



SENATE

S. No. 2805

PREPARED AND SUBMITTED JOINTLY BY THE COMMITTEES
ON PUBLIC INFORMATION AND MASS MEDIA; GAMES AND
AMUSEMENT; WAYS AND MEANS; AND FINANCE WITH
SENATORS POE, GATCHALIAN, TOLENTINO, PADILLA,
LAPID, REVILLA JR., AND VILLANUEVA AS AUTHORS
THEREOF

AN ACT STRENGTHENING THE MOVIE AND
TELEVISION REVIEW AND CLASSIFICATION
BOARD (MTRCB) AND APPROPRIATING FUNDS
THEREFOR

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

1 SECTION 1. *Short Title.* – This Act shall be known as
2 the “Movie and Television Review and Classification Board
3 Act”.

4 SEC. 2. *Declaration of Policy.* – The State recognizes
5 the vital role of the youth in nation-building and shall
6 promote and protect their physical, moral, spiritual,

1 intellectual, and social well-being. The State likewise
2 recognizes the vital role of communication and information
3 in nation-building.

4 The State, as *parens patriae*, recognizes the need to
5 strengthen the mandate of its regulatory authority for the
6 protection of the general public, particularly minors, from
7 exposure to harmful and inappropriate content, in view of
8 the evolving media landscape and proliferation of digital
9 content. Towards this end, it is hereby declared the policy
10 of the State to ensure public safety and moral integrity,
11 and to promote general welfare by effectively regulating
12 and classifying movies, television programs, publicity
13 materials, and publicly accessible content from on-demand
14 streaming services.

15 SEC. 3. *Definition of Terms.* – For purposes of this
16 Act:

17 (a) *Adult* refers to any person eighteen (18) years of
18 age or over;

1 (b) *Children* refer to persons below eighteen (18)
2 years of age, or those eighteen (18) years of age or over but
3 are unable to fully care for or protect themselves from
4 abuse, neglect, cruelty, exploitation, or discrimination
5 because of a physical or mental disability or condition;

6 (c) *Movie* refers to a recording of moving images or a
7 series of pictures presented in rapid succession, with
8 objects shown in successive positions slightly changed to
9 produce the optical effect of a continuous picture in which
10 the objects move, whether the picture is black-and-white or
11 colored, silent or with accompanying sound, on any
12 medium and projected using any mechanism or equipment
13 preserved in any material or recorded for instant
14 projection, or viewed through on-demand streaming
15 services or any technology of similar nature;

16 (d) *Non-Theatrical Distribution* refers to:

17 (1) Public and free showing of long and short movies
18 through the use of mobile projection equipment; or

1 (2) Showing of long or short movies such as films for
2 children, or educational, documentary, cultural, scientific,
3 newsreel, industrial, sales, public relations, or
4 instructional films to organizations, societies, clubs, and
5 groups;

6 (e) *On-Demand Streaming Services* refer to internet-based
7 services that provide online curated content platforms from
8 which users can stream or download videos for offline
9 viewing;

10 (f) *Public Viewing* refers to making movies accessible
11 for viewing by the general public through convenient film
12 packs or similar materials sold, leased, or loaned through
13 commercial outlets, public lending clubs, and similar
14 organizations. On-demand streaming services that are
15 accessible to the public are considered public viewing;

16 The term "movie" shall not include interactive
17 content or videos uploaded or streamed online for personal
18 use and not intended for theatrical distribution or for
19 distribution through mass media;

1 (g) *Review Session* refers to the examination of
2 movies, television programs and similar shows, or publicity
3 materials, by the Board;

4 (h) *Series* refers to a set or collection of episodes of a
5 program shown at intervals through television broadcast
6 or on-demand streaming;

7 (i) *Television Broadcast* refers to public showing by
8 transmitting sound or images by television or similar
9 equipment, including cable television and other limited
10 audience distribution;

11 (j) *Theatrical Distribution* refers to public showing
12 and/or exhibition of movies in a cinema, theater, or any
13 other place imposing admission fees for entertainment,
14 education, information, and advertising; and

15 (k) *User* refers to a person who uses on-demand
16 streaming services with or without a fee.

17 SEC. 4. *Name and Corporate Existence.* – The Movie
18 and Television Review and Classification Board (MTRCB),
19 hereinafter referred to as the Board, created by virtue of

1 Presidential Decree No. 1986, series of 1985, shall continue
2 to exist as a body corporate under the Office of the
3 President of the Philippines and shall operate under the
4 provisions of this Act. The Board shall have its principal
5 office in Metro Manila.

