

NINETEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
*Third Regular Session* )

Office of the Secretary

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**SENATE**  
S. No. 2805

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(In Substitution of Senate Bill Nos. 965, 1063, 1178, 1940 and 2195)

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Prepared and submitted jointly by the Committees on Public Information and Mass Media; Ways and Means; Finance; and Games and Amusement with Senators Poe, Gatchalian, Tolentino, Padilla, and Lapid as authors thereof

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**AN ACT**  
**STRENGTHENING AND EXPANDING THE MANDATE, CAPABILITIES, AND ORGANIZATIONAL STRUCTURE OF THE MOVIE AND TELEVISION REVIEW AND CLASSIFICATION BOARD (MTRCB), AMENDING FOR THE PURPOSE PRESIDENTIAL DECREE NO. 1986**

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

1 Section 1. Presidential Decree No. 1986, otherwise known as "Creating the  
2 Movie and Television Review and Classification Board", is hereby amended to read  
3 as follows:

4 **"SECTION 1. SHORT TITLE. — THIS ACT SHALL BE**  
5 **KNOWN AS THE "MOVIE AND TELEVISION REVIEW AND**  
6 **CLASSIFICATION BOARD ACT".**

7 Sec. [10] 2. Definition of Terms. — For purposes of this  
8 Act, the following terms shall mean:

1 [6] 1) [An] "Adult" [—] [is] **REFERS TO** any person eighteen (18)  
2 years of age or over.

3 2) "**CHILDREN**" [—] **REFERS TO ANY PERSON BELOW**  
4 **EIGHTEEN (18) YEARS OF AGE OR OVER BUT ARE UNABLE**  
5 **TO FULLY TAKE CARE OF THEMSELVES FROM ABUSE,**  
6 **NEGLECT, CRUELTY, EXPLOITATION OR DISCRIMINATION**  
7 **BECAUSE OF PHYSICAL OR MENTAL DISABILITY OR**  
8 **CONDITION AS DEFINED IN SECTION 3(a), REPUBLIC ACT**  
9 **NO. 11596.**

10 [1] 3) [~~Motion Picture~~] "**MOVIE**" [—] **REFERS TO** a series of  
11 pictures [~~projected in a screen~~] **PRESENTED** in rapid succession,  
12 with objects shown in successive positions slightly changed so as  
13 to produce the optical effect of a continuous picture in which the  
14 objects move, whether the picture be black and white or colored,  
15 silent or with accompanying sound, on whatever medium and with  
16 whatever mechanism[s] or equipment they are projected, [~~and~~] in  
17 whatever material they are preserved or recorded for instant  
18 projection, **WHETHER STREAMED THROUGH ON-DEMAND**  
19 **ONLINE STREAMING SERVICES AND ANY TECHNOLOGY OF**  
20 **SIMILAR NATURE.** [f] For the purpose of this Act, the material  
21 in which the [~~motion picture~~] **MOVIE** is contained, preserved, or  
22 recorded, forms an integral part of the [~~motion picture~~] **MOVIE**  
23 subject of this Act.

24 4) "**Non-Theatrical Distribution**" [—] **REFERS TO:**

- 1 a) Public showing of long and short [~~motion pictures~~]  
2 **MOVIES** through the use of mobile projection  
3 equipment not imposing admission fees.  
4 b) Showing long or short [~~motion pictures~~] **MOVIES** to  
5 organizations, societies, clubs, groups, etc. Such as  
6 films for children, educational, documentary, cultural,  
7 scientific, newsreel, industrial, sales, public relations,  
8 and instructional films.

9 **5) "ONLINE CURATED CONTENT SERVICE" REFERS TO A**  
10 **STREAMING SERVICE THAT OFFERS A FULLY CURATED**  
11 **CONTENT CATALOGUE, CURATED BY THE STREAMING**  
12 **SERVICE PROVIDER.**

13 **6) "ON-DEMAND ONLINE STREAMING SERVICES" REFERS**  
14 **TO STREAMING MEDIA SERVICES THAT INCLUDE ONLINE**  
15 **CURATED CONTENT SERVICES/PLATFORMS THAT ARE**  
16 **PUBLICLY OFFERED AND ACCESSIBLE TO THE USERS**  
17 **THROUGH THE INTERNET. THE USERS WILL NEED AN**  
18 **INTERNET CONNECTION TO STREAM OR DOWNLOAD THE**  
19 **VIDEO CONTENT THAT MAY BE VIEWED OFFLINE.**

20 **[3] 7) [General] "PUBLIC Viewing" [—] REFERS TO** making  
21 **[~~motion pictures~~] MOVIES [available] ACCESSIBLE** to **THE**  
22 **general public for its viewing through convenient film packs or**  
23 **similar materials sold, leased, or lent in commercial outlets, public**  
24 **lending clubs, and similar organizations. ON-DEMAND ONLINE**

1           **STREAMING SERVICES THAT ARE ACCESSIBLE TO THE**  
2           **PUBLIC ARE CONSIDERED AS PUBLIC VIEWING.**

3           ~~[7]~~ **8) "Review Session"** ~~[-shall-mean]~~ **REFERS TO** the review  
4           and examination of ~~[motion-pictures]~~ **MOVIES**, television  
5           programs and similar shows, or publicity materials, by the BOARD.

6           **9) "SERIES" REFERS TO A SET OR COLLECTION OF**  
7           **EPISODES OF A PROGRAM BROADCAST OR ONLINE**  
8           **STREAMING SHOWN AT INTERVALS.**

9           ~~[2]~~ **10) "Television Broadcast"** ~~[-]~~ **REFERS TO** public showing  
10           by transmitting sound or images by television or similar equipment,  
11           including cable television, and other limited audience distribution.

12           ~~[5]~~ **11) "Theatrical Distribution"** ~~[-]~~ **REFERS TO** public showing  
13           and/or exhibition in any cinema or theater or in any other place of  
14           ~~[motion-pictures]~~ **MOVIES** imposing admission fees on persons  
15           for entertainment, education, information, and advertising.

16           **12) "USER" REFERS TO A PERSON WHO USES ON-DEMAND**  
17           **ONLINE STREAMING SERVICES WITH OR WITHOUT A FEE.**

18           ~~[SECTION 1.]~~ **SEC. 3. Creation.** — There is hereby created a  
19           Movie and Television Review and Classification Board (**MTRCB**),  
20           hereinafter referred to as the BOARD, under the Office of the President  
21           of the Philippines. The BOARD shall have its principal office in  
22           ~~[Metropolitan]~~ **METRO** Manila.

