



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

Fifteenth Congress
First Regular Session

COMMITTEE REPORT NO. 670

Submitted by the **COMMITTEE ON PUBLIC INFORMATION** on **22 FEB 2011**

RE: House Bill No. **4262**
Recommending its approval in substitution of House Bill Nos. 370 and 2275

Sponsors: **Reps. Ben P. Evardone, Rachel Marguerite B. del Mar, Rufus B. Rodriguez and Maximo B. Rodriguez, Jr.**

MR. SPEAKER:

The Committee on Public Information to which were referred **House Bill No. 370**, introduced by **Rep. Rachel Marguerite B. del Mar** entitled:

"AN ACT

AMENDING REPUBLIC ACT NO. 53, AS AMENDED, OTHERWISE KNOWN AS 'AN ACT TO EXEMPT THE PUBLISHER, EDITOR OR REPORTER OF ANY PUBLICATION FROM REVEALING THE SOURCE OF PUBLISHED NEWS OR INFORMATION OBTAINED IN CONFIDENCE' BY INCLUDING WITHIN ITS COVERAGE JOURNALISTS FROM BROADCAST, NEWS AGENCIES AND INTERNET PUBLICATIONS"

and **House Bill No. 2275**, introduced by **Reps. Rufus B. Rodriguez and Maximo B. Rodriguez, Jr.** entitled:

"AN ACT

FURTHER AMENDING SECTION ONE OF REPUBLIC ACT NO. 53, OTHERWISE KNOWN AS AN ACT TO EXEMPT THE PUBLISHER, EDITOR, COLUMNIST OR REPORTER OF ANY PUBLICATION FROM REVEALING THE SOURCE OF PUBLISHED NEWS OR INFORMATION OBTAINED IN CONFIDENCE"

has considered the same and recommends that the attached House Bill No. 4262,
entitled:

**“AN ACT
AMENDING REPUBLIC ACT NO. 53, AS AMENDED, OTHERWISE KNOWN AS
‘AN ACT TO EXEMPT THE PUBLISHER, EDITOR OR REPORTER OF ANY
PUBLICATION FROM REVEALING THE SOURCE OF PUBLISHED NEWS OR
INFORMATION OBTAINED IN CONFIDENCE’ BY INCLUDING WITHIN ITS
COVERAGE JOURNALISTS FROM BROADCAST, NEWS AGENCIES AND
INTERNET PUBLICATIONS”**

be approved in substitution of House Bill Nos. 370 and 2275, with Representatives
Rachel Marguerite B. del Mar, Rufus B. Rodriguez and Maximo B. Rodriguez, Jr. as
authors thereof.

Respectfully submitted:



BEN P. EVARDONE
Chairman
Committee on Public Information

**THE HONORABLE SPEAKER
HOUSE OF REPRESENTATIVES
QUEZON CITY**

REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
QUEZON CITY

FIFTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 4262

Introduced by Representatives Rachel Marguerite B. del Mar, Rufus B. Rodriguez
and Maximo B. Rodriguez, Jr.

AN ACT

**AMENDING REPUBLIC ACT NO. 53, AS AMENDED, OTHERWISE KNOWN AS
'AN ACT TO EXEMPT THE PUBLISHER, EDITOR OR REPORTER OF ANY
PUBLICATION FROM REVEALING THE SOURCE OF PUBLISHED NEWS OR
INFORMATION OBTAINED IN CONFIDENCE' BY INCLUDING WITHIN ITS
COVERAGE JOURNALISTS FROM BROADCAST, NEWS AGENCIES AND
INTERNET PUBLICATIONS**

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

1 **SECTION 1.** Section 1 of Republic Act No. 53, as amended, is hereby further
2 amended to read as follows:

3 "SECTION 1. Without prejudice to his liability under the civil and
4 criminal laws, [the publisher, editor, columnist, or duly accredited reporter of
5 any newspaper, magazine or periodical of general circulation cannot be
6 compelled to reveal the source of any news report or information appearing in
7 said publication which was related in confidence to such publisher, editor or
8 reporter, unless the court or a House or Committee of Congress] A DULY
9 ACCREDITED JOURNALIST OF ANY LEGITIMATE PRINT, BROADCAST,
10 INTERNET, OR WIRE SERVICE ORGANIZATION, STATION OR
11 NETWORK, INCLUDING THE PUBLISHER, STATION OWNER AND/OR
12 MANAGER, BUREAU CHIEF, EDITOR, NEWS EDITOR, WRITER OR
13 REPORTER, CORRESPONDENT, OPINION COLUMNIST OR
14 COMMENTATOR, CARTOONIST, PHOTOGRAPHER, OR OTHER
15 PRACTITIONER INVOLVED IN THE GATHERING, WRITING, EDITING OF,
16 OR COMMENTING ON THE NEWS FOR MASS CIRCULATION OR
17 BROADCAST CANNOT BE COMPELLED TO REVEAL THE SOURCE OF