6 SEC. 5. *Composition; Qualifications; Benefits.* – The
7 Board shall be composed of a Chairperson, a Vice-Chairperson,
8 and thirty (30) members appointed by the President of the
9 Philippines. The Chairperson and the Vice-Chairperson shall
10 hold office for a term of three (3) years, while the members
11 shall hold office for a term of two (2) years unless sooner
12 removed by the President for any cause: *Provided*, That the
13 Chairperson, Vice-Chairperson, and members of the Board
14 shall be eligible for re-appointment but shall not serve for
15 more than two (2) consecutive terms. In case the Chairperson,
16 Vice-Chairperson, or any member of the Board fails to
17 complete a term, any person appointed to fill the vacancy shall
18 serve only for the unexpired portion of the term, which shall
19 not be considered as one full term.

1 An appointee to the Board must be a natural-born
2 citizen of the Philippines, at least twenty-one (21) years of
3 age, and of good moral character and standing in the
4 community: *Provided*, That in the selection of the members
5 of the Board, due consideration shall be given to such
6 qualifications as would produce a multi-sectoral
7 combination of expertise in the various aspects of the
8 movie and television industries: *Provided, further*, That at
9 least five (5) members of the Board shall be members of the
10 Philippine Bar: *Provided, finally*, That at least fifteen (15)
11 members of the Board, other than the Chairperson and the
12 Vice-Chairperson, shall come from the movie, television,
13 and on-demand streaming industries, preferably
14 nominated by legitimate associations representing the
15 various sectors of said industries.

16 The Chairperson and Vice-Chairperson shall have the
17 rank, salary, rights, privileges, and benefits equivalent to a
18 Department Undersecretary and Department Assistant
19 Secretary, respectively.

1 Each of the thirty (30) members of the Board shall
2 receive a reasonable honorarium for each movie, trailer,
3 television program, TV plug, or publicity material reviewed
4 or classified. Such additional allowances shall be subject
5 to the approval of the President upon the recommendation
6 of the Department of Budget and Management (DBM).

7 A Secretariat of the Board with complete staffing
8 positions shall be created.

9 SEC. 6. *Powers and Functions.* – The Board shall
10 have the following functions, powers, and duties:

11 (a) Promulgate rules and regulations necessary for
12 the implementation of this Act and the accomplishment of
13 its purposes and objectives, including guidelines and
14 standards for production, advertising, and titles. Such
15 rules and regulations shall take effect after fifteen (15)
16 days following their publication in a newspaper of general
17 circulation in the Philippines;

18 (b) Screen, review, and examine movies, television
19 programs, series, and publicity materials such as

1 advertisements, trailers, and stills, whether for theatrical
2 or non-theatrical distribution, television broadcast, public
3 viewing, or any other technology of similar nature,
4 imported or produced in the Philippines, and in the latter
5 case, whether for local public viewing or export. For
6 on-demand streaming services, the Board may, if
7 necessary, require a reclassification after showing or
8 streaming, upon the final decision of the Board;

9 (c) Approve, disapprove, or order the deletion of
10 objectionable portions and/or prohibit the importation,
11 exportation, production, copying, distribution, sale, lease,
12 exhibition, and/or television broadcast of movies, television
13 programs, series, and publicity materials for public
14 viewing subject of the preceding paragraph, which, in the
15 judgment of the Board:

16 (1) are contrary to law, good morals, good customs,
17 public order, or public policy;

18 (2) are grossly injurious to the prestige of the Republic
19 of the Philippines;

1 (3) have a dangerous tendency to encourage the
2 commission of violence, a wrong, or crime;

3 (4) tend to incite subversion, insurrection, rebellion, or
4 sedition against the State or otherwise threaten the
5 economic and/or political stability of the State;

6 (5) tend to undermine the faith and confidence of the
7 people in their government and/or the duly constituted
8 authorities;

9 (6) glorify criminals or condone crimes;

10 (7) serve no other purpose but to satisfy the market for
11 violence or pornography;

12 (8) tend to abet the traffic in and use of prohibited
13 drugs;

14 (9) are libelous or defamatory to the good name and
15 reputation of any person, whether living or dead;

16 (10) may constitute contempt of court or of any
17 quasi-judicial tribunal or pertain to matters which are *sub-*
18 *judice* in nature;