23           Sec. ~~[2]~~ **4. Composition; Qualification; Benefits.** — The BOARD  
24           shall be composed of a Chair~~[man]~~**PERSON**, a Vice-

1 Chair[man]PERSON and thirty (30) members, who shall all be  
2 appointed by the President of the Philippines. The  
3 Chair[man]PERSON, **AND** the Vice-Chair[man]PERSON, ~~and the~~  
4 ~~members of the BOARD,]~~ shall hold office for a term of ~~[one (1)]~~  
5 **THREE (3) yearS, WHILE THE MEMBERS SHALL HOLD OFFICE**  
6 **FOR A TERM OF TWO (2) YEARS,** unless sooner removed by the  
7 President for any cause[;]: *Provided,* That the[y] **CHAIRPERSON,**  
8 **VICE-CHAIRPERSON AND THIRTY (30) MEMBERS OF THE**  
9 **BOARD** shall be eligible for re-appointment ~~[after the expiration of~~  
10 ~~their term];. **PROVIDED, FURTHER, THAT NO CHAIRPERSON,**~~  
11 **VICE-CHAIRPERSON, OR MEMBER SHALL SERVE FOR MORE**  
12 **THAN TWO (2) CONSECUTIVE TERMS.** If the  
13 Chair[man]PERSON, or the Vice-Chair[man]PERSON, or any  
14 member of the BOARD fails to complete [his] **THEIR** term, any person  
15 appointed to fill the vacancy shall serve only for the unexpired [portion  
16 of the] term ~~[of the BOARD member whom he succeeds.];~~  
17 **PROVIDED, FINALLY, THAT SUCH SERVICE OF THE**  
18 **UNEXPIRED PORTION SHALL NOT BE CONSIDERED AS A**  
19 **TERM.**

20 No person shall be appointed to the BOARD [;] unless [he is] **THEY**  
21 **ARE** [a] natural-born citizen**S** of the Philippines, not less than twenty-  
22 one (21) years of age, and of good moral character and standing in  
23 the community[;]: *Provided,* That in the selection of the members of  
24 the BOARD, due consideration shall be given to such qualifications as

1 would produce a multi-sectoral combination of expertise in the various  
2 ~~[areas]~~ **ASPECTS** of ~~[motion picture]~~ **THE MOVIES** and television  
3 **INDUSTRIES**; *Provided, further,* That at least five (5) members of  
4 the BOARD shall be members of the Philippine Bar[-]; *Provided, finally,*  
5 That at least fifteen (15) members of the BOARD [may], **OTHER**  
6 **THAN THE CHAIRPERSON AND THE VICE-CHAIRPERSON,**  
7 **SHALL** come from the movie, [and] television, **AND ON-DEMAND**  
8 **ONLINE STREAMING** industr[y]IES ~~[to be]~~ **PREFERABLY**  
9 nominated by legitimate associations representing the various sectors  
10 of ~~[said]~~ industr[y]IES.

11 ~~[The Chairman, the Vice-Chairman and other members of the~~  
12 ~~BOARD shall be entitled to transportation, representation and other~~  
13 ~~allowances which shall in no case exceed FIVE THOUSAND PESOS~~  
14 ~~(P5,000.00) per month.]~~

15 **THE CHAIRPERSON AND VICE-CHAIRPERSON SHALL**  
16 **HAVE THE RANK, SALARY, RIGHTS, PRIVILEGES, AND**  
17 **BENEFITS EQUIVALENT TO A DEPARTMENT**  
18 **UNDERSECRETARY AND DEPARTMENT ASSISTANT**  
19 **SECRETARY, RESPECTIVELY.**

20 **EACH MEMBER OF THE THIRTY (30) MEMBERS OF THE**  
21 **BOARD SHALL RECEIVE REASONABLE HONORARIUM FOR**  
22 **EACH MOVIE, TRAILER, TELEVISION SHOW, TV PLUG, OR**  
23 **PUBLICITY MATERIAL ACTUALLY REVIEWED OR CLASSIFIED**  
24 **AND SUCH ADDITIONAL ALLOWANCES SUBJECT TO THE**

1           **APPROVAL OF THE PRESIDENT FROM THE**  
2           **RECOMMENDATION OF THE DEPARTMENT OF BUDGET AND**  
3           **MANAGEMENT (DBM).**

4           **THERE SHALL BE CREATED A SECRETARIAT OF THE**  
5           **BOARD WITH COMPLETE STAFFING POSITIONS.**

6           Sec. ~~[3]~~ **5.** Powers and Functions. — The BOARD shall have the  
7           following functions, powers, and duties:

- 8           a) ~~[To]~~ **P**romulgate such rules and regulations as are necessary  
9           or proper for the implementation of this Act, and the  
10           accomplishment of its purposes and objectives, including  
11           guidelines and standards for production, advertising, and titles.  
12           **ANY** such rules and regulations shall take effect after fifteen  
13           (15) days following their publication in **A** newspaper ~~[s]~~ of  
14           general circulation in the Philippines;
- 15           b) ~~[To]~~ **S**creen, review, and examine all ~~[motion pictures]~~  
16           **MOVIES** as herein defined, television programs ~~[including]~~ **OR**  
17           **SERIES**, publicity materials such as advertisements, trailers  
18           and stills, whether ~~[such motion pictures and publicity materials~~  
19           ~~be for]~~ **THEY ARE FOR** theatrical or non-theatrical distribution,  
20           for television broadcast or for ~~[general]~~ **PUBLIC** viewing **OR**  
21           **STREAMED THROUGH ON-DEMAND ONLINE**  
22           **STREAMING SERVICES AND ANY OTHER TECHNOLOGY**  
23           **OF SIMILAR NATURE**, imported or produced in the

1 Philippines, and in the latter case, whether they be for local  
2 **PUBLIC** viewing or for export;

3 c) [~~T~~] Approve or disapprove [~~r~~] **OR** delete objectionable  
4 portions from and/or prohibit the importation, exportation,  
5 production, copying, distribution, sale, lease, exhibition and/or  
6 television broadcast of [~~the motion pictures~~] **MOVIES**,  
7 television programs, **SERIES**, and publicity materials **FOR**  
8 **PUBLIC VIEWING** subject of the preceding paragraph, which,  
9 in the judgment of the [~~board~~] **BOARD** applying contemporary  
10 Filipino cultural values as standard, are objectionable for being  
11 immoral, indecent, contrary to law and/or good customs,  
12 injurious to the prestige of the Republic of the Philippines or its  
13 people, or with a dangerous tendency to encourage the  
14 commission of violence or of a wrong or crime, **OR FOR THE**  
15 **PROTECTION OF PUBLIC ORDER, OR PUBLIC HEALTH**,  
16 such as but not limited to:

17 i. Those which tend to incite subversion, insurrection,  
18 rebellion, or sedition against the State, or otherwise  
19 threaten the economic and/or political stability of the  
20 State;

21 ii. Those which tend to undermine the faith and confidence  
22 of the people in their government and/or the duly  
23 constituted authorities;

24 iii. Those which glorify criminals or condone crimes;



- 1           iv. Those which serve no other purpose but to satisfy the  
2           market for violence or pornography;
- 3           v. Those which tend to abet the traffic in and use of  
4           prohibited drugs;
- 5           vi. Those which are libelous or defamatory to the good name  
6           and reputation of any person, whether living or dead;  
7           [and]
- 8           vii. Those which may constitute contempt of court or of any  
9           quasi-judicial tribunal, or pertain to matters which are sub-  
10          judice in nature; **AND**

11           **VIII. THOSE WHICH EXPRESS ON ACCOUNT OF**  
12           **NATIONAL, RACIAL, OR RELIGIOUS HATRED THAT**  
13           **CONSTITUTES           INCITEMENT           TO**  
14           **DISCRIMINATION, HOSTILITY, VIOLENCE, OR**  
15           **NEGATIVE       STEREOTYPING OR PREJUDICE**  
16           **AGAINST THE FILIPINO PEOPLE, INDIGENOUS**  
17           **PEOPLES, RELIGIOUS GROUPS, OR ANY ETHNIC**  
18           **GROUP WITHIN OR OUTSIDE THE COUNTRY.**

19           ~~[Provided, however, That deletions or cuts must not be made on~~  
20           ~~the master negative of the films, and that such master negative~~  
21           ~~shall be deposited with the Film Archives of the Philippines and~~  
22           ~~shall be released for export purposes to the film owner only upon~~  
23           ~~showing of the proper export permit; Provided, finally, That the~~  
24           ~~film owner shall execute his own undertaking that such master~~

