

445

**Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City**

**First Regular Session
THIRTEENTH CONGRESS**

House Bill No. 445



Introduced by Rep. Manuel "Way Kurat" E. Zamora

EXPLANATORY NOTE

This is a measure filed during the 11th and the 12th Congresses. Though it remains unlegislated up to this time, it has become, without a shadow of doubt, more relevant than ever. Hence, this refiling.

Press freedom does not entail publishing materials offensive to society's moral standards. If the time-honored principle enshrined in the Constitution is allowed to go wayward toward this unwanted end, we can only expect a society governed by the basest of human moods and dispositions. A benchmark of decency must therefore be maintained if the freedom of the press is to be fully entrusted to media's responsibility. This is already contained in court rulings. We cannot let go of any selfish acts designed to rake profits for the media and their owners but inimical to society's interests.

It is for this reason that this bill was filed. It seeks to prohibit the publication of lewd photographs and articles in newspapers—be they broadsheet or tabloid.

This measure was conceptualized in view of the proliferation of newspapers seemingly designed not to report about the news but rather to disseminate obscene materials without any social relevance in the guise of press freedom. Masked by amateurish efforts to give incisive and meaningful views, the only things that stand out if you take a peek at them are their sex motivated columns and the equally explicit and demeaning photos of women enticing the reader to sexually fantasize. Oftentimes, pictures of a man and a woman in the act of copulation are also featured. The rationale is obvious: sex sells and publishers do not mind if the publication is offensive as long as they amass a fortune out of it.

If only to ensure press freedom, this proposal does not seek the total ban of such materials. There is always a right place for everything. What is being avoided is the evolution of our dailies into a smut-dominated medium of information. We should keep those materials away from the easy perusal and consumption of the young if only to ensure a sane and sexually and morally-sound citizenry in the future.

This legislative measure's approval is timely, beneficial and necessary.

MANUEL "WAY KURAT" E. ZAMORA

A handwritten signature in black ink, written over the printed name of Manuel "Way Kurat" E. Zamora.

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**AN ACT PROHIBITING THE PUBLICATION OF LEWD PHOTOGRAPHS AND SEX
STORIES AND ARTICLES IN TABLOID AND BROADSHEET NEWSPAPERS,
PROVIDING PENALTIES THEREFOR AND FOR OTHER PURPOSES**

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

SECTION 1. The publication of lewd photographs and sex stories and articles in tabloid and broadsheet newspapers is hereby prohibited.

SEC. 2. Definition of Terms.

a. “Lewd photographs” as used in this Act shall include:

1. All nude or scantily-dressed photographs of a woman or a man, or two or more members of the same or opposite sex, inviting indecent, vulgar, lustful and obscene interpretations from the reader;
2. All photographs of a woman or a man, or two or more members of the same or opposite sex, simulating, engaged in or performing any sexual act including, but not limited to, the following:
 - a. copulation
 - b. oral sex
 - c. homosexual sex
 - d. sodomy
 - e. necrophilia
 - f. pedophilia
 - g. bestial sex
 - h. masturbation
 - i. display or use of known sexual devices

3. Still photographs of movies whether domestic or foreign, having sexual contents, and previously or subsequently rated R or X by the MTRCB.

Provided: That such published photographs shall not have been captioned to promote any event of cultural, educational, entertainment or social significance.

- b. "Sex stories" as used in this Act shall include all columns, narrative and illustrated stories, and articles contained in newspapers graphically depicting any of the sexual acts enumerated in Sec. 2.a.2 of this Act.

SEC. 3. Violators of this Act shall suffer the following penalties:

- a. The publisher and editors of the newspaper shall be liable to a fine of not less than P50,000.00 nor more than P100,000.00 for the first offense.
- b. The publisher and editors of the newspaper shall be liable to a fine of not less than P100,000.00 nor more than P200,000.00 and a prison sentence of prison mayor for the second offense. The court shall also order the immediate closure of the publication.

Provided; That when there are two or more publishers of the newspaper, they shall be held solidarily liable.

SEC. 4. All laws and regulations inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 5. This Act shall take effect upon its approval.

Approved,