

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

FIFTEENTH CONGRESS

First Regular Session

HOUSE BILL NO. 117

INTRODUCED BY REPRESENTATIVE PEDRO P. ROMUALDO

EXPLANATORY NOTE

The right of reply bill does not curtail nor trample the freedom of expression. The legislative intent of this proposal is to expand the exercise of freedom of expression as this is not a monopoly of the media.

The freedom of expression as enshrined in the 1987 Constitution pertains to the right of every Filipino to express his or her opinion in whatever form or format or in any forum. In the exercise of this right, a corresponding responsibility also rests to allow the affected person or entity to respond to any allegations, innuendos, mortifications or false statements of people from the media. This is premised on the spirit of fair play and transparency.

Equal opportunity shall be given to those persons affected by the actions, statements, rumors and other mischievous statements of the media. The right of reply bill is a vehicle for all people from all walks of life to defend their rights, reputation, honor and integrity against any attack by the media.

Presently, existing media organizations cannot police their ranks particularly fly-by-night media practitioners that are mushrooming anywhere and are using their identity to harass, extort, malign, mortify or discredit persons that are against their vested interests or would contravene their ill-motives.

In the exercise of the freedom of expression, we are supporting the discourse of issues which at times may result to clashing of opinions but it must be done in a respectful and cordial manner. Media should also exercise caution and practice responsible journalism in all aspects whether in print media, broadcast media or by electronic format. It should not result to brawling or to unfairly criticize the position or opinion of any person.

The approval of this measure is earnestly requested.


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

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

SECTION 1. Right of Reply. - All persons whether natural or juridical who are accused directly or indirectly of committing or having committed or of intending to commit any crime or offense defined by law or are criticized by innuendo, suggestion or rumor or in any form 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 to criticisms aired or broadcast over radio, television, websites, or through any electronic device or any other format.

SEC. 2. Where Reply 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 any electronic device concerned, free of charge or any fees.

SEC. 3. When Published. - The reply shall be published, aired or broadcast not later than three (3) days 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. The reply shall not be edited or altered and shall be presented on the manner it was written by the person with the right of reply unless it is with libelous content or allegations.

SEC. 4. Length of Reply. - The reply shall not be longer than the space allotted for the accusation or criticism published or broadcast.

SEC. 5. Penalties. - The editor-in-chief, the publisher or station manager, or owner of the broadcast medium, internet provider or administrator who fails or refuses to publish or broadcast the reply as mandated in this Act shall be fined in an amount not exceeding Twenty thousand pesos (P 20,000.00) for the first offense; Thirty thousand pesos (P\ 30,000.00) for the second offense; and Fifty thousand pesos (P\ 50,000.00) for the third offense.

Thereafter, for repeated failures or refusals to publish or broadcast the reply as mandated herein, a fine of One hundred thousand pesos (P\ 100,000.00) shall be imposed. Moreover, if the offender is a public official, he shall be subject to administrative liability under existing Civil Service laws.

The court may also recommend that proper sanctions be imposed by any appropriate mass media organizations on erring editors-in-chief, publishers, station managers or owners of tri-media concerned.

The local courts shall observe summary proceedings to expedite the hearing and disposition of these cases.

SEC. 6. Self-Regulation. - The block-timers who also fail to broadcast or publish the reply shall be subject to the Code of Ethics or to the realm of self-regulation *of the network* or station or internet provider or website domain owner.

SEC. 7. Other Remedies. - The publication of the reply does not preclude recourse to other rights or remedies available to the party or parties concerned under existing laws, rules and regulations.

SEC. 8. Effectivity. - This Act shall take effect fifteen (15) days following its publication in three (3) newspapers of general circulation.

Approved,