1 ~~negative shall be exclusively used for export purposes and not for~~  
2 ~~local showing;]~~

3 **D) [To] Supervise, regulate, and grant, deny or cancel, permits**  
4 **for the importation, exportation, production, copying,**  
5 **distribution, sale, lease, exhibition, [and/or] television**  
6 **broadcast, **OR STREAMING THROUGH ON-DEMAND****  
7 ****ONLINE STREAMING SERVICES** of all [motion pictures]**  
8 **MOVIES, television programs, **SERIES,** and publicity**  
9 **materials, to the end that no such pictures, programs, and**  
10 **materials as are determined by the BOARD to be objectionable**  
11 **in accordance with paragraph (c) hereof shall be imported,**  
12 **exported, produced, copied, reproduced, distributed, sold,**  
13 **leased, exhibited and/or broadcast by television **FOR PUBLIC****  
14 ****VIEWING;****

15 e) **[To] Classify [motion pictures] **MOVIES,** television programs,**  
16 ****SERIES,** and similar shows **FOR PUBLIC VIEWING** into**  
17 **categories such as "G" or "For General Patronage" (all ages**  
18 **admitted), "P" or "Parental Guidance Suggested", "R" or**  
19 **"Restricted" (for adults only), "X" or "Not for Public Viewing",**  
20 **or such other categories as the BOARD may determine for the**  
21 **public interest;**

22 f) **[To] Close moviehouses and other similar establishments**  
23 **engaged in the public [exhibition] **VIEWING** of [motion**  
24 **pictures] **MOVIES** and television programs which violate the**

1 provisions of this Act and the rules and regulations promulgated  
2 by the BOARD pursuant hereto;

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

9 h) ~~[To]~~ Deputize representatives from the government and from  
10 the various associations in the movie industry, whose main  
11 duties shall be to help ensure compliance with all laws relative  
12 to the importation, exportation, copying, distribution, sale,  
13 lease, exhibition, ~~[and/or]~~ television broadcast of ~~[motion~~  
14 ~~pictures]~~ **MOVIES**, television programs, **SERIES**,  
15 advertisements, and publicity materials. For this purpose, the  
16 BOARD may constitute such Regulatory Council or Councils  
17 composed of representatives from the government and the  
18 movie and television industry as may be appropriate to  
19 implement the purposes and objectives of this Act. The BOARD  
20 may also ~~[call—on]~~ **DIRECT OR REQUIRE** any law  
21 enforcement agency **OR THE DEPARTMENT OF**  
22 **INFORMATION AND COMMUNICATIONS TECHNOLOGY**  
23 **(DICT), NATIONAL TELECOMMUNICATIONS**  
24 **COMMISSION (NTC) OR OTHER CONCERNED**

1           **AGENCIES**, for assistance in the implementation and  
2 enforcement of its decisions, orders or awards;

3           i) ~~[To]~~ **Cause the prosecution, on behalf of the People of the**  
4 **Philippines, of violators of this Act, ~~[of anti-trust,]~~ obscenity,**  
5 **copyright and other laws pertinent to the movie ~~[and]~~**  
6 **television industry,   **AND   ON-DEMAND   ONLINE****  
7 **STREAMING SERVICES;**

8           **J) EXERCISE QUASI-JUDICIAL FUNCTION TO HEAR AND**  
9 **DECIDE, UPON A COMPLAINT OR *MOTU PROPRIO*, FOR**  
10 **VIOLATION OF THIS ACT AND IMPOSE ANY OF THE**  
11 **FOLLOWING ADMINISTRATIVE SANCTIONS:**

12           **I)    IMPOSITION OF ADMINISTRATIVE FINES AND**  
13 **PENALTIES UNDER THIS ACT;**

14           **II)   PREVENTIVE CUSTODY OF EQUIPMENT AND**  
15 **MATERIALS USED IN THE EXHIBITION AND/OR**  
16 **COPYING OF MOVIES;**

17           **III)   SUSPENSION,           NON-RENEWAL           OR**  
18 **CANCELLATION OF THE LICENSES OR PERMITS**  
19 **TO OPERATE AND/OR EXHIBIT;**

20           **IV)   SUSPENSION OF TELEVISION PROGRAMS;**

21           **V)    SEIZURE   AND   CONFISCATION   OF   THE**  
22 **OBJECTIONABLE MATERIAL BEING EXHIBITED**

1 OR SHOWN WITHOUT APPROVAL OF THE  
2 BOARD OR IN VIOLATION OF THIS ACT;

3 VI) CLOSURE OF MOVIE THEATERS, TELEVISION  
4 STATIONS, CABLE TELEVISION NETWORKS,  
5 ESTABLISHMENTS, OR ENTITIES ENGAGED IN  
6 THE PUBLIC VIEWING OF MOVIES, TELEVISION  
7 PROGRAMS AND PUBLICITY MATERIALS; AND,

8 VII) THE BLOCKING OF ON-DEMAND STREAMING  
9 SERVICES THAT VIOLATE THE PROVISIONS OF  
10 THIS ACT AND ITS RULES AND REGULATIONS  
11 IN COORDINATION WITH THE NATIONAL  
12 TELECOMMUNICATIONS COMMISSION AND  
13 THE DEPARTMENT OF INFORMATION AND  
14 COMMUNICATION TECHNOLOGY FOR THE  
15 ENFORCEMENT OF THE FINAL AND EXECUTORY  
16 DECISION OF THE BOARD.

17 FOR THIS PURPOSE, THE BOARD HAS THE POWER  
18 TO ISSUE SUBPOENA *AD TESTIFICANDUM* OR SUBPOENA  
19 *DUCES TECUM* TO COMPEL THE ATTENDANCE OF  
20 WITNESSES AND PRODUCTION OF DOCUMENTS AND  
21 OTHER EFFECTS, TO CITE IN CONTEMPT PERSONS OR  
22 ENTITIES WILLFULLY DISREGARDING ITS PROCESS, AND  
23 TO DIRECT APPROPRIATE GOVERNMENT AGENCIES TO  
24 ENFORCE ITS DECISIONS AND ISSUANCES.

1            **[j] K) [Fø] Prescribe the internal and operational procedures for the**  
2                    exercise of its powers and functions as well as the  
3                    performance of its duties and responsibilities, including the  
4                    creation and vesting of authority upon sub-committees of the  
5                    BOARD for the work of review and other related matters;  
6                    {and}

7            **L) ADOPT THE ANNUAL BUDGET APPROPRIATION OF THE**  
8                    **MTRCB TO BE PROPOSED TO THE DBM;**

9            **M) RECOMMEND THE ORGANIZATIONAL AND**  
10                    **ADMINISTRATIVE STRUCTURES AND STAFFING**  
11                    **PATTERN OF THE BOARD AND TO ESTABLISH, FIX,**  
12                    **REVIEW, REVISE AND APPROPRIATE COMPENSATION**  
13                    **PACKAGE FOR THE OFFICERS AND EMPLOYEES OF**  
14                    **THE BOARD SUBJECT TO THE APPROVAL OF THE DBM;**

15            **N) GRANT AID, SCHOLARSHIPS, DONATIONS, FINANCIAL**  
16                    **ASSISTANCE TO THE MEMBERS OF THE MOVIE AND**  
17                    **TELEVISION INDUSTRY, FORMER AND PRESENT**  
18                    **MEMBERS OF THE BOARD AND STAFF, SUBJECT TO**  
19                    **GUIDELINES APPROVED BY THE BOARD AND**  
20                    **PERTINENT RULES AND REGULATIONS OF THE**  
21                    **COMMISSION ON AUDIT (COA); AND**

22            **[k] O) [Fø] Exercise such other powers and functions as may be**  
23                    necessary or incidental to the attainment of the purposes and  
24                    objectives of this Act, and to perform such other related duties

1 and responsibilities as may be directed by the President of the  
2 Philippines.

