

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



THIRTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 2672

Introduced by: **Rep. ROMUALDO T. VICENCIO**

EXPLANATORY NOTE

This bill was filed during the Twelfth Congress but did not become a law for lack of material time.

Media commands a vast audience and their writings and pronouncements are invariably accepted as gospel truth by people regardless of their situation in life. Our love affair with the media is reflected in the growing profitability of broadcast and print networks and the continued patronage of newspaper and magazine subscribers. Due to this partiality, media practitioners have become folk heroes in the eyes of the people, catapulting a number of them to the Senate and the House of Representatives.

Media has the power to influence the perception of the public, providing the thrust that molds public opinion. It can make or break a person through news items, analysis, commentaries, features and exposes. Woe is he who becomes the subject of such tirades in the press for seldom is the hapless given an equal chance to defend himself, or clarify the issues affecting his person.

George Orwell once commented that "... the only arbiter of behavior is public opinion. But public opinion... is tolerant than any other system of law."

"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," according to Justice Malcolm.

Our Constitution guarantees our freedom of expression, freedom of the press and the freedom of speech. These freedoms promote the unabashed discussion of public affairs by all citizens, encouraging everyone to express their thoughts freely. Corollary to the protection of these freedoms shall be the correlative right to reply to all forms of expression, especially to accusations and criticisms published or aired through the mass media.

This Act shall guarantee the right of all persons to reply to all accusations and criticisms aired or printed through the mass media, and provides penalties for the violation of such right.

R. Vicencio
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Second District, Northern Samar

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

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

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

SECTION 2. Where Reply is Published. — The reply of the person so accused or criticized shall be published in the same space of the newspapers, magazine, newsletter or publication or aired over the same program on radio, television, website, or through any electronic device.

SECTION 3. When Reply is Published. — The reply of the person accused or criticized shall be published or broadcast not later than one day after the reply shall have been delivered to the editorial office of the publication concerned or to the station that carried the broadcast being replied to.

SECTION 4. Obligation to Correct an Onerous News Item. — When an accused who was featured in news stories in radio, broadcast and/or print media is eventually cleared of the crime/s alluded to him, it is the obligation of the same publication or broadcast network to correct its previous report by publishing or broadcasting the findings of the court or police authorities to restore honor and integrity to his person.



SECTION 5. Length of Reply. — The reply shall not be longer than the accusation or criticism as published or broadcast.

SECTION 6. Free of Charge. — The publication or broadcasting of the reply shall be free of charge, payment or fees.

SECTION 7. Penalties. — The editor-in-chief and the publisher or station manager and owner of the broadcast medium who fails or refuses to publish or broadcast the reply or the correction of an onerous news item as mandated in the preceding section shall be fined in the amount not exceeding P10,000.00 for the first offense; P20,000.00 for the second offense; and P30,000.00 and imprisonment of not more than 30 days for the third offense.

The publication of the reply or the correction does not preclude recourse to other rights or remedies available to the party or parties concerned.

SECTION 8. Effectivity. — This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved.

