISTRATION. - The motion picture exhibitors shall

1 post and/or display the THEATRICAL PERMIT TO EXHIBIT of approval of
2 the motion picture by the BOARD, and shall post or display, or cause to be
3 posted or displayed, the said THEATRICAL PERMIT TO EXHIBIT or
4 CERTIFICATE OF REGISTRATION at conspicuous places near the entrances
5 to theaters or places of exhibition, and shall include in all their cinema
6 advertisements announcements stating the classification RATING of the motion
7 picture being exhibited or advertised.
8

9 SEC. 9. Section 9 of P.D. No. 1986 is hereby amended to read as follows:
10

11 SEC. 9. EXEMPTIONS. – MOTION PICTURES, TELEVISION PROGRAMS,
12 PUBLICITY MATERIALS, OR ADVERTISEMENTS PRODUCED,
13 IMPRINTED OR EXHIBITED BY THE PHILIPPINE GOVERNMENT
14 AND/OR ITS DEPARTMENTS AND AGENCIES, AND NEWSREELS
15 SHALL NOT BE UNDER THE JURISDICTION OF THE BOARD.
16 *PROVIDED*, HOWEVER, THAT NEWS BROADCASTS THAT TEND TO
17 ADVERSELY AFFECT THE SECURITY OF THE STATE OR
18 COMPROMISE POLICE AND MILITARY OPERATIONS SHALL BE
19 SUBJECT TO THE JURISDICTION OF THE BOARD.
20

Section 11 of P.D. No. 1986 is hereby amended to read as follows:
21

22 SEC. 10. Section 11 of P.D. No. 1986 is hereby amended to read as follows:
23

24 “SEC. 11. Penalty. - Any person who violates the provisions of this Decree
25 and/or the implementing rules and regulations issued by the BOARD, shall,
26 upon conviction, be punished by a mandatory penalty of three (3) months and
27 one day to one (1) year imprisonment plus a fine of not less than fifty thousand
28 pesos but not more than one hundred thousand pesos. The penalty shall apply
29 whether the person shall have committed the violation either as principal,
30 accomplice or accessory. If the offender is an alien, he shall be deported
31 immediately. The license to operate the movie house, theater, or television
32 station shall also be revoked. Should the offense be committed by a juridical
33 person, the chairman, the president, secretary, treasurer, or the partner
34 responsible therefore, shall be the persons penalized.
35

36 The provisions of Presidential Decree No. 968 (Probation Law), as
37 amended, shall not apply in cases of violations of this ACT.
38

39 SEC. 11. Section 12 of P.D. No. 1986 is hereby amended to read as follows:
40

41 “SEC. 12. Banning of Motion Pictures and Television Programs. - In the event a
42 motion picture or television program, after examination and review by the
43 BOARD, is declared unfit for exhibition in the Philippines, the said motion
44 picture or television program shall be returned by the importer or distributor
45 thereof to the country of origin or to any other place outside of the Philippines
46 within a period of thirty (30) days, which shall be counted from the date of
47 receipt by the importer or distributor of the decision of the BOARD banning the
48 motion picture or television program for exhibition in the Philippines.

1 SEC. 12. Section 14 of P.D. No. 1986 is hereby amended to read as follows:
2

3 "SEC. 14. EXEMPTION FROM TAX, LEGAL PROCESS AND LIEN. -ALL
4 LAWS TO THE CONTRARY NOTWITHSTANDING, THE BOARD AND
5 ALL ITS ASSETS AND PROPERTIES, ALL FEES AND CHARGES
6 COLLECTED AND ALL ACCRUALS THERETO AND INCOME OR
7 INVESTMENT EARNINGS THEREFROM, AS WELL AS ALL SUPPLIES,
8 EQUIPMENT, PAPERS OR DOCUMENTS SHALL BE EXEMPT FROM
9 ANY TAX, ASSESSMENT, FEE, CHARGE, OR CUSTOMS OR IMPORT
10 DUTY, AND SHALL NOT BE LIABLE TO ATTACHMENTS,
11 GARNISHMENTS, LEVY OR SEIZURE BY OR UNDER ANY LEGAL OR
12 EQUITABLE PROCESS WHATSOEVER. NO TAX MEASURE OF
13 WHATEVER NATURE ENACTED SHALL APPLY TO THE BOARD,
14 UNLESS IT EXPRESSLY REVOKES THE TAX EXEMPTION HEREIN
15 GRANTED. ANY TAX ASSESSMENT AGAINST THE BOARD SHALL BE
16 NULL AND VOID.
17

18 SEC. 13. Section 15 of P.D. No. 1986 is hereby amended to read as follows:
19

20 "SEC. 15. REORGANIZATION OF THE BOARD. - WITHIN ONE YEAR
21 FROM EFFECTIVITY OF THIS ACT, THE BOARD SHALL REORGANIZE
22 ITS STAFFING PATTERN AND PERSONNEL AS MAY BE NECESSARY
23 FOR EFFICIENT ADMINISTRATION AND OPERATION; *PROVIDED*,
24 THAT SUCH REORGANIZATION SHALL BE CARRIED OUT IN A
25 MANNER THAT WILL ENSURE THE LEAST DISRUPTION OF
26 OPERATIONS. ALL PERSONNEL AFFECTED BY THE
27 REORGANIZATION SHALL BE DEEMED SEPARATED FROM THE
28 SERVICE, UNLESS REAPPOINTED TO APPROPRIATE POSITIONS IN
29 THE BOARD.
30