1 (11) seriously endanger public safety; or

2 (12) express national, racial, cultural, or religious
3 hatred that incites discrimination, hostility, or violence
4 against the Filipino people, indigenous peoples, religious
5 groups, or any ethnic group within or outside the country:
6 *Provided*, That deletions or cuts must not be made on the
7 master negative of the films, and that such master
8 negative shall be deposited with the Film Archives of the
9 Philippines and released for export purposes to the film
10 owner only upon showing of the proper export permit:
11 *Provided, further*, That the film owner shall execute a
12 sworn undertaking that such master negative shall be
13 exclusively used for export purposes and not for local
14 viewing;

15 (d) Supervise, regulate, and grant, deny, or cancel
16 permits for the importation, exportation, production,
17 copying, distribution, sale, lease, exhibition, or television
18 broadcast of movies, television programs, series, and
19 publicity materials;

1 (e) Classify movies, television programs, series, and
2 similar shows for public viewing into categories such as “G”
3 or “For General Patronage” (all ages admitted), “P” or
4 “Parental Guidance Suggested”, “R” or “Restricted” (for
5 adults only), “X” or “Not for Public Viewing”, or such other
6 categories as may be determined by the Board for public
7 interest. On-demand streaming services shall likewise
8 establish a classification system as provided under
9 Section 7 of this Act. An existing system by an on-demand
10 streaming service that provides for a similar, more
11 particular, or more stringent classification than that
12 imposed by the Board shall be sufficient and shall not
13 require further modification;

14 (f) Close movie houses and other similar
15 establishments engaged in the public viewing of movies
16 and television programs which fail, despite notice, to
17 comply with a written order or warning to cease and desist
18 from engaging in acts that grossly violate the provisions
19 hereof;

1 (g) Levy, assess, collect, and periodically adjust and
2 revise fees and charges for review and examination, and
3 for the issuance of the licenses and permits which the
4 Board is authorized to grant in the exercise of its powers
5 and functions;

6 (h) Deputize representatives from the government
7 and from various associations in the movie industry to
8 ensure compliance with all laws relative to the import,
9 export, reproduction, distribution, sale, lease, exhibition, or
10 television broadcast of movies, television programs, series,
11 advertisements, and publicity materials. For this purpose,
12 the Board may constitute a Regulatory Council or Councils
13 composed of representatives from the government and the
14 movie and television industry as appropriate to implement
15 the purposes and objectives of this Act. The Board may also
16 commission any law enforcement agency, the Department
17 of Information and Communications Technology (DICT),
18 the National Telecommunications Commission (NTC), or
19 other concerned agencies for assistance in the

1 implementation and enforcement of its decisions, orders, or
2 awards;

3 (i) Cause the prosecution of violators of this Act and
4 other laws pertinent to the movie, television, and
5 streaming industries;

6 (j) In the exercise of its quasi-judicial functions, hear
7 and resolve administrative cases against violators of this
8 Act and, depending on the gravity and frequency of
9 violation committed, impose administrative sanctions
10 under Section 15(b) hereof.

11 (k) Issue subpoena *ad testificandum* or subpoena
12 *duces tecum* to compel the attendance of witnesses and
13 production of documents and other effects, to cite in
14 contempt persons or entities willfully disregarding its
15 process, and to coordinate with the appropriate
16 government agencies to enforce its decisions and issuances;

17 (l) Prescribe the internal and operational procedures
18 for the exercise and performance of its powers, functions,
19 duties, and responsibilities, including creating and vesting

1 authority on sub-committees of the Board for review and
2 other related matters;

3 (m) Prepare the Board's annual budget proposal to the
4 DBM;

5 (n) Recommend the organizational structure and
6 staffing pattern of the Board and establish, fix, review, or
7 revise an appropriate compensation package for its officers
8 and employees, subject to approval of the DBM and review
9 by the Civil Service Commission (CSC); and

10 (o) Exercise such other powers and functions which
11 are necessary or incidental to the attainment of the
12 purposes and objectives of this Act.

