

SENATE
OFFICE OF THE CLERK

**THIRTEENTH CONGRESS OF THE REPUBLIC
OF THE PHILIPPINES**
Third Regular Session

SENATE

COMMITTEE REPORT NO. 1113

Submitted by the Committees on Public Information and Mass Media; and
Justice and Human Rights on FEB 07 2007

Re : Senate Bill No. 1120

Recommending its approval without amendment.

Sponsor: Senator Revilla, Jr.

MR. PRESIDENT:

The Committees on Public Information and Mass Media; and Justice and
Human Rights, to which was referred Senate Bill No. 1120, introduced by
Senator Aquilino Q. Pimentel, Jr., entitled:


**"AN ACT
GRANTING THE RIGHT OF REPLY AND PROVIDING PENALTIES FOR
VIOLATION THEREOF"**

have considered the same and has the honor to report it back to the Senate with
the recommendation that it be approved without amendment.

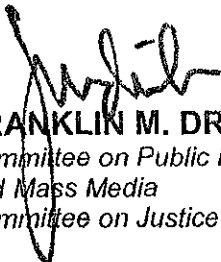
Respectfully submitted:

Chairmen:



JUAN PONCE ENRILE
Committee on Justice and
Human Rights


RAMON "BONG" REVILLA, JR.
Committee on Public Information and Mass Media
Member, Committee on Justice and Human Rights

Members:




FRANKLIN M. DRILON
 Committee on Public Information
 and Mass Media
 Committee on Justice and Human Rights




MANUEL "LITO" M. LAPID
 Committee on Public Information
 and Mass Media

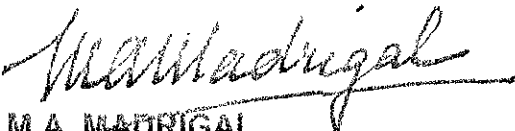
MAR ROXAS
 Committee on Public Information
 and Mass Media



RICHARD J. GORDON
 Committee on Public Information
 and Mass Media
 Committee on Justice and Human Rights




ALFREDO S. LIM
 Committee on Public Information
 and Mass Media
 Committee on Justice and Human Rights



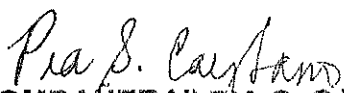
M.A. MADRIGAL
 Committee on Public Information
 and Mass Media
 Committee on Justice and Human Rights



PANFILO M. LACSON
 Committee on Public Information
 and Mass Media



JINGGOY EJERCITO ESTRADA
 Committee on Public Information
 and Mass Media
 Committee on Justice and Human Rights



"COMPANERA" PIA S. CAYETANO
 Committee on Justice and Human Rights

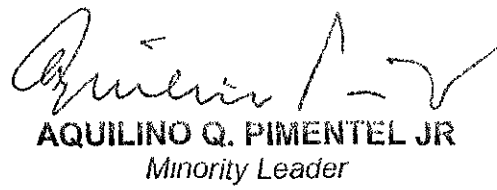
Ex-Officio Members:



JUAN M. FLAVIER
Pro-Tempore



FRANCIS N. PANGILINAN
Majority Leader



AQUILINO Q. PIMENTEL JR
Minority Leader

Hon. MANNY VILLAR
President
Senate of the Philippines
Pasay City

13th Congress of the Republic)
of the Philippines)
First Regular Session)

SENATE

S. B. No. 1120

Introduced by Senator Aquilino Q. Pimentel, Jr.

EXPLANATORY NOTE

"In a society in which there is no law, and in theory no compulsion, the only arbiter or behavior is public opinion. But public opinion, because of the tremendous urge to conformity in gregarious animals, is less tolerant than any other system of law."

George Orwell

Justice Malcolm once wrote that public opinion should be the constant source of liberty and democracy rising superior to any official, or set of officials, to the Chief Executive, to the Legislature, to the Judiciary. The value placed on public opinion is enshrined in our Constitution which guarantees freedom of expression, freedom of speech and freedom of the press. However, the interest of society demands not merely the right to express one's thoughts but the right to an educated and enlightened public opinion. Essential to the protection of the freedom of expression is the promotion of a full discussion of public affairs. The freedom of speech and expression enshrined in the Constitution necessarily embraces a correlative right of reply, which is the right to reply to every form of expression protected under the Constitution, especially to accusations or criticisms published or aired through the mass media.

This Act enables all persons to equitably exercise their right of reply in the field of broadcast and print media and protects its exercise by providing penalties for violation of such right.

AQUILINO Q. PIMENTEL, JR.

13th Congress of the Republic)
of the Philippines)
First Regular Session)

SENATE

S. B. No. 1120

Introduced by Senator Aquilino Q. Pimentel, Jr.

**AN ACT
GRANTING THE RIGHT OF REPLY AND
PROVIDING PENALTIES FOR VIOLATION THEREOF**

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

1 **SECTION 1. Right of reply.** -- All persons natural or juridical who are
2 accused directly or indirectly of committing, having committed or of intending to
3 commit any crime or offense defined by law or are criticized by innuendo,
4 suggestion or rumor for any lapse in behavior in public or private life shall have
5 the right to reply to the charges published or printed in newspapers, magazines,
6 newsletters or publications circulated commercially or for free, or criticisms aired
7 or broadcast over radio, television, websites, or through any electronic device.

8 **SEC. 2. Where reply published.** -- The reply of the person so
9 accused or criticized shall be published in the same space of the newspapers,
10 magazine, newsletter or publication or aired over the same program on radio,
11 television, website, or through any electronic device.

12 **SEC. 3. When published.** -- It shall be published or broadcast not later
13 than one day after the reply shall have been delivered to the editorial office of
14 the publication concerned or to the station that carried the broadcast being
15 replied to.

16 **SEC. 4. Length of Reply.** - The reply shall not be longer than the
17 accusation or criticism as published or broadcast.

1 **SEC. 5. Free of Charge.** -- The publication or broadcasting of the
2 reply shall be free of charge, payment or fees.

3 **SEC. 6. Editing Reply.** -- The reply shall be published or broadcast
4 except for libelous allegations.

5 **SEC. 7. Penalties.** -- The editor-in-chief and the publisher or station
6 manager and owner of the broadcast medium who fails or refuses to publish or
7 broadcast the reply as mandated in the preceding section shall be fined in an
8 amount not exceeding P10,000 for the first offense; P20,000 for the second
9 offense; and P30,000 and imprisonment for not more than 30 days for the third
10 offense.

11 **SEC. 8.** The publication of the reply does not preclude recourse to other
12 rights or remedies available to the party or parties concerned.

13 **SEC. 9.** This Act shall take effect fifteen (15) days following its
14 publication in three (3) newspapers of general circulation.

15 Approved,