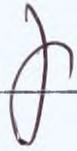


NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

23 MAY 15 P4 :11

SENATE
S. No. 2195

RECEIVED BY. _____



Introduced by Senator MANUEL "LITO" M. LAPID

AN ACT
STRENGTHENING THE MANDATE OF THE MOVIE AND TELEVISION REVIEW
AND CLASSIFICATION BOARD, AMENDING FOR THE PURPOSE
PRESIDENTIAL DECREE NO. 1986, OTHERWISE KNOWN AS 'CREATING
THE MOVIE AND TELEVISIONS REVIEW AND CLASSIFICATION BOARD',
AND FOR OTHER PURPOSES

EXPLANATORY NOTE

The Movie and Television Review and Classification Board (MTRCB) is a government agency in the Philippines tasked with reviewing and classifying movies and television programs to ensure that they comply with the country's standards for decency and morality and that they are suitable for public viewing. While the MTRCB has an important role to play in promoting responsible and appropriate content, there are several reasons why some people believe that reforms are needed, to wit: (i) transparency and accountability issues; (ii) outdated classifications; (iii) digital content concerns.

Transparency and accountability issues: Some critics argue that the MTRCB lacks transparency and accountability in its decision-making process. There have been instances where the board has faced allegations of favoritism or political interference in its classification decisions. Reforms that increase transparency and accountability could help restore public trust in the agency.

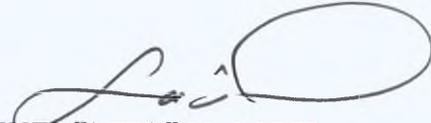
Outdated classifications: Some classifications issued by the MTRCB have been criticized as being too conservative or outdated, particularly with regard to sexual content and LGBTQ+ representation. Reforms that take into account changing social attitudes and norms could help ensure that the classifications remain relevant and appropriate.

Digital content concerns: With the rise of streaming services and online platforms for the consumption of movies and other forms of entertainment, the MTRCB's mandate has expanded to include digital content. However, the agency's current framework may not be well-suited for regulating online content. Reforms that update the agency's guidelines and practices could help ensure that it remains effective in regulating content in the digital age.

Expanding the mandate of MTRCB to include movies in online streaming and other digital platforms is therefore necessary to ensure that the same standards for decency and morality are maintained in all forms of media, regardless of the platform used to distribute them. This will also ensure that the government can better protect minors from exposure to harmful content.

Moreover, introducing reforms on the Philippine MTRCB could help address some of the criticisms and concerns that have been raised about the agency's performance and mandate. By increasing transparency, updating classifications, and adapting to new technologies, the MTRCB could remain an important institution in promoting responsible and appropriate content in the Philippines.

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

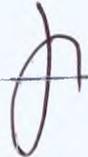


MANUEL "LITO" M. LAPID
Senator

NINETEENTH CONGRESS OF THE)
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Introduced by Senator Manuel "Lito" M. Lapid

1 **AN ACT**
2 **STRENGTHENING THE MANDATE OF THE MOVIE AND TELEVISION REVIEW**
3 **AND CLASSIFICATION BOARD, AMENDING FOR THE PURPOSE**
4 **PRESIDENTIAL DECREE NO. 1986, OTHERWISE KNOWN AS 'CREATING**
5 **THE MOVIE AND TELEVISIONS REVIEW AND CLASSIFICATION BOARD',**
6 **AND FOR OTHER PURPOSES**

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

7 **SECTION 1.** — Section 1 of P.D. No. 1986 is hereby amended to read as follows:

8 "SECTION 1. *Title.* — **THIS ACT SHALL BE KNOWN AS**
9 **THE "MOVIE AND TELEVISION REVIEW AND**
10 **CLASSIFICATION BOARD OF 2019". THE BOARD SHALL BE**
11 **PLACED** under the Office of the President **AND** shall have its
12 principal office in Metropolitan Manila.

13 **SECTION 2.** — Section 2 of P.D. No. 1986 is hereby amended to read as follows:

14 "SECTION 2. *Composition: Qualification; Benefits.* — The
15 BOARD shall be composed of a Chair[man]**PERSON**, a Vice-
16 Chair[man]**PERSON** and thirty (30) members, who shall all be
17 appointed by the President of the Philippines. The
18 Chair[man]**PERSON AND** the Vice Chair[man]**PERSON** [~~and the~~
19 ~~members of the BOARD~~] shall hold office for a term of [~~one (1)~~]
20 **THREE (3) years, WHILE THE BOARD MEMBERS SHALL HOLD**

1 **OFFICE FOR A TERM OF TWO (2) YEARS**, unless in all cases
2 sooner removed by the President for cause: *Provided*, that the[y]
3 **CHAIRPERSON, VICE-CHAIRPERSON AND THIRTY (30)**
4 **MEMBERS OF THE BOARD** shall be eligible for reappointment after
5 the expiration of their respective terms. If the Chair[man]**PERSON**,
6 or the Vice-Chair[man]**PERSON** or any member of the BOARD fails
7 to complete his/**HER** term, any person appointed to fill the vacancy
8 shall serve only for the unexpired portion of the term of the officer
9 whom he/**SHE** succeeds[-]: **PROVIDED, FURTHER, THAT SUCH**
10 **SERVICE OF THE UNEXPIRED PORTION SHALL NOT BE**
11 **COUNTED AS A TERM; PROVIDED, FINALLY, THAT THE**
12 **INCUMBENT CHAIRPERSON, VICE—CHAIRPERSON, AND**
13 **MEMBERS OF THE ROARD SHALL CONTINUE TO HOLD**
14 **OFFICE UNTIL THEIR SUCCESSORS SHALL HAVE BEEN**
15 **APPOINTED AND ASSUMED OFFICE.**