13 SEC. 7. *Obligations of On-Demand Streaming*
14 *Services.* – An on-demand streaming service is required to:

15 (a) Register the streaming service with the Board,
16 providing comprehensive contact information, including
17 the name of the person or office in charge, email address,
18 landline, mobile numbers, and the physical address in the

1 Philippines. Such information shall be prominently
2 displayed on the service provider's platform or website.

3 Registration shall be ministerial on the part of the
4 Board and shall not be made a prerequisite for operating in
5 the Philippines. No other license, permit, or renewal
6 thereof shall be required from the incurring service;

7 (b) Observe ordinary diligence in performing its
8 obligations under this Act;

9 (c) Establish and provide informative descriptions, in
10 both English and Filipino, of the ratings and classifications
11 on the content offered to assist users in making informed
12 decisions on their viewing choices;

13 (d) Ensure that appropriate classifications and
14 ratings are prominently displayed not only at the
15 beginning of the movies, television programs, and series
16 but also in publicity materials such as advertisements,
17 trailers, and similar materials to notify users of all the
18 content offered;

1 (e) Implement appropriate safety measures to allow
2 users or parents of minors to restrict content, control
3 access, view, and change privacy account settings of the
4 service, taking into consideration the appropriateness of
5 classifications and ratings;

6 (f) Establish a feedback mechanism for users within
7 the on-demand streaming service to determine whether the
8 movie, television program, or series corresponds to the
9 displayed classifications and ratings. The feedback
10 mechanism shall be easily accessible and prominently
11 featured on its platform or website;

12 (g) Establish an effective mechanism to respond
13 within five (5) days to users' complaints or inquiries on
14 classifications and ratings and ensure timely submission of
15 reports and actions taken thereon to the Board; and

16 (h) Provide a list of frequently asked questions on the
17 foregoing and establish a help center that is accessible to
18 users.

1 SEC. 8. *Age Verification Protocols.* – All online
2 providers of adult content shall be required to adopt an age
3 verification process.

4 For this purpose, the presentation of any valid
5 government-issued identification exhibiting the user's
6 photograph and age or date of birth shall be required.

7 To protect users' personal information, on-demand
8 streaming platforms shall comply with the provisions of
9 Republic Act No. 10173 or the "Data Privacy Act", and
10 ensure that any data collected for age verification is
11 encrypted, securely stored, and used solely for the purposes
12 of this Act.

13 SEC. 9. *Decision and Appeal.* – The decision of the
14 Board approving or disapproving the exhibition of a movie,
15 television program, series, still, and/or other pictorial
16 advertisement in the Philippines must be rendered within
17 ten (10) days from submission, counted from the date of
18 receipt by the Board of an application for the purpose,

1 together with the movie, television program, series, still,
2 and/or other pictorial advertisement to be reviewed.

3 For each review session, the Chairperson of the Board
4 shall designate a subcommittee composed of at least three (3)
5 Board members to undertake the review. A majority of the
6 designated subcommittee members shall approve any
7 disapproval or deletion.

8 After receipt of the subcommittee's written decision, a
9 motion for reconsideration in writing may be made, upon
10 which the Chairperson of the Board shall designate a
11 subcommittee of five (5) Board members to undertake a
12 second review session.

13 The Chairperson, the Vice-Chairperson, or a member
14 designated by the Chairperson shall preside over the
15 second review session. Upon a majority vote of all its
16 members present, the subcommittee shall render a
17 decision on behalf of the Board, within five (5) days from
18 the receipt of the motion for reconsideration.

1 The decision of the Board shall be in writing, with the
2 factual and legal bases clearly stated. No movie intended
3 for public viewing at movie houses, theaters, or on
4 television shall be disapproved by reason of its topic,
5 theme, or subject matter but upon the merits of each
6 picture or program considered in its entirety and based on
7 the grounds provided in this Act. In resolving a complaint,
8 the Board shall be guided by compelling state interest that
9 must be protected and shall ensure that the restriction or
10 punishment is narrowly drawn to achieve such end.

11 The decision of the Board shall be final, except for a
12 decision disapproving a movie, television program, or
13 series, in its entirety, which shall be appealable to the
14 President of the Philippines, who may decide on the appeal
15 or be assisted either by an *ad hoc* committee created by the
16 President or by the Appeals Committee herein created.

17 An Appeals Committee in the Office of the President
18 of the Philippines is hereby created, composed of a
19 Chairperson and four (4) members to be appointed by the

1 President of the Philippines. The Office of the Deputy
2 Executive Secretary for Legal Affairs shall serve as the
3 Secretariat of the Appeals Committee.

4 The Appeals Committee shall submit its
5 recommendation to the President, whose decision on an
6 appealed matter shall be final.