3 **SEC. 6. POLICY ON ON-DEMAND STREAMING**  
4 **SERVICES. —THE ON-DEMAND STREAMING SERVICES ARE**  
5 **REQUIRED TO:**

6 **A) REGISTER WITH THE BOARD IN ORDER TO**  
7 **OPERATE IN THE PHILIPPINES;**

8 **B) COMPLY WITH THE PROVISIONS SET FORTH IN**  
9 **THIS ACT;**

10 **C) PROVIDE INFORMATIVE DESCRIPTIONS, BOTH IN**  
11 **ENGLISH AND FILIPINO LANGUAGES, OF THE**  
12 **RATINGS AND CLASSIFICATIONS ON THE**  
13 **CONTENT OFFERED TO FURTHER ASSIST USERS**  
14 **IN MAKING INFORMED DECISIONS REGARDING**  
15 **THEIR VIEWING CHOICES;**

16 **D) ENSURE THAT APPROPRIATE CLASSIFICATIONS**  
17 **AND RATINGS ARE PROMINENTLY DISPLAYED TO**  
18 **NOTIFY USERS ON ALL THE CONTENT OFFERED.**  
19 **THE SAME SHALL ALSO BE DISPLAYED AT THE**  
20 **COMMENCEMENT OF THE MOVIES, TELEVISION**  
21 **PROGRAMS, AND SERIES INCLUDING THEIR**  
22 **PUBLICITY MATERIALS SUCH AS**  
23 **ADVERTISEMENTS, TRAILERS, AND SIMILAR**  
24 **MATERIALS.**

1                   **E) SUBMIT TO THE BOARD A COMPREHENSIVE LIST**  
2                   **OF ALL THE CONTENT OFFERED IN ITS SERVICE,**  
3                   **ACCOMPANIED BY THEIR RESPECTIVE**  
4                   **CLASSIFICATIONS AND RATINGS. AT ALL TIMES,**  
5                   **THE BOARD SHALL EXERCISE ITS REGULATORY**  
6                   **POWERS EITHER *MOTU PROPRIO* OR ACTING ON**  
7                   **A VALID COMPLAINT FILED BY ANY USER**  
8                   **ALLEGING A VIOLATION OF THE**  
9                   **CLASSIFICATIONS AND RATINGS OR ANY**  
10                  **PROHIBITIVE PROVISION OF THIS ACT;**

11                  **F) IMPLEMENT APPROPRIATE SAFETY MEASURES**  
12                  **FOR THE USERS TO RESTRICT CONTENT AND**  
13                  **CONTROL ACCESS FOR PARENTAL CONTROL OR**  
14                  **FOR DIFFERENT USERS TAKING INTO**  
15                  **CONSIDERATION THE APPROPRIATENESS OF**  
16                  **CLASSIFICATION AND RATINGS;**

17                  **G) ESTABLISH A MECHANISM THAT ALLOWS USERS**  
18                  **TO SUBMIT FEEDBACK WITHIN THE ON-DEMAND**  
19                  **STREAMING SERVICES ON THE COMPLIANCE OF**  
20                  **THE MOVIE, TELEVISION PROGRAM, OR SERIES**  
21                  **CORRESPONDING TO THE CLASSIFICATIONS**  
22                  **AND RATINGS DISPLAYED. THE FEEDBACK**  
23                  **MECHANISM SHALL BE EASILY ACCESSIBLE AND**



1 PROMINENTLY FEATURED ON ITS PLATFORM OR  
2 WEBSITE;

3 H) ENSURE COMPREHENSIVE CONTACT  
4 INFORMATION, WHICH INCLUDES THE NAME OF  
5 THE PERSON IN CHARGE, EMAIL ADDRESS,  
6 LANDLINE, AND CELLPHONE NUMBERS, AS WELL  
7 AS THE PHYSICAL ADDRESS IN THE  
8 PHILIPPINES, FOR BOTH THE REGULATORY  
9 BOARD AND THE ON-DEMAND STREAMING  
10 SERVICES. IT SHALL BE PROMINENTLY  
11 DISPLAYED WITHIN THE SERVICE PROVIDER'S  
12 PLATFORM OR WEBSITE;

13 I) ESTABLISH AN EFFECTIVE MECHANISM TO ACT  
14 TIMELY TO USERS' COMPLAINTS OR INQUIRIES  
15 ON CLASSIFICATIONS AND RATINGS IN  
16 ACCORDANCE WITH THE PROVISIONS OF THIS  
17 ACT AND TO REPORT PROMPTLY TO THE BOARD  
18 ON THE SAID COMPLAINT OR INQUIRIES AND  
19 THE ACTION TAKEN THEREON; AND

20 J) PROVIDE A FREQUENTLY ASKED QUESTION ON  
21 THE FOREGOING AND HELP CENTER ACCESSIBLE  
22 TO THE USERS.

23 Sec. [4] 7. Decision. — The decision of the BOARD either  
24 approving or disapproving for exhibition in the Philippines a

1           ~~[motion picture]~~ **MOVIE**, television program, **SERIES**, still and  
2           **/OR** other pictorial advertisement submitted to it for examination  
3           and review must be rendered within a period of ten (10) days  
4           which shall be counted from the date of receipt by the BOARD of  
5           an application for the purpose, together with ~~[motion picture]~~  
6           **MOVIE**, television program, **SERIES** still **AND/** or other pictorial  
7           advertisement to be reviewed.

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

1           Every decision of the BOARD [~~disapproving a motion~~  
2           ~~picture, television program or publicity material for exhibition in~~  
3           ~~the Philippines must be in writing, and~~] **IN THE EXERCISE OF**  
4           **ITS QUASI-JUDICIAL FUNCTION** shall state the [~~reasons or~~  
5           ~~grounds for such disapproval~~] **FACTUAL AND LEGAL BASIS OF**  
6           **SUCH DECISION IN WRITING.** No [~~film or motion picture~~]  
7           **MOVIE** intended for [~~exhibition~~] **PUBLIC VIEWING** at  
8           moviehouses or theaters or on television shall be disapproved by  
9           reason of its topic, theme, or subject matter, but [~~upon the merits~~  
10           ~~of each picture or program considered in its entirety~~] **ON THE**  
11           **GROUND** **PROVIDED IN THIS ACT.**

12           The [~~second~~] decision of the BOARD shall be final, with the  
13           exception of a decision disapproving [~~or prohibiting~~] a [~~motion~~  
14           ~~picture or~~] **MOVIE**, television program, **OR SERIES**, in its  
15           entirety which shall be appealable to the President of the  
16           Philippines, who may himself decide the appeal, or be assisted  
17           either by an *ad hoc* committee he may create or by the Appeals  
18           Committee herein created.

19           An Appeals Committee in the Office of the President of the  
20           Philippines is hereby created composed of a Chair[~~man~~] **PERSON**  
21           and four (4) members to be appointed by the President of the  
22           Philippines, which shall submit its recommendation to the  
23           President. The Office of the [~~Presidential Assistance~~] **DEPUTY**

1           **EXECUTIVE SECRETARY** for Legal Affairs shall serve as the  
2           Secretariat of the Appeals Committee.