16 No person shall be appointed to the BOARD, unless he/**SHE** is
17 a natural- born citizen of the Philippines, not less than twenty-one
18 (21) years of age, and of good moral character and standing in the
19 community[-]; *Provided*, that in the selection of the members of the
20 **BOARD**, due consideration shall be given to such qualifications as
21 would produce a multi-sectoral combination of expertise in the
22 various aspects of [motion picture] **MOVIE** and television industries;
23 *Provided, further*, That at least [five (5)] **SEVEN (7)** members of the
24 BOARD shall be members of the Philippine Bar **NOT COUNTING**
25 **THE CHAIRPERSON AND THE VICE- CHAIRPERSON[-];**
26 *Provided, finally*, that at least fifteen (15) members of the BOARD,
27 **ASIDE FROM THE CHAIRPERSON AND THE VICE-**
28 **CHAIRPERSON, SHALL** come from the movie and television
29 industry[y]**IES, PREFERABLY** nominated by legitimate associations
30 representing the various sectors of said indust[y]**IES.**

31 ~~[The Chairman, the Vice Chairman, and other members of the~~
32 ~~BOARD shall be entitled to transportation, representation and other~~

1 allowance which shall in no case exceed FIVE THOUSAND PESOS
2 (P5,000.00) per month.]

3 **THE CHAIRPERSON SHALL HAVE THE RANK, SALARY,**
4 **RIGHTS, PRIVILEGES, BENEFITS, DISQUALIFICATIONS AND**
5 **PROHIBITIONS EQUIVALENT TO A DEPARTMENT**
6 **UNDERSECRETARY BASED ON CURRENT APPROVED UNIFIED**
7 **COMPENSATION AND POSITION CLASSIFICATION SYSTEM**
8 **OF THE GOVERNMENT. THE VICE-CHAIRPERSON AND THE**
9 **MEMBERS OF THE BOARD SHALL BE ENTITLED TO**
10 **REASONABLE PER DIEM, HONORARIA AND ALLOWANCES AS**
11 **MAYBE DETERMINED BY THE BOARD, BASED ON EXISTING**
12 **LAWS, RULES AND REGULATIONS.**

13 **SECTION 3.** — Section 3 of P.D. No. 1986 is hereby amended to read as follows:

14 SECTION 3. *Powers and Functions.* — The Board shall have the
15 following functions, powers and duties:

- 16 a) ~~[(To)]~~ Promulgate such rules and regulations as are necessary or
17 proper for the implementation of this Act, and the accomplishment of
18 its purposes and objectives, including guidelines and standards for
19 production, advertising, and titles. Any such rules and regulations
20 shall take effect after fifteen (15) days following their publication in
21 newspapers of general circulation in the Philippines;
- 22 b) ~~[(To)]~~ Screen, review and examine all ~~[motion pictures]~~ **MOVIES** as
23 herein defined, television programs, ~~[including]~~ publicity materials
24 such as advertisements, trailers and stills, whether such motion
25 pictures and publicity materials be for theatrical or non-theatrical
26 release distribution, for television broadcast or for general
27 viewing, **AND/OR STREAMED THROUGH ONLINE PLATFORMS**
28 **AND STREAMING SERVICES AND ANY OTHER TECHNOLOGY**
29 **OF SIMILAR NATURE** imported or produced in the Philippines, and
30 in the latter case, whether they be for local viewing or for export;

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

14 i. Those which tend to incite subversion, insurrection, rebellion or
15 sedition against the State, or otherwise threaten the economic
16 and/or political stability of the State;

17 ii. Those which tend to undermine the faith and confidence of the
18 people in their government and/or the duly constituted
19 authorities;

20 iii. Those which glorify criminals and condone crimes;

21 iv. Those which serves no other purpose but to satisfy the market
22 for violence or pornography;

23 v. Those which tend to abet the traffic in and use of prohibited
24 drugs;

25 vi. Those which are libelous or defamatory to the good name and
26 reputation of any person, whether living or dead; and

27 vii. Those which may constitute contempt of court or of any quasi-
28 judicial tribunal, or pertain to matter which are sub-judice in
29 nature.

1 *Provided, however,* that deletions or cuts must not be made
2 on the master **COPY** of the films, and that such master **COPY** shall
3 be deposited with the Film Archives of the Philippines and shall be
4 released for export purposes to the film owner only upon showing of
5 the proper export permit; *Provided, finally,* that the film owner shall
6 execute his own undertaking that such master negative shall be
7 exclusively used for export purposes and not for local viewing;

8 d) [Fø] Supervise, regulate, and grant, deny or cancel, permits for the
9 importation, exportation, production, copying, distribution, sale,
10 lease, exhibition, [and/or] television broadcast, **AND/OR STEAMED**
11 **THROUGH ONLINE PLATFORMS AND STREAMING SERVICES**
12 of all [~~motion-pictures~~] **MOVIES**, television programs and publicity
13 materials, to the end that no such pictures, programs and materials
14 as are determined by the BOARD to be objectionable in
15 accordance with paragraph (c) hereof shall be imported,
16 exported produced, copied, reproduced, distributed, sold, leased,
17 exhibited and/or broadcast by television;

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

23 f) [Fø] Close movie houses and other similar establishments engaged in
24 the public exhibition of [~~motion-pictures~~] **MOVIES**, television
25 programs and publicity materials, which violate the provisions of this
26 Act and the rules and regulations promulgated by the BOARD
27 pursuant hereto;