7 SEC. 10. *Chief Executive Officer.* – The Chairperson of
8 the Board shall be the Chief Executive Officer (CEO) of the
9 Board and shall exercise the following functions, powers,
10 and duties:

11 (a) Execute, implement, and enforce the decisions,
12 orders, awards, rules, and regulations issued by the Board;

13 (b) Direct and supervise the operations and internal
14 affairs of the Board;

15 (c) Establish the internal organization and
16 administrative procedures of the Board, including
17 recommending the appointment of the necessary
18 administrative and subordinate personnel; and

1 (d) Exercise other powers, functions, and duties not
2 specifically lodged in but authorized by the Board.

3 The CEO shall be assisted by an Executive Director
4 who shall have the rank, salary, rights, privileges, and
5 benefits equivalent to an Executive Director IV and shall
6 hold office for a term of three (3) years unless sooner
7 removed by the President of the Philippines for cause:
8 *Provided*, That any appointee shall be eligible for re-
9 appointment.

10 SEC. 11. *Examination and Review.* – Except members
11 of and persons specifically authorized by the Board, no
12 person shall be allowed inside the review room during the
13 examination and review of a movie, television program, or
14 publicity material. Before each review session, the
15 distributor or producer shall submit to the Board a sworn
16 statement declaring the exact number of prints or digital
17 copies made for a subject picture or material and such
18 other related information as the Board may require to
19 complete its examination and review.

1 SEC. 12. *Prohibited Acts.* – The following acts shall be
2 prohibited:

3 (a) The public distribution, exhibition, streaming, or
4 causing the public distribution, exhibition, or streaming of
5 any movie, television program, series, publicity material,
6 or advertisement which is objectionable under Section 6(c)
7 of this Act, in a movie theater or similar establishment, in
8 free or cable television, or on-demand streaming service;

9 (b) The public distribution, exhibition, or causing the
10 public distribution or exhibition in any cinema, theater or
11 similar establishment, or television, of any movie,
12 television program, publicity material, or advertisement
13 that has not been reviewed or is different from what was
14 reviewed, classified, and approved by the Board for
15 distribution or exhibition, or which, although previously
16 classified, is covered by an expired, cancelled, or tampered
17 permit;

18 (c) The printing or causing the printing of a label or
19 notice which tends to misrepresent a movie, television

1 program, publicity material, or advertisement as having
2 been officially classified by the Board when it has not been
3 so classified;

4 (d) Exhibiting a movie other than what is advertised
5 as showing, even if the film shown has a valid permit;

6 (e) Exhibiting or causing the exhibition in a theater,
7 cinema, or similar establishment, of an old or re-issued
8 movie which has been previously approved by the Board,
9 but without the word "re-issue" clearly and boldly stamped
10 in the publicity materials of the said movie;

11 (f) Distributing, exhibiting, showing, or causing the
12 distribution, exhibition, or showing of any movie, television
13 program, series, publicity material, or advertisement that
14 has been disapproved for public viewing by the Board;

15 (g) Causing the exhibition of any movie, television
16 program, publicity material, or advertisement for public
17 viewing that is below the audience suitability indicated in
18 the "permit to exhibit";

1 (h) Falsely misrepresenting the age of a person to
2 gain admission into a movie theater or similar
3 establishment showing a movie classified by the Board as
4 unsuitable for the said person's age;

5 (i) Allowing the admission of a person below the age
6 required by the film's classification as indicated in the
7 "permit to exhibit". In case of doubt on the age of the
8 person seeking admission, the presentation of a valid
9 document showing proof of age shall be required. It shall
10 not be a defense for the personnel admitting a minor that
11 they did not know or were not aware of the real age of the
12 minor seeking admission;

13 (j) Failure of a movie theater, cinema, or similar
14 establishment to strictly comply with the age verification
15 process. The absence of proof or evidence that a minor
16 meets the age of qualification shall give the movie theater,
17 cinema, or similar establishment the right to deny the
18 minor entry to its premises despite the presence or consent
19 of a person of legal age; and

1 (k) Failure of an on-demand streaming platform to
2 implement sufficient age verification mechanisms as
3 required under Section 8 of this Act, or allowing
4 individuals below eighteen (18) years of age to access
5 restricted content.

6 SEC. 13. *Theatrical Permit to Exhibit.* – The movie
7 exhibitors shall post and/or display or cause the posting
8 and/or display of the Board-issued Theatrical Permit to
9 Exhibit at conspicuous places near the theater entrance or
10 place of exhibition, and at the beginning of the movie,
11 television program, series, or other publicity material.

