

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
First Regular Session

HOUSE BILL No. **2842**

Introduced by Reps. TEDDY A. CASIÑO, NERI JAVIER COLMENARES,
RAFAEL V. MARIANO, LUZVIMINDA C. ILAGAN, RAYMOND V.
PALATINO, EMERENCIANA A. DE JESUS and ANTONIO L. TINIO

EXPLANATORY NOTE

The Philippines is considered the oldest democracy in Asia. Likewise, our press is known to be one of the freest. The media's watchdog function is one of the most essential elements in the check and balance of government.

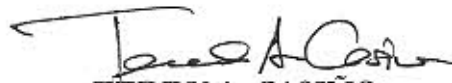
But a muzzled media, as in the time of the Marcos government revealed the dangers faced by members of the Fourth Estate. These dangers became even more evident under the the Arroyo administration when the Philippines was shamefully and repeatedly tagged as one of the most dangerous places for journalists – along with Iraq, Somalia and Pakistan, all known to be conflict areas.

In 2005 and 2006, the country was ranked as the 2nd most dangerous place for journalists by the Committee to Protect Journalists (CPJ), a New York-based media watchdog. According to CPJ, majority of those killed were covering politics, corruption and crime. An overwhelming majority were murdered because of their work while the rest died during dangerous assignments. Only a handful of cases have been partially resolved.

Since 1986, a total of 137 journalists have been killed in the line of duty. The National Union of Journalists of the Philippines states that 104 out of the 137 were killed under the Arroyo administration –reflecting an exponential increase in media killings. In 2009 alone, 32 journalists were slain in the brutal massacre in Maguindanao allegedly perpetrated by the private army of the local Ampatuan clan. The journalists were covering the filing of the certificate of candidacy of Datu Ismail Mangudadatu by his lawyers and family members, only to become collateral damage.

It is in this light that this bill seeks additional insurance coverage and benefits for media practitioners and their families. At the very least, families of slain journalists or those disabled may receive temporary relief while awaiting the resolution of their cases.

Approved,



TEDDY A. CASIÑO
Bayan Muna Party-list



NERI JAVIER COLMENARES
Bayan Muna Party-list



RAFAEL V. MARIANO
Anakpawis Party-list



LUZVIMINDA C. ILAGAN
Gabriela Women's Party



RAYMOND V. PALATINO
Kabataan Party-list



EMERENCIANA A. DE JESUS
Gabriela Women's Party



ANTONIO L. TINIO
ACT Teachers Party-list

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AN ACT
PROVIDING FOR MANDATORY ADDITIONAL INSURANCE COVERAGE
AND BENEFITS FOR JOURNALISTS, EMPLOYEES OF MEDIA ENTITIES
ON FIELD ASSIGNMENT AND FREELANCE JOURNALISTS, AND FOR
OTHER PURPOSES

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

SECTION 1. *Short Title.* – This Act shall be known as the “*Journalists’ Insurance Act of 2010*”.

SECTION 2. *Definition of Terms.* – For purposes of this Act, the following terms shall mean:

“**Media entities**” – shall refer to all companies in the print and broadcast media (newspapers, radio, television and Internet) that are involved in the dissemination of news and information for public consumption and are duly accredited by any reputable association of media persons such as, but not limited to the Philippine Information Agency – Office of the Press Secretary (PIA-OPS), National Press Club (NPC), National Union of Journalists of the Philippines (NUJP) and Kapisanan ng mga Brodkaster ng Pilipinas (KBP) duly registered with the Securities and Exchange Commission (SEC) or any other government agency.

“**Editorial and / or News Department**”- shall refer to editors-in-chief, news editors, columnists, deskmen, reporters, correspondents and photographers on the part of the print media; and news editors, newscasters, commentators / announcers, field reporters, field correspondents and cameramen on the part of the broadcast media.

“**Front-line media persons**” –shall refer to those directly involved in data-gathering from the field and news reporting whether in print on television or on radio, such as but not limited to, print reporters, cameramen, photo-journalists, radio reporters and television reporters.

“**Journalist**” – shall refer to any member of the Editorial and/or News Department

including front-line media persons.

“Freelance Journalist” – shall refer to a person who pursues journalism as a profession without a long-term commitment to any one media entity.

SECTION. 3. *Mandatory Additional Insurance Benefits for Journalists and Employees of Media Entities on Field Assignments.* – In addition to the existing insurance benefits given to journalists and employees of media entities on field assignment by the Social Security System (SSS) as provided for under Republic Act No. 8282, and by the Government Service Insurance System (GSIS) under R.A. 8291, there shall be an additional insurance coverage to be provided by media entities to journalists and their employees on field assignments and front-line media persons which shall provide the following minimum benefits:

Death Benefits of Two Hundred Thousand Pesos (PhP 200,000.00) for all mass media practitioners and employees on field assignment who shall perish in the line of duty;

Disability benefits of up to Two Hundred Thousand Pesos (PhP 200,000.00) for all mass media practitioners who shall suffer total or partial disability, whether permanent or temporary, arising from any injury sustained in the line of duty; and

Reimbursement of actual medical expenses up to but not to exceed One Hundred Thousand Pesos (PhP 100,000.00) for all mass media practitioners and employees on field assignment who shall be hospitalized or who shall require medical attendance for injuries sustained while in the line of duty.

The media entity shall pay for the premium of the insurance policy and shall have the option to get the insurance company to enroll its qualified journalists/employees.

SECTION. 4. *Coverage.* - This Act shall apply to all permanent, temporary, contractual and casual journalists employed by all existing media entities in the Philippines and freelance journalists.

SECTION. 5. *Insurance for Freelance Journalists.* – The PIA-OPS, NPC, NUJP and KBP shall offer the opportunity for freelance journalists to secure additional insurance coverage before working on war zones or dangerous areas.

SECTION. 6 *Prohibited Acts.* – The following acts shall be prohibited:

1. Refusal by a media entity to provide additional insurance coverage referred to in Section 3 of this Act;
2. Refusal by an insurance company to enroll journalists, employees of media entities on field assignment and freelance journalists on account of the nature of their work; and
3. Non-compliance with the rules and regulations that the GSIS, SSS, IC and OPS-PIA shall adopt for the implementation of this Act.

SECTION 7. *Penal Provision.* - Any person who shall willfully commit any of the prohibited acts enumerated under this Act shall upon conviction, be punished by a fine of not less than Two Hundred Thousand Pesos (PhP 200,000.00) but not more than Five Hundred Thousand Pesos (PhP 500,000.00) or imprisonment of not less than one (1) year but not more than six (6) years or both such fine and imprisonment depending upon the discretion of the court.

In the case of associations, partnerships or corporations, the penalty shall be imposed on the partner, president, chief operating officer, chief executive officer, directors or officers responsible for the violation, and cancellation of registration with the SEC.

SECTION 8. *Implementing Rules and Regulations.* - The GSIS, SSS, IC and PIA-OPS, and in consultation with the NPC, NUJP, KBP and other duly registered media associations, shall promulgate and issue the rules and regulations necessary to implement the provisions of this Act.

SECTION 9. *Separability Clause.* - If for any reason any provision or section of this Act is declared unconstitutional or invalid, such portions not affected thereby shall remain in full force and effect.

SECTION 10. *Repealing Clause.* All laws, decrees, executive orders, rules and regulations inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 11. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after publication in at least two (2) newspapers of general circulation.

Approved,