28 g) [Fø] Levy, assess and collect, and periodically adjust and revise the
29 rates of, fees and charges for the work of review and examination
30 and for the issuance of the licenses and permits which the BOARD is
31 authorized to grant in the exercise of its powers and functions and in
32 the performance of its duties and responsibilities;

1 h) [Fø] Deputize representatives from the government and from the
2 various associations in the movie industry, whose main duties shall be
3 to help ensure compliance with all laws relative to the importation,
4 exportation, copying, distribution, sale, lease, exhibition and/or
5 television broadcast, **AND/OR STREAMING THROUGH ONLINE**
6 **PLATFORMS AND STREAMING SERVICES** of [motion
7 —pictures] **MOVIES**, television programs, advertisements and
8 publicity materials. For this purpose, the BOARD may constitute such
9 Regulatory Council or Councils composed of representatives from the
10 government and the movie and television industry as may be
11 appropriate to implement the purposes and objectives of this Act.
12 The BOARD may also call on any law enforcement agency for
13 assistance in the implementation and enforcement of its decisions,
14 orders or awards;

15 i) [Fø] Cause the prosecution, on behalf of the People of the
16 Philippines, of violators of this Act, of anti-trust, obscenity, censorship
17 and other laws pertinent to the movie and television industry;

18 **j) HEAR AND RESOLVE ADMINISTRATIVE CASES AGAINST**
19 **VIOLATORS OF THIS ACT AND IMPOSE ADMINISTRATIVE**
20 **SANCTIONS INCLUDING, BUT NOT LIMITED TO:**

21 **i. THE IMPOSITION OF FINES AND PENALTIES;**

22 **ii. PREVENTIVE CUSTODY OF EQUIPMENT AND**
23 **MATERIALS USED IN THE EXHIBITION /OR COPYING**
24 **OF MOTION PICTURES;**

25 **iii. SUSPENSION, NON-RENEWAL OR CANCELLATION OF**
26 **THE LICENSES OR PERMITS TO OPERATE AND/OR**
27 **EXHIBIT;**

28 **iv. SUSPENSION OF TELEVISION PROGRAM;**

29 **v. SEIZURE AND CONFISCATION OF THE OBJECTIONABLE**
30 **MATERIAL BEING EXHIBITED OR SHOWN WITHOUT**

1 **APPROVAL OF THE BOARD OR IN VIOLATION OF THIS**
2 **ACT; AND**

3 **vi. THE CLOSURE OF MOVIE THEATERS, TELEVISION**
4 **STATIONS, CABLE TELEVISION NETWORKS,**
5 **ESTABLISHMENTS OR ENTITIES ENGAGED IN THE**
6 **PUBLIC EXHIBITION OF MOVIES, TELEVISION**
7 **PROGRAMS AND PUBLICITY MATERIALS THAT VIOLATE**
8 **THE PROVISIONS OF THIS ACT AND ITS RULES AND**
9 **REGULATION. FOR THIS PURPOSE, THE BOARD SHALL**
10 **HAVE THE POWER TO CITE IN CONTEMPT PERSONS OR**
11 **ENTITIES WILLFULLY DISREGARDING ITS PROCESSES**
12 **AND TO ISSUE SUBPOENA OR SUBPOENA *DUCES TECUM***
13 **TO COMPEL THE ATTENDANCE OF WITNESSES AND**
14 **PRODUCTION OF DOCUMENTS AND OTHER EFFECTS;**

15 k) ~~[To]~~ **Prescribe the internal and operational procedures for the**
16 **exercise of its powers and functions as well as the performance of its**
17 **duties and responsibilities, including the creation and vesting of**
18 **authority upon sub-committees of the BOARD for the work of review**
19 **and other related matters; ~~and~~**

20 **l) ACQUIRE, UTILIZE OR DISPOSE OF, IN ANY MANNER**
21 **RECOGNIZED BY LAW, REAL OR PERSONAL PROPERTY IN**
22 **THE PHILIPPINES OR ELSEWHERE NECESSARY TO CARRY**
23 **OUT THE PURPOSES OF THIS ACT;**

24 **m) HAVE THE POWER OF SUCCESSION, TO SUE AND BE SUED IN**
25 **COURTS OF LAW, AND TO ENTER INTO, MAKE, PERFORM**
26 **AND CARRY OUT CONTRACTS OF EVERY KIND AND**
27 **DESCRIPTION WITH ANY PERSON, FIRM OR ASSOCIATION**
28 **OR CORPORATION, DOMESTIC OR FOREIGN;**

29 **n) INVEST, OWN OR OTHERWISE PARTICIPATE IN EQUITY IN**
30 **ANY ESTABLISHMENT, FIRM OR ENTITY;**

1 o) **ADOPT FROM TIME TO TIME A BUDGET OF CAPITAL AND**
2 **OPERATING EXPENDITURES IN THE INTEREST OF EFFECTIVE**
3 **ADMINISTRATION AND OPERATIONS AGAINST ALL FUNDS**
4 **AVAILABLE TO THE BOARD UNDER THIS ACT, AS WELL AS,**
5 **TO APPROVE THE ANNUAL AND SUPPLEMENTAL BUDGET OF**
6 **RECEIPTS AND EXPENDITURES INCLUDING SALARIES AND**
7 **ALLOWANCES OF BOARD PERSONNEL;**

