Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila



THIRTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 1891

INTRODUCED BY REP. GLENDA B. ECLEO

EXPLANATORY NOTE

This bill seeks to penalize advertising agencies, television , radio station and publications which use offensive and degrading portrayal of women and glorifying sexual violence and exploitation in their advertisements.

Advertising is a powerful tool used by aggressive entrepreneurs to draw the attention of consumers to their products as a means of promoting the sale of such products. The influence that the advertisement exerts upon the public, especially one that is conveyed through the mass media, newspaper, radio or television is profound and intense it practically constitutes the deciding factor whether or not the public would patronize the product. Advertisements are directed towards the consuming public. For this reason, the public should have a hand in shielding themselves against any false, ugly obscene and exploitative advertisement. It is very sad that these days fast selling products are those modeled by young, pretty and sexy women mostly with skimpy attires that leaves nothing to the public's imagination. What's more, the models act or pose in very suggestive positions. Filipino adults have expressed concern about the influence of such advertisement shown on television and picture in newspapers and magazines and have been worried its effects on the young audience especially children.

Considering all these, it is imperative to penalize advertising agencies, television, radio stations and publications which exploit women and glorify sexual violence in their advertisements. It is timely to give the public the opportunity to buy any product or commodity by relying solely on truthful representations made by advertisers and to improve and safeguard the image of women in the field of advertising and mass media.

Approval of this bill is highly and earnestly recommended.

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HOUSE BILL NO. 1891

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AN ACT
PENALIZING ANY ADVERTISING AGENCY, TELEVISION OR RADIO STATION AND PUBLICACATION WHICH EXPLOIT WOMEN AND GLORIFY SEXUAL VIOLENCE IN ITS ADVERTISEMENTS

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

SECTION 1. *Short Title* - This Act shall be known as the "**Advertisement Regulation Act Of 2004.**"

SEC. 2 *Declaration of Policy* - Realizing the need to protect the morals of society, in view of the pervasive effect of advertisements in various media on the values of children and the public in general and recognizing the need to protect the vulnerable sectors of society from machinations and manipulations designed to increased profit, it is hereby declared the policy of the State to regulate advertisements in print, radio, television, outdoor advertisements including posters and billboards, in movie theaters and in other media.

SEC. 3. *Definitions of Terms* - For purposes of this Act, the following terms shall mean:

a. "Advertisement" – any paid form of non-personal presentation and promotion of ideas,

goods and services by an identified sponsor. Advertisement may be in print, radio, television, cable television, outdoor advertisement including posters and billboards in movie theaters or in any other media;

b. "Advertising Agency" - any person, firm, corporation, partnership, association or other entities engaged in solicitation, production or conceptualization of advertisements in any media;

c. "Sexual Violence" - Any prejudice, discrimination, harassment or physical violence committed upon a person by another because of his or her gender or the perception that persons belonging to a particular gender are weak;

d. "Sexual Exploitation" - It shall include any portrayal or attitude of an individual or an object as sexually attractive or stimulating which portrayal or attitude are naturally calculated to excite impure imaginations and are not germane to the goods or services that are advertised.

SEC. 4. ***Prohibition and Penalties*** - Any advertising agency, television or radio Station and Publication which exploit individuals and glorify sexual violence in its advertisements shall, for The first offense, be liable for a fine of not less that Fifty Thousand (P 50,000.00) nor more than Seventy Thousand Pesos (P70,000.00) plus suspension of license or permit for thirty (30) days; For the second offense, to a fine of not less than Seventy Thousand Pesos (P70,000.00) nor more Eighty Thousand Pesos (P 80,000.00) plus suspension of license or permit for sixty (60) days; And for the third and final offense, imprisonment of not less than six (6) months nor more than Six years or a fine of not less than Eighty Thousand Pesos (P80,000.00) nor more than One Hundred Thousand Pesos (P100,000.00) or both such imprisonment and fine at the discretion of

The court plus cancellation of the license or permit.

If the offender is a firm, corporation, partnership or association, the penalty shall be imposed Upon the owner, manager, president or any responsible officer of the advertising agency, Television or radio station and publication.

If the offender is an alien, he shall be deported after serving sentence without further Proceeding and shall be barred from entering the Philippines.

SEC. 5. ***Monitoring*** - The Movie and Television Review and Classification Board shall Monitor compliance with the provisions of this Act.

SEC. 6. ***Rule-making Powers*** - The Board and the Department of Justice shall promulgate a Prosecution of violators of this Act and other necessary rules and regulations for the effective Implementation of this Act.

SEC. 7. ***Repealing Clause*** - No provision of this Act shall affect Art. 201, Title VI of the Revised Penal Code, as amended. All other laws, executive orders, decrees, rules or regulations And other issuances, or parts thereof which are inconsistent herewith are hereby repealed or Amended accordingly.

SEC. 8. ***Effectivity*** - This Act shall take effect upon its approval.

Approved.