3           The decision of the President of the Philippines on any  
4           appealed matter shall be final.

5           Sec. ~~[5]~~ **8. CHIEF** Executive Officer. — The  
6           Chair~~[man]~~**PERSON** ~~[of the BOARD]~~ shall be the Chief Executive  
7           Officer of the BOARD ~~[.He]~~ **AND** shall exercise the following  
8           functions, powers and duties:

- 9           a. Execute, implement, and enforce the decisions, orders,  
10           awards, rules, and regulations issued by the BOARD;
- 11           b. Direct and supervise the operations and the internal affairs  
12           of the BOARD;
- 13           c. Establish the internal organization and administrative  
14           procedures of the BOARD, and recommend to the BOARD  
15           the appointment of the necessary administrative and  
16           subordinate personnel; and
- 17           d. Exercise such other powers and functions and perform  
18           such duties as are not specifically lodged in the BOARD.

19           The Chief Executive Officer shall be assisted by an Executive  
20           Director who shall ~~[be appointed by the President of the Philippines.~~  
21           ~~The Executive Director shall]~~ **HAVE THE RANK, SALARY, RIGHTS,**  
22           **PRIVILEGES, AND BENEFITS EQUIVALENT TO AN EXECUTIVE**  
23           **DIRECTOR IV AND SHALL** hold office for a term of ~~[one (1) year]~~  
24           **THREE (3) YEARS**, unless sooner removed by the President of the

1 Philippines for [any] cause **PROVIDED BY LAW** [;]: *Provided*, That  
2 any appointee shall be eligible for **IMMEDIATE** re-appointment [after  
3 the expiration of his term].

4 ~~[Unless otherwise provided by law, the Chief Executive~~  
5 ~~Officer shall receive an annual salary of SEVENTY TWO THOUSAND~~  
6 ~~PESOS (P72,000.00) and the Executive Director shall receive an~~  
7 ~~annual salary of SIXTY THOUSAND PESOS (P60,000.00).]~~

8 Sec. [6] **9. Examination and Review.** — Except members  
9 of the BOARD [;] **AND** persons specifically authorized by the  
10 BOARD, [and two representatives each of the distributor and/or  
11 producer and exhibitor of the motion picture, television program  
12 or publicity material under examination and review,] no person  
13 shall be allowed inside the [screening] **REVIEW** room during the  
14 examination and review of said [motion picture] **MOVIE**,  
15 television program or publicity material. Before each review  
16 session, the distributor or producer shall submit to the BOARD a  
17 sworn statement declaring the exact number of prints **OR**  
18 **DIGITAL COPIES** made for the picture or material to be  
19 examined or reviewed, **AND SUCH OTHER INFORMATION**  
20 **RELATED TO THE MATERIAL AS THE BOARD MAY REQUIRE**  
21 **TO COMPLETE ITS EXAMINATION AND REVIEW.**

22 Sec. [7] **10.** [~~Unauthorized showing or exhibition~~]  
23 **PROHIBITED ACTS. — THE FOLLOWING SHALL BE**  
24 **PROHIBITED UNDER THIS ACT:**

1                   A) ~~[It shall be unlawful]~~ For any person or entity to  
2                   **PUBLICLY DISTRIBUTE OR** exhibit **OR STREAM** or  
3                   cause to be **PUBLICLY DISTRIBUTED OR** exhibited  
4                   **OR STREAM** in any movie, [house] theater, ~~{or public~~  
5                   ~~place or by}~~ television [~~within the Philippines~~], **CABLE**  
6                   **TELEVISION OR SIMILAR ESTABLISHMENTS, ON-**  
7                   **DEMAND STREAMING SERVICES,** any [motion  
8                   picture] **MOVIE,** television program, **SERIES,** or  
9                   publicity material, [~~including trailers, and stills for lobby~~  
10                  ~~displays in connection with motion pictures, not duly~~  
11                  ~~authorized by the owner or his assignee and passed by~~  
12                  ~~the BOARD; or to print or cause to be printed on any~~  
13                  ~~motion picture to be exhibited in any theater or public~~  
14                  ~~place or by television a label or notice showing the same~~  
15                  ~~to have been officially passed by the BOARD when the~~  
16                  ~~same has not been previously authorized, except motion~~  
17                  ~~pictures, television programs or publicity material~~  
18                  ~~imprinted or exhibited by the Philippine Government~~  
19                  ~~and/or its departments and agencies, and newsreels]~~  
20                  **OR ADVERTISEMENT WHICH, IN THE JUDGMENT**  
21                  **OF THE BOARD APPLYING CONTEMPORARY**  
22                  **FILIPINO CULTURAL VALUES AS STANDARD, IS**  
23                  **OBJECTIONABLE AS MENTIONED UNDER**  
24                  **SECTION 5 (c) OF THIS DECREE;**

1                   **B) FOR ANY MOVIE THEATERS, TELEVISION**  
2                   **NETWORKS, CABLE TELEVISION STATIONS, ON-**  
3                   **DEMAND ONLINE STREAMING SERVICES, AND**  
4                   **OTHER PERSONS OR ENTITY TO ENGAGE IN THE**  
5                   **MOVIE, TELEVISION, AND ADVERTISING**  
6                   **INDUSTRY, UNDER THE REGULATORY POWER OF**  
7                   **THE BOARD, WITHOUT THE ENTITY FIRST BEING**  
8                   **REGISTERED WITH THE BOARD;**

9                   **C) FOR ANY PERSON OR ENTITY TO PUBLICLY**  
10                   **DISTRIBUTE OR EXHIBIT OR CAUSE TO BE**  
11                   **PUBLICLY DISTRIBUTED OR EXHIBITED IN ANY**  
12                   **MOVIE THEATER, TELEVISION, CABLE**  
13                   **TELEVISION, ON-DEMAND STREAMING**  
14                   **SERVICES, OR SIMILAR ESTABLISHMENTS, ANY**  
15                   **MOVIES, TELEVISION PROGRAM, PUBLICITY**  
16                   **MATERIAL OR ADVERTISEMENT THAT HAS NOT**  
17                   **BEEN OR DIFFERENT FROM THAT AS REVIEWED,**  
18                   **CLASSIFIED AND APPROVED FOR DISTRIBUTION**  
19                   **OR EXHIBITION BY THE BOARD, OR WHICH,**  
20                   **ALTHOUGH PREVIOUSLY CLASSIFIED, ARE**  
21                   **COVERED BY PERMITS THAT HAVE ALREADY**  
22                   **EXPIRED, OR CANCELED, OR HAVE BEEN**  
23                   **TAMPERED WITH;**