8 p) **COMPROMISE, CONDONE OR RELEASE, IN WHOLE OR IN**
9 **PART, ANY INTEREST, PENALTY OR ANY CIVIL LIABILITY TO**
10 **THE BOARD IN CONNECTION WITH THE FEES AND CHARGES**
11 **IMPOSED BY THE BOARD, UNDER SUCH TERMS AND**
12 **CONDITIONS AS IT MAY PRESCRIBE;**

13 q) **APPROVE THE BOARD'S ORGANIZATIONAL AND**
14 **ADMINISTRATIVE STRUCTURES AND STAFFING PATTERN,**
15 **AND TO ESTABLISH, FIX, REVIEW, REVISE, AND ADJUST THE**
16 **APPROPRIATE COMPENSATION PACKAGE FOR THE**
17 **OFFICERS AND EMPLOYEES OF THE BOARD, IN ACCORDANCE**
18 **WITH THE PROVISIONS OF THIS ACT; AND**

19 r) [Fø] Exercise such powers and functions as may be necessary or
20 incidental to the attainment of the purposes and objectives of this
21 Act, and to perform such other related duties and responsibilities as
22 may be directed by the President of the Philippines.

23 **SECTION 4.** — Section 4 of P.D. No. 1986 is hereby amended to read as follows:

24 "SECTION 4. *Decision.* — The decision of the BOARD either
25 approving or disapproving for exhibition in the Philippines a [~~motion~~
26 ~~picture~~] **MOVIE**, television program, still and other pictorial
27 advertisement submitted to it for examination and review must be
28 rendered within a period of ten (10) days which shall be counted from the
29 date of receipt by the BOARD of an application for the purpose, together
30 with [~~motion-picture~~] **MOVIE**, television program, still or other pictorial
31 advertisement to be reviewed.

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

17 Every decision of the BOARD disapproving a [~~motion picture~~] [~~the~~
18 ~~motion pictures~~] **MOVIE**, television program or publicity material for
19 exhibition in the Philippines must be in writing, and shall state the
20 reasons or grounds for such disapproval. No film or motion picture
21 intended for exhibition at movie houses or theaters or on television **OR**
22 **ON ONLINE STREAMING PLATFORMS AND ON DEMAND**
23 **STREAMING SERVICES**, shall be disapproved by reason of its topic,
24 theme or subject matter, but upon the merits of each picture or program
25 considered in its entirety.

26 **THE DECISION OF THE BOARD IN THE SECOND REVIEW**
27 **SESSION** shall be final, with the exception of a decision disapproving or
28 prohibiting a [~~motion picture~~] **MOVIE** or television program in its entirety
29 which shall be appealable to the President of the Philippines, who may
30 him/**HER**self decide the appeal, or be assisted either by an *ad hoc*
31 committee he/**SHE** may create or by the Appeals Committee herein
32 created.

1 An Appeals Committee in the Office of the President of the
2 Philippines is hereby created composed of a Chair[man]**PERSON** and
3 four (4) members to be appointed by the President of the Philippines,
4 which shall submit its recommendations to the President. The Office of
5 the [~~Presidential Assistance~~] **DEPUTY EXECUTIVE SECRETARY** for
6 Legal Affairs shall serve as the Secretariat of the Appeals Committee.

7 The decision of the President of the Philippines on any appealed
8 matter shall be final.

9 **SECTION 5.** — Section 5 of P.D. No. 1986 *is* hereby amended to read as follows:

10 "SECTION 5. *Executive Officer.* — The Chair[man]**PERSON** of the
11 BOARD shall be the Chief Executive Officer of the BOARD. He shall
12 exercise the following functions, powers and duties:

- 13 a) execute, implement and enforce the decisions, orders, awards, rules and
14 regulations issued by the BOARD;
- 15 b) direct and supervise the operations and the internal affairs of the BOARD;
- 16 c) establish the internal organization and administrative procedures of the
17 BOARD, and recommend to the BOARD the appointment of the necessary
18 administrative and subordinate personnel; and
- 19 d) exercise such other powers and functions and perform such duties as are
20 not specifically lodged in the BOARD.

21 The Chief Executive Officer shall be assisted by an Executive
22 Director who shall ~~be appointed by the President of the Philippines.~~ The
23 ~~Executive Director shall~~ hold office for a term of **TWO (2) YEARS**, unless
24 sooner removed by the Present of the Philippines for any cause[~~]~~:
25 *Provided*, that any appointee shall be eligible for **IMMEDIATE** re-
26 appointment after the expiration of his/**HER** term.

27 **UNLESS OTHERWISE PROVIDED BY LAW, THE EXECUTIVE**
28 **DIRECTOR SHALL HAVE THE RANK, SALARY, RIGHTS,**
29 **PRIVILEGES AND BENEFITS EQUIVALENT TO A DIRECTOR IV**

1 **UNDER THE PREVAILING COMPENSATION AND POSITION**
2 **CLASSIFICATION SYSTEM OF THE GOVERNMENT.**

3 **SECTION 6.** — Section 6 of P.D. No. 1986 is hereby amended to read as follows:

4 "SECTION 6. *Examination and Review.* — Except members of the
5 BOARD and persons specifically authorized by the BOARD, [~~and two~~
6 ~~representatives each of the distributor and/or producer and exhibitor of~~
7 ~~the motion picture, television program or publicity material under~~
8 ~~examination and review~~], no person shall be allowed inside the
9 [screening] REVIEW room during the examination and review of a
10 [~~motion picture~~] **MOVIE**, television program or publicity material. Before
11 each review session, the distributor or producer shall submit to the
12 BOARD a sworn statement declaring the exact number of prints made for
13 the picture or material to be examined or reviewed, **AND SUCH OTHER**
14 **INFORMATION AS THE BOARD MAY REQUIRE.**