12 All cinema advertisements shall state the
13 classification rating of the movie being exhibited or
14 advertised. The classification rating must be displayed at
15 the beginning of the movie or program and in any of its
16 publicity materials.

17 SEC. 14. *Applicability.* – Movies, television programs,
18 series, publicity materials, or advertisements produced,
19 imprinted, or exhibited by the Philippine government

1 and/or its departments and agencies, as well as newsreels,
2 reports, and documentaries broadcast and produced by a
3 member of the *Kapisanan ng mga Brodkaster ng Pilipinas*,
4 shall not be under the regulatory jurisdiction of the Board
5 but shall comply with the classification rating pursuant to
6 this Act.

7 SEC. 15. *Penalties.* –

8 (a) Criminal Penalty. – Any person who violates the
9 provisions of this Act shall, upon conviction, be punished
10 by a penalty of three (3) months and one (1) day to one (1)
11 year imprisonment. If the offender is a juridical person, the
12 penalty shall be imposed on the corporation and/or upon its
13 chairperson, directors, partners or officers responsible for
14 the violation or indispensable to its commission.

15 (b) Administrative Penalties. – The Board shall
16 impose the following administrative penalties, taking into
17 consideration the gravity of the offense and the frequency
18 of violation committed:

19 (1) Confiscation of the material/s violative of this Act;

1 (2) Fine of not less than Fifty thousand pesos
2 (P50,000.00) but not exceeding Five hundred thousand
3 pesos (P500,000.00) for:

4 (i) Violation of Section 12 of this Act;

5 (ii) Refusal to admit the Board and its authorized
6 representatives, agencies, or officially deputized personnel
7 to cinemas, theaters, and similar establishments;

8 (iii) Exhibition, display, or distribution of unapproved
9 still photos, billboards, leaflets, posters, layouts, or photo
10 frames;

11 (iv) Incorrect display or non-display of the
12 classification rating in the theater lobby or entrance of
13 cinemas, theaters, and similar establishments;

14 (v) Tampering with or falsifying a reviewed
15 material;

16 (vi) Tampering with or falsifying a permit to exhibit;
17 and

1 (vii) Exportation or importation of movies or
2 television programs without a valid permit.

3 (3) Suspension, non-renewal, or cancellation of the
4 licenses or permits to operate and/or exhibit;

5 (4) Suspension of television programs; and

6 (5) Removal of the specific movie, episode, or
7 publicity material from the online catalogue, or the
8 objectionable portion of the on-demand streaming service
9 found to be in violation of this Act upon the final and
10 executory decision of the Board.

11 SEC. 16. *Banning of Movies, Television Programs,*
12 *and Series.* – In the event that a movie, television program,
13 or series, after examination and review by the Board, is
14 declared unfit for public exhibition in the Philippines, the
15 said movie, television program, or series shall be returned
16 by its importer or distributor to the country of origin or any
17 other place outside of the Philippines within a period of
18 thirty (30) days, which shall be counted from the date of
19 receipt by the importer or distributor of the decision of the

1 Board banning the movie, television program, or series for
2 exhibition in the Philippines.

3 The Board may direct the streaming service to take
4 down content which violates the standards laid down in
5 Section 6(c) hereof.

6 SEC. 17. *Inspection.* – In addition to its powers vested
7 by law, and for the effective enforcement of the provisions
8 of this Act, the Board or its duly authorized
9 representatives shall have the power to inspect all public
10 exhibitions of any movie or publicity material in movie
11 houses, theaters, and other public establishments, and in
12 any case, upon discovery of any movie or publicity material
13 which, although previously approved by the Board, has
14 been tampered with to introduce any unapproved matter,
15 to immediately seize the article containing or incorporating
16 such unapproved matter and to file cases against the
17 person/s responsible for the violation of this Act, Republic
18 Act No. 8293 or the “Intellectual Property Code of the

1 Philippines", as amended, and/or the Revised Penal Code,
2 as amended.

3 Upon conviction of the violator/s, the materials seized
4 and other proceeds or instruments of the crime shall be
5 disposed of in accordance with the Revised Penal Code, as
6 amended.