1 ANY NEWS ITEM, NEWS REPORT OR INFORMATION APPEARING OR
2 BEING REPORTED, DISSEMINATED OR COMMENTED ON IN SAID
3 MEDIA, WHICH WAS RELAYED IN CONFIDENCE TO SUCH JOURNALIST
4 OR PRACTITIONER UNLESS THE COURT OR THE HOUSE OF
5 REPRESENTATIVES OR THE SENATE OR ANY OF ITS COMMITTEES
6 finds that such revelation is demanded by the security of the State."

7 **SEC. 2.** Insert a new section 2 after Section 1 of RA 53, as amended, to read
8 as follows:

9 "SEC. 2. FOR PURPOSES OF THIS ACT, A DULY ACCREDITED
10 JOURNALIST OR PRACTITIONER OF ANY LEGITIMATE PRINT,
11 BROADCAST, INTERNET, OR WIRE SERVICE ORGANIZATION, STATION
12 OR NETWORK, IS ONE WHO IS ACCREDITED WITH ANY REPUTABLE
13 ASSOCIATION OF MEDIA PERSONS SUCH AS BUT NOT LIMITED TO,
14 THE PHILIPPINE INFORMATION AGENCY – PRESIDENTIAL
15 COMMUNICATIONS OPERATIONS OFFICE (PIA – PCOO), THE
16 NATIONAL PRESS CLUB (NPC), THE NATIONAL UNION OF
17 JOURNALISTS OF THE PHILIPPINES (NUJP), AND THE KAPISANAN NG
18 MGA BRODKASTER NG PILIPINAS (KBP), AND/OR ONE WHO IS A
19 REGULAR EMPLOYEE OF A LEGITIMATE PRINT, BROADCAST,
20 INTERNET, OR WIRE SERVICE ORGANIZATION, STATION OR
21 NETWORK, *PROVIDED, THAT* ANY JOURNALIST ENGAGED BY ANY
22 LEGITIMATE MEDIA COMPANY SHALL BE DEEMED TO BE AN
23 ACCREDITED JOURNALIST."

24 **SEC. 3.** Any law, decree, ordinance or rule and regulation inconsistent with or
25 contrary to the provisions of this Act is hereby amended or repealed.

26 **SEC. 4.** This Act shall take effect fifteen (15) days after its publication in the
27 *Official Gazette* and/or in at least two (2) newspapers of national circulation.

28 Approved,

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 370

Introduced by: **HON. RACHEL MARGUERITE B. DEL MAR**

EXPLANATORY NOTE

It is acknowledged that Republic Act No. 53, as amended, otherwise known as the "The Sotto Law" has been the journalist's privilege statute by which he can refuse to reveal the source of a confidential news report or information except when the court or a House or Committee of Congress finds that the revelation is demanded by the security of the state.

The reason for the rule is that the identity of sources of a confidential news report or information must be protected, otherwise the spring of data for new or commentary dries up and the mission of the press to check and balance and expose wrongdoing is impeded.

Oddly, however, the privileged applies only to the publisher, editor, columnist or duly accredited reporter of any newspaper, magazine or periodical of general circulation. The law is silent about journalists from broadcast stations, news or wire agencies, and internet newspapers, magazines and other publications.

The explanation is that when the law was passed, electronic journalism was virtually non-existent (broadcast stations played music or drama and gave the news but did not hire news reporters), the news or wire agencies still had to be developed and recognized, and the internet was not even a dream.

It is an omission that must be filled, an anomaly that must be corrected. The journalists envisioned by Sotto Law cannot be confined to print practitioners.

In this context, the attached bill seeks to include within the coverage of the Sotto Law, as amended, journalists from broadcast, news agencies and internet publications as a matter of duty and necessity. The proposed amendment will not only strengthen confidence in these other journalists but will also recognize the important role that they, together with print practitioners, play in the building of community and nation.