15 **SECTION 7.** — Section 7 of P.D. No. 1986 is hereby amended to read as follows:

16 "Sec. 7. [~~Unauthorized showing or exhibition~~] **PROHIBITED**
17 **ACTS.** —

- 18 a) It shall be unlawful for any person or entity to distribute or
19 exhibit or cause to be distributed or exhibited in any movie
20 theater, television, **CABLE TELEVISION OR SIMILAR**
21 **ESTABLISHMENTS, ONLINE STREAMING PLATFORMS**
22 **AND ON-DEMAND STREAMING SERVICES**, any [~~motion~~
23 ~~picture~~] **MOVIE, TELEVISION PROGRAM, PUBLICITY**
24 **MATERIAL**, [~~including trailers, and stills for lobby displays in~~
25 ~~connection with motion pictures, not duly authorized by the~~
26 ~~owner or his assignee and passed by the BOARD, or to print or~~
27 ~~cause to be printed on any motion picture to be exhibited in~~
28 ~~any theater or public place or by television a label or notice~~
29 ~~showing the same to have been officially by the BOARD when~~
30 ~~the same has not been previously authorized, except motion~~
31 ~~pictures, television programs or publicity material imprinted or~~
32 ~~exhibited by the Philippine Government and/or its departments~~

1 and agencies, and newsreels] **OR ADVERTISEMENT WHICH,**
2 **THE BOARD DISAPPROVED, AS PROVIDED IN SECTION**
3 **3(C) OF THIS ACT;**

4 **b) IT SHALL BE UNLAWFUL FOR ANY MOVIE THEATER,**
5 **TELEVISION NETWORKS, CABLE TELEVISION**
6 **STATIONS, ONLINE PLATFORMS AND STREAMING**
7 **SERVICES, AND OTHER PERSON OR ENTITIES ENGAGED**
8 **IN THE MOVIE, TELEVISION AND ADVERTISING**
9 **INDUSTRY TO EXHIBIT MOVIES, TELEVISION**
10 **PROGRAMS, PUBLICITY MATERIALS AND**
11 **ADVERTISEMENTS, WITHOUT ENTITY FIRST BEING**
12 **REGISTERED WITH THE BOARD;**

13 **c) IT SHALL BE UNLAWFUL FOR ANY PERSON OR ENTITY**
14 **TO DISTRIBUTE OR EXHIBIT OR CAUSE TO BE**
15 **DISTRIBUTED OR EXHIBITED IN ANY MOVIE THEATER,**
16 **TELEVISION, CABLE TELEVISION, ONLINE PLATFORMS**
17 **AND STREAMING SERVICES, OR SIMILAR**
18 **ESTABLISHMENTS, ANY MOVIE, TELEVISION PROGRAM,**
19 **PUBLICITY MATERIAL ADVERTISEMENT THAT HAS NOT**
20 **BEEN OR DIFFERENT FROM THAT AS REVIEWED,**
21 **CLASSIFIED AN APPROVED FOR DISTRIBUTION OR**
22 **EXHIBITION BY THE BOARD, OR WHICH, ALTHOUGH**
23 **PREVIOUSLY CLASSIFIED, ARE COVERED BY PERMITS**
24 **THAT HAVE ALREADY EXPIRED, OR CANCELLED, OR**
25 **HAVE BEEN TAMPERED WITH;**

26 **d) IT SHALL BE UNLAWFUL TO PRINT OR CAUSE TO BE**
27 **PRINTED ON ANY MOVIE, TELEVISION OR CABLE**
28 **TELEVISION PROGRAM, PUBLICITY MATERIAL OR**
29 **ADVERTISEMENT A LABEL OR NOTICE TO THE EFFECT**
30 **THAT THE SAME HAS BEEN OFFICIALLY CLASSIFIED BY**
31 **THE BOARD WHEN IN FACT IT HAS NOT BEEN SO**
32 **CLASSIFIED;**

1 e) IT SHALL BE UNLAWFUL FOR ANY PERSON OR ENTITY
2 TO DECEIVE THE PUBLIC BY EXHIBITING A MOVIE
3 OTHER THAN THE ONE ADVERTISED AS SHOWING EVEN
4 IF THE FILM SHOWN HAS A VALID PERMIT;

5 f) IT SHALL BE UNLAWFUL FOR ANY PERSON OR ENTITY
6 TO EXHIBIT OR CAUSE THE EXHIBITION IN MOVIE
7 THEATERS, CINEMAS, OR SIMILAR ESTABLISHMENTS
8 OF ANY MOVIE STREAMED THROUGH ONLINE
9 PLATFORMS AND STREAMING SERVICES, WHICH HAD
10 ALREADY BEEN SHOWN, WITHOUT THE WORD "RE-
11 ISSUE" CLEARLY AND BOLDLY STAMPED IN THE
12 PUBLICITY MATERIALS OF THE SAID MOVIE.