31 INCUMBENT PERSONNEL OF THE BOARD SHALL CONTINUE
32 TO HOLD OFFICE UNTIL APPROVAL OF THE NEW STAFFING
33 PATTERN AND NEW APPOINTMENTS ARE ISSUED IN ACCORDANCE
34 WITH THIS ACT. THE INCUMBENT PERSONNEL SHALL BE
35 ABSORBED, RETAINED AND APPOINTED TO NEW POSITIONS IN THE
36 BOARD TO WHICH THEY MAY QUALIFY UNDER THE NEW
37 STAFFING PATTERN WITHOUT LOSS OF SENIORITY OR RANK OR
38 DECREASE IN EMOLUMENTS. *PROVIDED*, THAT, THOSE WHO SHALL
39 BE GIVEN NEW APPOINTMENTS SHALL BE ENTITLED TO ALL
40 COMPENSATION AND BENEFITS DUE THEM UNDER EXISTING
41 LAWS. *PROVIDED, FURTHER*, THAT, ANY AFFECTED OFFICER OR
42 EMPLOYEE NOT RE-APPOINTED, OR WHO REFUSES HIS RE-
43 APPOINTMENT, OR WHO DESIRES TO BE SEPARATED AS A RESULT
44 OF THE IMPLEMENTATION OF THIS ACT SHALL BE PAID IN LUMP
45 SUM THE MONEY VALUE OF HIS ACCUMULATED VACATION AND
46 SICK LEAVES AND SUCH SEPARATION BENEFITS COMPUTED AT
47 ONE AND A HALF MONTH SALARY FOR EVERY YEAR OF SERVICE.
48 *PROVIDED, FINALLY*, THAT THOSE AFFECTED PERSONNEL WHO
49 HAVE RENDERED SERVICE TO THE BOARD FOR THE LAST FIVE (5)

1 YEARS SHALL BE ENTITLED TO SEPARATION PAY OF THREE (3)
2 MONTHS SALARY FOR EVERY YEAR OF SERVICE AND ALL OTHER
3 BENEFITS ACCRUING TO THEM UNDER EXISTING LAWS AT THE
4 TIME OF THEIR SEPARATION.

5
6 SEC. 14. Section 18 of P.D. No. 1986 is hereby amended to read as follows:
7

8 “SEC. 18. Commission on Audit. - The ChairPERSON of the Commission on
9 Audit (COA) shall be the *ex-officio* Auditor of the BOARD. For this purpose,
10 he/SHE may appoint a representative who shall be the auditor of the BOARD,
11 together with the necessary personnel to assist said representative in the
12 performance of his/HER duties. The number and salaries of the auditor and said
13 personnel shall be determined by the ChairPERSON of the Commission on
14 Audit.
15

16 The Auditor shall, as soon as practicable, but not later than three (3)
17 months after the accounts have been submitted to audit, send an annual report to
18 the BOARD. The Auditor shall also submit such periodic or special reports as
19 the BOARD may deem necessary or proper.
20

21 SEC. 15. Section 19 of P.D. No. 1986 is hereby amended to read as follows:
22

23 “SEC. 19. Annual Report. - The BOARD shall, within three (3) months after the
24 end of every fiscal year, submit its annual report to the President OF THE
25 PHILIPPINES. The annual report shall include, among others, a statement of
26 the BOARD's accomplishments together with its plans and recommendations to
27 improve and develop its operations and the supervision and regulation of the
28 movie and television industry.
29

30 SEC. 16. Section 20 of P.D. No. 1986 is hereby amended to read as follows:
31

32 “SEC. 20. SPECIAL REVOLVING FUND. - Notwithstanding any provision
33 of law, rule or regulation, executive or administrative order to the contrary,
34 there is hereby established a SPECIAL REVOLVING FUND, to be
35 MAINTAINED and administered at all times by the BOARD AND WITHOUT
36 NEED OF REMITTANCE TO THE NATIONAL TREASURY BUT
37 SUBJECT TO EXISTING GOVERNMENT AUDITING RULES AND
38 REGULATIONS, DERIVED FROM ANY AND all fees, charges, impositions
39 and/or penalties levied, assessed, and collected by the BOARD which shall be at
40 immediate disposal of the BOARD to be used for MAINTENANCE,
41 operational administrative AND OTHER MISCELLANEOUS expenses of the
42 BOARD and for the acquisition of necessary PROPERTIES, facilities, supplies
43 and equipment.
44

45 SEC. 17. Section 22 of P.D. No. 1986 is hereby amended to read as follows:
46

47 SEC. 22. Repealing Clause. - ALL laws, ORDINANCES, ruleS, and
48 regulationS, decreeS, executive or administrative orderS, AND OTHER

1 ISSUANCES OR PARTS THEREOF, WHICH ARE inconsistent with the
2 provisions of this Act, are hereby repealed, or modified accordingly.
3

4 SEC. 18. Section 23 of P.D. No. 1986 is hereby amended to read as follows:
5

6 SEC. 23. Separability Clause. - The provisions of this ACT are hereby
7 deemed separable. If any provision HEREOF IS declared invalid or
8 unconstitutional, such invalidity or unconstitutionality shall not affect the
9 other provisions which shall remain in full force and effect.
10

11 SEC. 19. Section 24 of P.D. No. 1986 is hereby amended to read as follows:
12

13 SEC. 24. Effectivity. - This ACT shall take effect fifteen (15) days AFTER
14 ITS COMPLETE publication in the Official Gazette or in a newspaper of
15 general circulation in the Philippines.
16

17 APPROVED.
18