- 1                   **D) FOR ANY PERSON OR ENTITY TO PRINT OR**  
2                   **CAUSE TO BE PRINTED ON ANY MOVIE,**  
3                   **TELEVISION OR CABLE TELEVISION PROGRAM,**  
4                   **PUBLICITY MATERIAL OR ADVERTISEMENT A**  
5                   **LABEL OR NOTICE TO THE EFFECT THAT THE**  
6                   **SAME HAS BEEN OFFICIALLY CLASSIFIED BY THE**  
7                   **BOARD WHEN IN FACT IT HAS NOT BEEN SO**  
8                   **CLASSIFIED;**
- 9                   **E) FOR ANY PERSON OR ENTITY TO EXHIBIT FOR**  
10                   **PUBLIC VIEWING A MOVIE OTHER THAN THE**  
11                   **ADVERTISED AS SHOWING EVEN IF THE FILM**  
12                   **SHOWN HAS A VALID PERMIT;**
- 13                   **F) FOR ANY PERSON OR ENTITY TO EXHIBIT OR**  
14                   **CAUSE THE EXHIBITION IN MOVIE THEATERS,**  
15                   **CINEMAS, OR SIMILAR ESTABLISHMENTS, OF**  
16                   **ANY MOVIE WHICH HAD ALREADY BEEN SHOWN**  
17                   **AS APPROVED BY THE BOARD PREVIOUSLY,**  
18                   **WITHOUT THE WORD "RE-ISSUE" CLEARLY AND**  
19                   **BOLDLY STAMPED IN THE PUBLICITY**  
20                   **MATERIALS OF THE SAID MOVIE;**
- 21                   **G) FOR ANY PERSON OR ENTITY TO DISTRIBUTE,**  
22                   **EXHIBIT OR SHOW OR CAUSE THE**  
23                   **DISTRIBUTION, EXHIBITION, OR SHOWING OF**  
24                   **ANY MOVIE, TELEVISION PROGRAM, SERIES,**



1 PUBLICITY MATERIAL, AND ADVERTISEMENT  
2 THAT HAS BEEN DISAPPROVED FOR PUBLIC  
3 VIEWING BY THE BOARD;

4 H) FOR ANY PERSON OR ENTITY TO EXHIBIT OR  
5 CAUSE THE EXHIBITION OF ANY MOVIE,  
6 TELEVISION OR CABLE TELEVISION PROGRAM,  
7 PUBLICITY MATERIAL, OR ADVERTISEMENT FOR  
8 PUBLIC VIEWING BELOW THE AUDIENCE  
9 SUITABILITY AS INDICATED IN THE "PERMIT TO  
10 EXHIBIT";

11 I) FOR ANY PERSON TO MISREPRESENT OR MAKE  
12 USE OF ANY FALSE EVIDENCE ABOUT THE AGE OF  
13 A PERSON IN ORDER TO GAIN ADMISSION INTO  
14 A MOVIE THEATER OR SIMILAR ESTABLISHMENT  
15 SHOWING A MOVIE CLASSIFIED BY THE BOARD  
16 AS NOT SUITED TO THE AGE OF A PERSON;

17 J) FOR ANY MOVIE THEATER, CINEMA, OR SIMILAR  
18 ESTABLISHMENT TO ALLOW THE ADMISSION OF  
19 ANY PERSON BELOW THE AGE QUALIFICATION  
20 REQUIRED BY THE FILM'S CLASSIFICATION AS  
21 INDICATED IN THE "PERMIT TO EXHIBIT." IN  
22 CASE OF DOUBT AS TO THE AGE OF THE PERSON  
23 SEEKING ADMISSION, THE LATTER SHALL BE  
24 REQUIRED TO PRESENT THEIR OTHER PROOF OF

1 AGE. IT SHALL NOT BE A DEFENSE FOR THE  
2 PERSON ADMITTING THE MINOR THAT THEY DID  
3 NOT KNOW OR WAS NOT AWARE OF THE REAL  
4 AGE OF THE MINOR SEEKING ADMISSION TO  
5 THE MOVIE THEATER, CINEMA OR SIMILAR  
6 ESTABLISHMENTS; AND

7 K) FOR ANY MOVIE THEATER, CINEMA OR SIMILAR  
8 ESTABLISHMENT TO FAIL IN STRICTLY  
9 COMPLYING WITH THE AGE VERIFICATION. THE  
10 ABSENCE OF PROOF OR EVIDENCE THAT A  
11 MINOR DOES NOT MEET THE AGE OF  
12 QUALIFICATION SHALL GIVE THE MOVIE  
13 THEATER, CINEMA, OR SIMILAR  
14 ESTABLISHMENT THE RIGHT TO PROHIBIT THE  
15 MINOR FROM ENTERING THE PREMISES  
16 DESPITE THE PRESENCE OF AN ACCOMPANYING  
17 PERSON OF LEGAL AGE AND/OR THE CONSENT  
18 OF THE LATTER TO THE MINOR'S ADMISSION  
19 INTO THE PREMISES.

20 Sec. [8] 11. Posting or Display of [~~Certificate or Label~~]  
21 **THEATRICAL PERMIT TO EXHIBIT OR CERTIFICATE OF**  
22 **REGISTRATION.** — The [~~motion picture~~] **MOVIE** exhibitors shall  
23 post and/or display the [~~certificate or label of approval~~]  
24 **THEATRICAL PERMIT TO EXHIBIT** of the [~~motion picture~~]

1           **MOVIE OR CERTIFICATE OF REGISTRATION ISSUED** by the  
2 BOARD, and shall post or display, or cause to be posted or  
3 displayed, the said [~~certificate or label~~] **THEATRICAL PERMIT**  
4 **TO EXHIBIT OR CERTIFICATE OF REGISTRATION** at  
5 conspicuous places near the entrances to theaters or places of  
6 exhibition, **AND AT THE BEGINNING OF THE MOVIE,**  
7 **TELEVISION PROGRAM, SERIES OR OTHER PUBLICITY**  
8 **MATERIALS** and shall include in all their cinema advertisements  
9 announcements stating the classification [, ~~as provided in Section~~  
10 ~~3-(e) hereof,~~] **RATING** of the [~~motion picture~~] **MOVIE** being  
11 exhibited or advertised. **ON-DEMAND ONLINE STREAMING**  
12 **SERVICES SHALL COMPLY WITH THE BOARD**  
13 **CLASSIFICATION RATING AND, AT THE BEGINNING OF**  
14 **THE MOVIE OR PROGRAM OR ANY OF ITS PUBLICITY**  
15 **MATERIALS, AND SHALL DISPLAY THE CLASSIFICATION**  
16 **RATING PURSUANT TO THIS DECREE.**

17 [~~Section 9. Admission to Moviehouses or Theaters.— It shall be~~  
18 ~~unlawful for any person below eighteen years of age to enter, to~~  
19 ~~misrepresent or make use of any false evidence about his or her~~  
20 ~~age in order to gain admission into, a moviehouse or theater~~  
21 ~~showing a motion picture classified as "Restricted" or "For Adults~~  
22 ~~Only" by the BOARD. It shall be also unlawful for any employee of~~  
23 ~~a movie house or theater to sell to, or receive from, another person~~  
24 ~~known to the former to be below eighteen years of age any~~

1 admission ticket to the exhibition of motion pictures classified as  
2 "Restricted" or "For Adults Only". In case of doubt as to the age of  
3 the person seeking admission, the latter shall be required to exhibit  
4 his or her residence certificate or other proof of age.]