13 g) IT SHALL BE UNLAWFUL FOR ANY PERSON OR ENTITY
14 TO EXHIBIT OR CAUSE THE EXHIBITION OF ANY MOVIE
15 STREAMED THROUGH ONLINE PLATFORMS AND
16 STREAMING SERVICES, TELEVISION OR CABLE
17 TELEVISION PROGRAM, PUBLICITY MATERIAL OR
18 ADVERTISEMENT BELOW THE AUDIENCE SUITABILITY
19 AS INDICATED IN THE "PERMIT TO EXHIBIT;"

20 h) IT SHALL BE UNLAWFUL FOR ANY MOVIE THEATER,
21 CINEMA OR SIMILAR ESTABLISHMENT TO ALLOW THE
22 ADMISSION OF ANY PERSON BELOW THE AGE
23 QUALIFICATION REQUIRED BY THE FILM'S
24 CLASSIFICATION AS INDICATED IN THE "PERMIT TO
25 EXHIBIT." IN CASE OF DOUBT AS TO THE AGE OF THE
26 PERSON SEEKING ADMISSION, THE LATTER SHALL BE
27 REQUIRED TO PRESENT HIS OR HER RESIDENCE
28 CERTIFICATE OR OTHER PROOF OF AGE. IT SHALL NOT
29 BE A DEFENSE FOR THE PERSON ADMITTING THE
30 MINOR THAT HE OR SHE DID NOT KNOW OR WAS NOT
31 AWARE OF THE REAL AGE OF THE MINOR SEEKING
32 ADMISSION TO THE MOVIE THEATER.

1 **SECTION 8.** — Section 6 of P.D. No. 1986 is hereby amended to read as follows:

2 "Sec. 8. Posting or Display of [~~Certificate of Label~~]
3 **THEATRICAL PERMIT TO EXHIBIT OR CERTIFICATE OF**
4 **REGISTRATION.** — The [~~motion picture~~] **MOVIE** exhibitors
5 **AND ON-DEMAND ONLINE STREAMING SERVICES** shall
6 post and/or display the **THEATRICAL PERMIT TO EXHIBIT**
7 of approval of the [~~motion picture~~] **MOVIE** by the BOARD and
8 shall post or display, or cause to be posted or displayed, the
9 said **THEATRICAL PERMIT TO EXHIBIT or CERTIFICATE**
10 **OF REGISTRATION** at conspicuous places near the entrances
11 to theaters or places of exhibition, **AND AT THE BEGINNING**
12 **OF THE MOVIE, TELEVISION PROGRAM OR SERIES, IN**
13 **CASE OF ON-DEMAND ONLINE STREAMING SERVICES,**
14 and shall include in all their cinema advertisements
15 announcements stating the classification **RATING** of the
16 [~~motion picture~~] **MOVIE** being exhibited or advertised.

17 **SECTION 9.** — Section 9 of P.D. No. 1986 is hereby amended to read as follows:

18 ~~[Section 9. Admission to Movie houses or Theaters. — It shall~~
19 ~~be unlawful for any person below eighteen years of age to enter, to~~
20 ~~misrepresent or make use of any false evidence about his or her age~~
21 ~~in order to gain admission into, a movie house or theater showing a~~
22 ~~motion picture classified as "Restricted" or "For Adults Only" by the~~
23 ~~BOARD. It shall be also unlawful for any employee of a movie house~~
24 ~~or theater to sell to, or receive from, another person known to the~~
25 ~~former to be below eighteen years of age any admission ticket to the~~
26 ~~exhibition of motion pictures classified as "Restricted" or "For Adults~~
27 ~~Only". In case of doubt as to the age of the person seeking~~
28 ~~admission, the latter shall be required to exhibit his or her residence~~
29 ~~certificate or other proof of age.]~~

30 "Sec. 9. **EXEMPTIONS.** — **MOTION PICTURES,**
31 **TELEVISION PROGRAMS, PUBLICITY MATERIALS, OR**
32 **ADVERTISEMENTS PRODUCED, IMPRINTED OR EXHIBITED**

1 **BY THE PHILIPPINE GOVERNMENT AND/OR ITS**
2 **DEPARTMENTS AND AGENCIES, AND NEWSREELS SHALL**
3 **NOT BE UNDER THE JURISDICTION OF THE BOARD.**
4 **PROVIDED, HOWEVER, THAT NEWS BROADCASTS THAT**
5 **TEND TO ADVERSELY AFFECT THE SECURITY OF THE STATE**
6 **OR COMPROMISE POLICE AND MILITARY OPERATIONS**
7 **SHALL BE SUBJECT TO THE JURISDICTION OF THE BOARD.**

8 **SECTION 10.** — Section 10 of P.D. No. 1986 is hereby amended to insert a new
9 item no. 6 and all the other numbers are therefore hereby renumbered accordingly:

10 "SEC. 10. For the purposes of this Act, the following terms shall
11 mean:

- 12 1) [~~Motion Picture~~] **MOVIE.** — A series of pictures [projected in a
13 screen] **PRESENTED** in rapid succession, with objects shown in
14 successive positions slightly changed so as to produce the optical
15 effect of a continuous picture in which the objects move, whether the
16 picture be black and white or colored, silent or with accompanying
17 sound, on whatever medium and with whatever mechanisms or
18 equipment they are projected, and in whatever material they are
19 preserved or recorded for instant projection, **INCLUDING**
20 **STREAMING THROUGH ONLINE PLATFORMS AND ON-**
21 **DEMAND STREAMING SERVICES AND ANY TECHNOLOGY OF**
22 **SIMILAR NATURE WHETHER CURRENTLY EXISTING OR TO**
23 **BE DEVELOPED IN THE FUTURE.** For the purpose of this Act, the
24 material in which the [~~motion picture~~] **MOVIE** is contained,
25 preserved, or recorded, forms an integral part of the [~~motion picture~~]
26 **MOVIE** subject of this Act.
- 27
- 28 2) **ON-DEMAND ONLINE STREAMING SERVICES — STREAMING**
29 **MEDIA SERVICES WHICH ARE OFFERED DIRECTLY TO**
30 **AUDIENCES THROUGH ONLINE PLATFORMS, REGARDLESS IF**
31 **THE MEDIA ARE PRE-DOWNLOADED AND VIEWED OFFLINE."**