7 SEC. 18. *Exemption from Tax, Legal Process, and*
8 *Lien.* – All laws to the contrary notwithstanding, the Board
9 and all its assets and properties, fees and charges collected
10 and all accruals thereto, as well as all supplies, equipment,
11 papers, or documents shall be exempt from direct tax,
12 assessment, fee, charge, or customs or import duty, and
13 shall not be liable for attachment, garnishment, levy, or
14 seizure. This will not cover any tax or assessment for
15 which the Board may be constituted as the collecting or
16 remitting agent.

17 SEC. 19. *Organizational Structure and Staffing*
18 *Pattern.* – The Board shall determine its organizational
19 structure and staffing pattern, subject to the approval of

1 the DBM and consistent with civil service laws, rules, and
2 regulations. It shall have the power to suspend or dismiss
3 any employee for cause and/or approve or disapprove their
4 appointment, transfer, or detail. The Board shall appoint
5 its Secretary, who shall be the official custodian of the
6 records of its meetings of and shall perform other duties
7 and functions directed by the Board.

8 SEC. 20. *Applicability of the Civil Service Law.* – The
9 Board and its officers and employees shall be subject to
10 civil service law, rules, and regulations: *Provided, That*
11 technical personnel shall be selected based on merit and
12 fitness in accordance with policies and guidelines approved
13 by the Board.

14 SEC. 21. *Annual Report.* –The Board shall, within
15 three (3) months after the end of every fiscal year, submit
16 its annual report to the President of the Philippines. The
17 annual report shall include, among others, a statement of
18 the Board's accomplishments, plans, and recommendations

1 to improve and develop its operations and the supervision
2 and regulation of the movie and television industry.

3 SEC. 22. *Retained Income Fund.* – Notwithstanding
4 any provision of any law, rule, regulation, executive or
5 administrative order to the contrary, there is hereby
6 established a Retained Income Fund, to be maintained and
7 administered at all times by the Board, without need for
8 remittance to the National Treasury, but subject to
9 existing government auditing rules and regulations. It
10 shall comprise thirty percent (30%) of all fees, charges,
11 impositions, fines, and/or penalties imposed, levied,
12 assessed, and collected by the Board. It shall be at the
13 immediate disposal of the Board to be used for the
14 maintenance, operational, administrative expenses of the
15 Board, and the acquisition of necessary properties,
16 facilities, supplies, and equipment: *Provided,* That no
17 amount of the said fund shall be used for the payment of
18 salaries and other allowances. The Board shall submit,
19 either in printed form or by way of electronic document, to
20 the DBM, with copies given to the House Committee on

1 Appropriations and the Senate Committee on Finance,
2 separate quarterly reports on income of, and expenditure
3 from, the Fund. Any disbursement in the subsequent
4 quarters shall be void, except upon certification by the
5 DBM that said report has been submitted.

6 SEC. 23. *Assistance in the Enforcement Functions*
7 *of the Board.* – The Board may solicit the direct assistance
8 of other government agencies and units, and deputize, for a
9 fixed and limited period, the heads or personnel of such
10 agencies and units to perform enforcement functions, and
11 shall for such purpose, exercise their functions subject to
12 the Board's direction.

13 SEC. 24. *Transitory Provision.* – The incumbent
14 Chairperson, Vice-Chairperson, and members of the Board
15 shall continue to perform their respective duties and
16 functions until their successors have been appointed and
17 have assumed office.

18 SEC. 25. *Appropriations.* – The amount needed for
19 the initial implementation of this Act shall be charged

1 against the current year's appropriation of the Board.
2 Thereafter, such amounts necessary for continued
3 implementation shall be included in the annual General
4 Appropriations Act.

5 SEC. 26. *Implementing Rules and Regulations.* – The
6 Board, in coordination with the DICT, the NTC, the DBM,
7 and the CSC, and upon consultation with relevant
8 stakeholders, shall promulgate the rules and regulations to
9 effectively implement the provisions of this Act.

10 SEC. 27. *Separability Clause.* – If any portion or
11 provision of this Act is declared invalid or unconstitutional,
12 the remainder hereof not otherwise affected shall remain
13 in force and effect.

14 SEC. 28. *Repealing Clause.* – Presidential Decree
15 No. 1986, series of 1985, is hereby repealed. All other
16 laws, presidential decrees, executive orders, letters of
17 instruction, proclamations, or administrative regulations
18 that are inconsistent with the provisions of this Act are
19 hereby repealed, amended, or modified accordingly.

- 1 SEC. 29. *Effectivity.* – This Act shall take effect fifteen
2 (15) days after its publication in the *Official Gazette* or a
3 newspaper of general circulation.

Approved,