5 **SEC. 12. APPLICABILITY. — MOVIES, TELEVISION**  
6 **PROGRAMS, SERIES, PUBLICITY MATERIALS, OR**  
7 **ADVERTISEMENTS PRODUCED, IMPRINTED, OR**  
8 **EXHIBITED BY THE PHILIPPINE GOVERNMENT AND/OR**  
9 **ITS DEPARTMENTS AND AGENCIES, SHALL NOT BE UNDER**  
10 **THE REGULATORY JURISDICTION OF THE BOARD BUT**  
11 **SHALL COMPLY WITH THE CLASSIFICATION RATING**  
12 **PURSUANT TO THIS DECREE.**

13 Sec. [11] **13. Penalt[y]IES. — (A) *CRIMINAL PENALTY.***  
14 ~~—Any person who violates the provisions of this Decree and/or the~~  
15 ~~implementing rules and regulations issued by the BOARD, shall,~~  
16 ~~upon conviction, be punished by a [mandatory] penalty of three~~  
17 ~~(3) months and one day to one (1) year imprisonment. [plus a~~  
18 ~~fine of not less than fifty thousand pesos but not more than one~~  
19 ~~hundred thousand pesos. The penalty shall apply whether the~~  
20 ~~person shall have committed the violation either as principal,~~  
21 ~~accomplice, or accessory. If the offender is an alien, he shall be~~  
22 ~~deported immediately. The license to operate the movie house,~~  
23 ~~theater, or television station shall also be revoked.] Should the~~  
24 ~~offense be committed by a juridical person, the chairman, the~~

1 president, secretary, treasurer, or the partner responsible  
2 therefore, shall be the persons penalized.

3 **(B) ADMINISTRATIVE PENALTIES. — THE FOLLOWING**  
4 **ADMINISTRATIVE PENALTIES SHALL BE IMPOSED:**

5 **1. REVOCATION OF REGISTRATION;**

6 **2. CONFISCATION OF THE MATERIAL/S VIOLATIVE OF**  
7 **THIS ACT;**

8 **3. FINE OF NOT LESS THAN FIFTY THOUSAND PESOS**  
9 **(P50,000.00) BUT NOT EXCEEDING FIVE HUNDRED**  
10 **THOUSAND PESOS (P500,000.00) SHALL BE IMPOSED BY**  
11 **THE BOARD FOR:**

12 **i. VIOLATION OF SECTION 5-A OF THIS DECREE;**

13 **ii. VIOLATION OF SECTION 10 SUBPARAGRAPHS**  
14 **(A), (C), (D), (E), (F), (G), (H), (I), (J), OR (K) OF**  
15 **THIS DECREE;**

16 **iii. REFUSAL TO ADMIT THE BOARD, ITS**  
17 **REPRESENTATIVES, OR AUTHORIZED DEPUTIES TO**  
18 **CINEMAS, THEATERS, AND SIMILAR**  
19 **ESTABLISHMENTS;**

20 **iv. EXHIBITION, DISPLAY, OR DISTRIBUTION OF**  
21 **UNAPPROVED STILL PHOTOS, BILLBOARDS,**  
22 **LEAFLETS, POSTERS, LAYOUTS, AND PHOTO**  
23 **FRAMES;**

1 v. INCORRECT DISPLAY OR NON-DISPLAY OF THE  
2 CLASSIFICATION RATING;

3 vi. NON-DISPLAY OF THE CLASSIFICATION RATING  
4 IN THE THEATER LOBBY OR ENTRANCE OF  
5 CINEMAS, THEATERS, AND SIMILAR  
6 ESTABLISHMENTS;

7 vii. TAMPERING OF A REVIEWED MATERIAL OR  
8 FALSIFICATION THEREOF;

9 viii. TAMPERING OR FALSIFICATION OF A PERMIT  
10 TO EXHIBIT;

11 ix. EXPORTATION OR IMPORTATION OF MOVIES OR  
12 TELEVISION PROGRAMS WITHOUT A VALID  
13 PERMIT.

14 THE BOARD MAY DIRECT THE APPROPRIATE  
15 AGENCY TO BLOCK ON-DEMAND STREAMING  
16 SERVICE PROVIDER ON THE INTERNET FOR  
17 VIOLATION OF SECTION 5 (A).

18 IN ADDITION TO THE IMPOSABLE FINES HEREIN,  
19 AN AMOUNT EQUIVALENT TO TWO HUNDRED  
20 PERCENT (200%) OF THE PRESCRIBED REVIEW FEE  
21 SHALL BE COLLECTED FOR VIOLATION OF  
22 SECTIONS 10 (A) AND 10 (C).

1                   [The provisions of Presidential Decree No. 968, as amended  
2                   ~~(Probation Law) shall not apply in cases of violations of this~~  
3                   Decree.]

4                   Sec. ~~[12]~~ **14**. Banning of ~~[Motion Pictures and]~~ **MOVIES,**  
5                   Television Programs, **AND SERIES**. — In the event a ~~[motion picture~~  
6                   ~~or]~~ **MOVIE**, television program, **OR SERIES**, after examination and  
7                   review by the BOARD, is declared unfit for **PUBLIC** exhibition in the  
8                   Philippines, the said ~~[motion picture or]~~ **MOVIE**, television program,  
9                   **OR SERIES** shall be returned by the importer or distributor thereof to  
10                  the country of origin or to any other place outside of the Philippines  
11                  within a period of thirty **(30)** days, which shall be counted from the  
12                  date of receipt by the importer or distributor of the decision of the  
13                  BOARD banning the ~~[motion picture]~~ **MOVIE** or television program for  
14                  exhibition in the Philippines. ~~[and all customs duties and internal~~  
15                  ~~revenue taxes paid by the importer or distributor on account of the~~  
16                  ~~importation to and entry into the Philippines of the said motion picture~~  
17                  ~~or television program shall be automatically refunded by the~~  
18                  ~~government office concerned to the said importer or distributor. A copy~~  
19                  ~~of the decision of the BOARD banning motion picture or television~~  
20                  ~~program for exhibition in the Philippines shall be furnished to the~~  
21                  ~~Commissioner of Internal Revenue and to the Collector of Customs of~~  
22                  ~~the port of entry of the said motion picture or television program, and~~  
23                  ~~the same shall constitute a sufficient authority to the Commissioner of~~  
24                  ~~Internal Revenue and the Collector of Customs concerned to refund the~~

1 internal revenue taxes and customs duties paid by the importer or  
2 distributor on account of the importation of the banned motion picture  
3 or television program.]

4 Sec. ~~[13]~~ **15**. Inspection. — In addition to its powers vested  
5 by law, and for the effective enforcement of the provisions of this  
6 Act, the BOARD or its duly authorized representatives shall have  
7 the power to inspect all public exhibitions of any ~~[motion picture]~~  
8 **MOVIE** or publicity material in moviehouses, theaters and other  
9 public establishments, and in any case, upon discovery of any  
10 ~~[motion picture]~~ **MOVIE** or publicity material which, although  
11 previously approved by the BOARD, has been tampered with to  
12 introduce any unapproved matter, to immediately seize the article  
13 containing or incorporating such unapproved matter and to cause  
14 the prosecution of the person(s) responsible for the violation of  
15 this Act, Presidential Decree No. 49 and/or the Revised Penal  
16 Code, as amended.

17 Upon conviction of the violator(s), the materials seized as  
18 well as the other proceeds or instruments of the crime shall be  
19 disposed of in accordance with the Revised Penal Code, as  
20 amended.