- 1 3) Television Broadcast – Public showing by transmitting sound or
2 images by television or similar equipment, including cable television,
3 and other limited audience distribution.
- 4 4) General Viewing. – Making [~~motion pictures~~] **MOVIES** available to
5 the general public for its viewing through convenient film packs or
6 similar materials sold, leased, or lent in commercial outlets, public
7 lending clubs, and similar organizations.
- 8 5) Non-Theatrical Distribution. –
- 9 a) Public showing of long and short [~~motion pictures~~] **MOVIES**
10 through the use of mobile projection equipment not imposing
11 admission fee.
- 12 b) Showing long or short [~~motion pictures~~] **MOVIES** to
13 organizations, societies, clubs, groups etc. Such as films for
14 children, educational, documentary, cultural, scientific, newsreel,
15 industrial, sales, public relations, and instructional films.
- 16 6) Theatrical Distribution. – Public showing and/or exhibition in any
17 cinema or theater or in any other place of [~~motion pictures~~] **MOVIES**
18 imposing admission fees on persons for entertainment, education,
19 information and advertising.
- 20 7) Adult – is any person eighteen (18) years of age or over.
- 21 8) Review Session – shall mean the review and examination of [~~motion~~
22 pictures] **MOVIES**, television programs and similar shows, or
23 publicity materials, by the BOARD.

24 **SECTION 11.** — Section 11 of P.D. No. 1986 is hereby amended to read as follows:

25 "Sec. 11. — Penalty. - Any person who violates the provisions
26 of this Decree and/or the implementing rules and regulations issued
27 by the BOARD, shall, upon conviction, be punished by a mandatory
28 penalty of three (3) months and one day to one (1) year
29 imprisonment plus a fine of not less than fifty thousand pesos but not
30 more than one hundred thousand pesos. The penalty shall apply
31 whether the person shall have committed the violation either as
32 principal, accomplice or accessory. If the offender is an alien, he shall
33 be deported immediately. The license to operate the movie house,

1 theater, or television station shall also be revoked. Should the offense
2 be committed by a juridical person, the chairman, the president,
3 secretary, treasurer, or the partner responsible therefore, shall be the
4 persons penalized.

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

7 **SECTION 12.** — Section 12 of P.D. No. 1986 is hereby amended to read as follows:

8 "SEC. 12. *Banning of Motion Pictures and Television*
9 *Programs.* — In the event a [~~motion pictures~~] **MOVIES** or television
10 program, after examination and review by the BOARD, is declared
11 unfit for exhibition in the Philippines, the said [~~motion pictures~~]
12 **MOVIES** or television program shall be returned by the importer or
13 distributor thereof to the country of origin or to any other place
14 outside of the Philippines within a period of thirty (30) days, which
15 shall be counted from the date of receipt by the importer of
16 distributor of the decision of the BOARD banning the [~~motion~~
17 ~~pictures~~] **MOVIES** or television program for exhibition in the
18 Philippines.

19 **SECTION 13.** — Section 15 of P.D. No. 1986 is hereby amended to read as follows:

20 [~~Section 15. Abolition of the Board of Review for Motion~~
21 ~~Pictures and Television: The Board of Review for Motion Pictures and~~
22 ~~Television (BRMPT) created under Republic Act No. 3060, as~~
23 ~~amended, is hereby abolished, and its powers and functions are~~
24 ~~hereby transferred to the BOARD. Such transfer shall include the~~
25 ~~corresponding balances of appropriations, records, equipment/~~
26 ~~properties, and such personnel as may be necessary; Provided, that~~
27 ~~the BOARD shall effect the transfer herein provided in a manner that~~
28 ~~will ensure the least disruption of operations.]~~

29 [~~All personnel affected by the abolition shall be deemed~~
30 ~~separated from the service, unless re appointed to appropriate~~
31 ~~positions in the BOARD. Any affected officer or employee not re~~

1 appointed, or who refuses his re-appointment, shall be paid the
2 money value of his accumulated vacation and sick leaves and such
3 retirement benefits as may be due him under existing laws. Any
4 person not qualified for retirement benefits shall be paid a fraction of
5 more than six months being considered one whole year payable in
6 lump sum based on the highest monthly salary received from the
7 savings and salary lapses in BRMPT.]

8 [The incumbent Chairman, Vice Chairman, and members, and
9 personnel of the BRMPT shall continue to perform their duties and
10 functions in a hold-over capacity, until the new Chairman and at least
11 five members of the BOARD shall have been appointed and
12 qualified.]

13 **"SECTION 15. REORGANIZATION OF THE BOARD. —**
14 **WITHIN ONE YEAR FROM EFFECTIVITY OF THIS ACT, THE**
15 **BOARD SHALL REORGANIZE ITS STAFFING PATTERN AND**
16 **PERSONNEL AS MAY BE NECESSARY FOR EFFICIENT**
17 **ADMINISTRATION AND OPERATION; PROVIDED, THAT SUCH**
18 **REORGANIZATION SHALL BE CARRIED OUT IN A MANNER**
19 **THAT WILL ENSURE THE LEAST DISRUPTION OF**
20 **OPERATIONS. ALL PERSONNEL AFFECTED BY THE**
21 **REORGANIZATION SHALL BE DEEMED SEPARATED FROM**
22 **THE SERVICE, UNLESS REAPPOINTED TO APPROPRIATE**
23 **POSITIONS IN THE BOARD.**