21 ~~[Sec. 14. Manila Film Center. — Motion pictures imported~~  
22 ~~or produced by the management of the Manila Film Center whether~~  
23 ~~singly or in joint venture with Filipino or foreign citizens,~~  
24 ~~corporations or groups shall not be subject to the jurisdiction,~~



1 supervision and control of the BOARD; *Provided, That, such motion*  
2 *pictures are exhibited or shown only in the Film Center; Provided,*  
3 *further, That such motion pictures shall be subject to review and*  
4 *examination by the BOARD in case they are distributed for general*  
5 *viewing elsewhere in the Philippines.]*

6 **SEC. 16. EXEMPTION FROM TAX, LEGAL PROCESS,**  
7 **AND LIEN. — ALL LAWS TO THE CONTRARY**  
8 **NOTWITHSTANDING, THE BOARD AND ALL ITS ASSETS**  
9 **AND PROPERTIES, ALL FEES AND CHARGES COLLECTED**  
10 **AND ALL ACCRUALS THERETO, AS WELL AS ALL SUPPLIES,**  
11 **EQUIPMENT, PAPERS OR DOCUMENTS SHALL BE EXEMPT**  
12 **FROM DIRECT TAX, ASSESSMENT, FEE, CHARGE, OR**  
13 **CUSTOMS OR IMPORT DUTY, AND SHALL NOT BE LIABLE**  
14 **TO ATTACHMENTS, GARNISHMENTS, LEVY OR SEIZURE.**  
15 **THIS WILL NOT COVER ANY TAX OR ASSESSMENTS FOR WHICH**  
16 **THE MTRCB MAY BE CONSTITUTED AS THE COLLECTING OR**  
17 **REMITTING AGENT.**

18 Sec. [15] 17. Abolition of the Board of Review for Motion  
19 Pictures and Television. - The Board of Review for Motion Pictures  
20 and Television (BRMPT) created under Republic Act No. 3060, as  
21 amended, is hereby abolished, and its powers and functions are  
22 hereby transferred to the BOARD. Such transfer shall include the  
23 corresponding balances of appropriations, records, equipment,  
24 properties, and such personnel as may be necessary; *Provided, That*

1 the BOARD shall effect the transfer herein provided in a manner that  
2 will ensure the least disruption of operations.

3 All personnel affected by the abolition shall be deemed  
4 separated from the service, unless re-appointed to appropriate  
5 positions in the BOARD. Any affected officer or employee not re-  
6 appointed, or who refuses his re-appointment, shall be paid the  
7 money value of his accumulated vacation and sick leaves and such  
8 retirement benefits as may be due to him under existing laws. Any  
9 person not qualified for retirement benefits shall be paid a fraction of  
10 more than six months being considered one whole year payable in  
11 lump sum based on the highest monthly salary received from the  
12 savings and salary lapses in the BRMPT.

13 The incumbent Chairman, Vice-Chairman and members, and  
14 personnel of the BRMPT shall continue to perform their duties and  
15 functions in a hold-over capacity, until the new Chairman and at least  
16 five members of the BOARD shall have been appointed and qualified.

17 Sec. ~~[16]~~ **18**. Organizational Pattern Personnel. – The BOARD  
18 shall determine its organizational structure and its staffing patterns.  
19 It shall have the power to suspend or dismiss for cause any employee  
20 and/or approve or disapprove the appointment, transfer or detail of  
21 employees. It shall appoint the Secretary of the BOARD who shall be  
22 the official custodian of the records of the meetings of the BOARD  
23 and who shall perform such other duties and functions as directed  
24 by the BOARD.

1                   Sec. ~~[17]~~ **19.** Applicability of Civil Service law. – The BOARD  
2 and its officers and employees shall be subject to the Civil Service  
3 Law, rules and regulations; Provided, That technical personnel shall  
4 be selected on the basis of merit and fitness to be determined in  
5 accordance with such policies and guidelines as may be approved by  
6 the BOARD.

7                   Sec. ~~[18]~~ **20.** Commission on Audit. - The Chairman of the  
8 Commission on Audit shall be the ex officio Auditor of the BOARD.  
9 For this purpose, he may appoint a representative who shall be the  
10 auditor of the BOARD, together with the necessary personnel to  
11 assist said representative in the performance of his duties. The  
12 number and salaries of the auditor and said personnel shall be  
13 determined by the Chairman of the Commission on Audit, subject to  
14 rules and regulations of the Commission on Audit. Said salaries and  
15 all other expenses of maintaining the auditor's office shall be paid by  
16 the BOARD.

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

22                   Sec. ~~[19]~~ **21.** Annual Report. — The BOARD shall, within  
23 three (**3**) months after the end of every fiscal year, submit its  
24 annual report to the President **OF THE PHILIPPINES**. The annual

1 report shall include, among others, a statement of the BOARD's  
2 accomplishments together with its plans and recommendations to  
3 improve and develop its operations and the supervision and  
4 regulation of the movie and television industry.

5 Sec. [20] 22. [Sinking] **RETAINED INCOME** Fund. —  
6 Notwithstanding any provision of law, rule or regulation, executive  
7 or administrative order to the contrary, there is hereby established  
8 a [Sinking] **RETAINED INCOME** Fund, to be **MAINTAINED**  
9 **AND** administered at all times by the BOARD, **AND WITHOUT**  
10 **NEED OF REMITTANCE TO THE NATIONAL TREASURY BUT**  
11 **SUBJECT TO EXISTING GOVERNMENT AUDITING RULES**  
12 **AND REGULATIONS. IT SHALL COMPRISE THIRTY**  
13 **PERCENT (30%) OF** [consisting of] all [such] fees, [and]  
14 charges, **IMPOSITIONS, FINES, AND/OR PENALTIES**  
15 **IMPOSED** levied, assessed, and collected by the BOARD [which].  
16 **IT** shall be at the immediate disposal of the BOARD to be used  
17 [exclusively] for the **MAINTENANCE**, operational, [and]  
18 administrative expenses of the BOARD, and for the acquisition of  
19 necessary **PROPERTIES**, facilities, supplies and equipment. **THE**  
20 **MTRCB SHALL SUBMIT, EITHER IN PRINTED FORM OR BY**  
21 **WAY OF ELECTRONIC DOCUMENT, TO THE DBM, COPY**  
22 **FURNISHED THE HOUSE COMMITTEE ON**  
23 **APPROPRIATIONS AND THE SENATE COMMITTEE ON**  
24 **FINANCE SEPARATE QUARTERLY REPORTS ON INCOME**

1           **OF, AND EXPENDITURE FROM, THIS FUND. IN CASE OF**  
2           **FAILURE TO COMPLY WITH SAID REQUIREMENT, ANY**  
3           **DISBURSEMENT IN THE SUBSEQUENT QUARTERS SHALL**  
4           **BE VOID, EXCEPT UPON CERTIFICATION BY THE DBM**  
5           **THAT SAID REPORT HAS BEEN SUBMITTED.**

6           Sec.~~[21]~~**23.** Assistance in the Enforcement Functions of the  
7           BOARD. — The BOARD may solicit the direct assistance of other  
8           agencies and units of the government, and deputize, for a fixed  
9           and limited period, the heads or personnel of such agencies and  
10          units to perform enforcement functions for the BOARD. The  
11          government agencies and units exercising the enforcement  
12          functions for the BOARD shall, insofar as such functions are  
13          concerned, be subject to the direction and control of the BOARD.

14          *Sec. 2. Transitory Provision.* — The incumbent chairperson, vice-chairperson,  
15          and members of the board shall continue to perform their respective duties and  
16          functions until their successors have been appointed and assumed office.

17          *Sec. 3. Separability Clause.* — If any portion or provision of this Act is declared  
18          unconstitutional, the remainder of this Act or any provisions not affected thereby shall  
19          remain in force and effect.

20          *Sec. 4. Repealing Clause.* — Any provision, ordinances, rules and regulations,  
21          laws, decrees, executive or administrative orders, and other issuances or part thereof,  
22          which are inconsistent with the provisions of this Act is hereby repealed or modified  
23          accordingly.

1           Sec. 5. *Effectivity Clause.* — This Act shall take effect after fifteen (15) days  
2 following its complete publication in the Official Gazette or a newspaper of general  
3 circulation.

4           *Approved,*