24 **INCUMBENT PERSONNEL OF THE BOARD SHALL**
25 **CONTINUE TO HOLD OFFICE UNTIL APPROVAL OF THE NEW**
26 **STAFFING PATTERN AND NEW APPOINTMENTS ARE ISSUED**
27 **IN ACCORDANCE WITH THIS ACT. THE INCUMBENT**
28 **PERSONNEL SHALL BE ABSORBED, RETAINED AND**
29 **APPOINTED TO NEW POSITIONS IN THE BOARD TO WHICH**
30 **THEY MAY QUALIFY UNDER THE NEW STAFFING PATTERN**
31 **WITHOUT LOSS OF SENIORITY OR RANK OR DECREASE IN**
32 **EMOLUMENTS.**

1 **PROVIDED, THAT, THOSE WHO SHALL BE GIVEN NEW**
2 **APPOINTMENTS SHALL BE ENTITLED TO ALL**
3 **COMPENSATION AND BENEFITS DUE THEM UNDER EXISTING**
4 **LAWS. PROVIDED FURTHER, THAT ANY AFFECTED OFFICER**
5 **OR EMPLOYEE NOT RE-APPOINTED, OR WHO REFUSES**
6 **HIS/HER RE-APPOINTMENT OR WHO DESIRED TO BE**
7 **SEPARATED AS A RESULT OF IS THE IMPLEMENTATION OF**
8 **THIS ACT SHALL BE PAID IN LUMP SUM THE MONEY VALUE**
9 **OF HIS ACCUMULATED VACATION AND SICK LEAVES AND**
10 **SUCH SEPARATION BENEFITS COMPUTED AT ONE AND A**
11 **HALF MONTH SALARY FOR EVERY YEAR OF SERVICE.**
12 **PROVIDED FINALLY, THAT THOSE AFFECTED PERSONNEL**
13 **WHO HAVE RENDERED THE BOARD FOR THE LAST FIVE (5)**
14 **YEARS SHALL BE ENTITLED TO SEPARATION PAY OF THREE**
15 **(3) MONTHS SALARY FOR EVERY YEAR OF SERVICE AND ALL**
16 **OTHER BENEFITS ACCRUING TO THEM UNDER EXISTING**
17 **LAWS AT THE TIME OF THEIR SEPARATION.**

18 **SECTION 14.** — Section 18 of P.D. No. 1986 is hereby amended to read as follows:

19 “Sec. 18. *Commission on Audit.* — The Chair[man]**PERSON** of the
20 Commission on Audit (COA) shall be the *ex-officio* Auditor of the BOARD.
21 For this purpose, he/**SHE** may appoint a representative who shall be the
22 auditor of the BOARD, together with the necessary personnel to assist
23 said representative in the performance of his/**HER** duties. The number
24 and salaries of the auditor and said personnel shall be determined by the
25 Chair[man]**PERSON** of the Commission on Audit.

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

30 **SECTION 15.** — Section 19 of P.D. No. 1986 is hereby amended
31 to read as follows:

1 "Sec. 19. *Annual Report.* — The BOARD shall, within three (3)
2 months after the end of every fiscal year, submit its annual report to the
3 President **OF THE PHILIPPINES**. The annual report shall include,
4 among others, a statement of the BOARD's accomplishments together
5 with its plans and recommendations to improve and develop its
6 operations and the supervision and regulation of the movie and television
7 industry.

8 **SECTION 16.** — Section 20 of P.D. No. 1986 is hereby amended to read as follows:

9 "SECTION 20. *SPECIAL REVOLVING FUND.* — Notwithstanding
10 any provision of law, rule or regulation, executive or administrative
11 order to the contrary, there is hereby established a **SPECIAL**
12 **REVOLVING FUND**, to be MAINTAINED and administered at all
13 times by the **BOARD AND WITHOUT NEED OF REMITTANCE TO**
14 **THE NATIONAL TREASURY BUT SUBJECT TO EXISTING**
15 **GOVERNMENT AUDITING RULES AND REGULATIONS,**
16 **DERIVED FROM ANY AND** all fees, charges, impositions and/or
17 penalties levied, assessed, and collected by the BOARD which shall
18 be at immediate disposal of the BOARD to be used for
19 **MAINTENANCE** operational administrative **AND OTHER**
20 **MISCELLANEOUS** expenses of the BOARD and for the acquisition of
21 necessary PROPERTIES, facilities, supplies and equipment.

22 **SECTION 17.** — Section 22 of P.D. No. 1986 is hereby amended to read as follows:

23 "SECTION 22. *Repealing Clause.* — ALL laws, **ORDINANCES,**
24 rule**S**, and regulations, decrees, executive or administrative orders,
25 **AND OTHER ISSUANCES OR PARTS THEREOF, WHICH ARE**
26 inconsistent with the provisions of this Act, are hereby repealed, or
27 modified accordingly.

28 **SECTION 18.** — Section 23 of P.D. No. 1986 is hereby amended to read as follows:

29 "SECTION 22. *Separability Clause.* — The provisions of this
30 **ACT** are hereby deemed separable. If any provision **HEREOF IS**
31 declared invalid or unconstitutional, such invalidity or

1 unconstitutionality shall not affect the other provisions which shall
2 remain in full force and effect.

3 **SECTION 20.** — Section 24 of P.D. No. 1986 is hereby amended to read as follows:

4 "SECTION 24. *Effectivity.* -- This ACT shall take effect fifteen
5 (15) days **AFTER ITS COMPLETE** publication in the Official Gazette
6 or in a newspaper of general circulation in the Philippines.

7 *Approved,*