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila
15th Congress
1st Regular Session

MINUTES OF THE MEETING CONDUCTED BY THE COMMITTEE ON PUBLIC INFORMATION HELD ON JANUARY 25, 2011, 1:30 PM AT CONFERENCE ROOMS 3 AND 4, MITRA BUILDING, HOUSE OF REPRESENTATIVES, QUEZON CITY.

AUTHOR PRESENT:

Rep. Maximo Rodriguez, Jr.

I. CALL TO ORDER

The Chairman, Rep. Ben P. Evardone, called the meeting to order at 2:07 p.m.

II. ROLL CALL

On motion of Rep. Teddy Casiño, there being no objections, the Body dispensed with the calling of the roll.

III. APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING

On motion of Rep. Mercedes Alvarez, there being no objections, the minutes of the meeting of Dec. 14, 2010 were approved by the Body.

IV. INITIAL DELIBERATION ON HOUSE BILL NO. 3754 – Local Film Industry Development Act of 2011 (Rep. Fernandez)

Rep. Dan Fernandez informed the Body that his bill primarily seeks to enhance the functions and powers of the Film Development Council of the Philippines (FDCP) created under Republic Act No. 9167, by reorganizing it into the Philippine Film Commission. Thereafter, Rep. Evardone directed the Secretariat to seek comments from stakeholders on the bill. The Committee agreed to deliberate further on the bill in another meeting once it receives the inputs and position papers from the stakeholders.

V. APPROVAL OF THE SUBSTITUTE BILL TO HOUSE BILL NOS. 370 (REP. DEL MAR) AND 2275 (REPS. RUFUS RODRIGUEZ AND MAXIMO RODRIGUEZ, JR.) – FURTHER AMENDING THE SOTTO LAW

Rep. Evardone said that the Kapisanan ng mga Brodkaster ng Pilipinas (KBP) has proposed a few modifications to the substitute bill. He then requested Atty. Rudolph Jularbal, general counsel of the KBP, to discuss the proposed changes.

Atty. Jularbal informed the Body that the KBP is inclined to support HB 370 because it is more comprehensive. He stated the KBP's proposed amendment as follows:

"Sec. 1. Without prejudice to his liability under the civil and criminal laws, a duly accredited journalist of any legitimate print, broadcast, internet, or wire service organization, station or network, including the publisher, station owner and/or manager, bureau chief, editor, news director, writer or reporter, correspondent, opinion columnist or commentator, cartoonist, photographer, or other practitioner involved in the gathering, writing, editing of, or commenting on the news for mass circulation or broadcast cannot be compelled to reveal the source of any news item, news report or information appearing or being reported, disseminated or commented on in said media, which was relayed in confidence to such journalist or practitioner unless the court or the House of Representatives or the Senate or any of its committees finds that such revelation is demanded by the security of the State."

Atty. Jularbal said that the KBP wishes to include the following:

- "legitimate" - to distinguish it from those that operate without the proper authority or permit from the appropriate government agency;
- "station or network" - to qualify the broadcast organization;
- "gathering" - to refer to correspondents;
- "disseminated or commented on" - because the source of the information being disseminated or commented on should also be protected

With regard to the phrase "accredited journalist" Atty. Jularbal said that this is difficult to define because there are "stringers," "contributors," "citizen reporters," and contribution by way of blogs. He opined that the guiding principle should be that for as long as the media organization recognizes and uses the material being submitted, then the source should be considered an accredited source.

In response to the query of Rep. Casiño if the law intends to cover bloggers and blocktimers, Atty. Jularbal admitted that bloggers are a gray area. He explained that the news organization validates the independent source, therefore, a blog is not taken at face value.

For his part, Atty. Jose Vener Ibarra of GMA-7 stressed that the network favors limiting the privilege granted under the expanded Sotto Law to legitimate writers of web-based news services. To further qualify the inclusion of bloggers, Rep. Casiño gave the example of a blogger who posts on his site a photo taken by his friend of a politician engaged in some anomalous deed. He asked whether the Sotto Law would protect the blogger from revealing the source of the photo. Atty. Ibarra replied that if the news organization picks up the story from the blogsite, then the blogger would be considered the source, and the journalist who discusses the news item would be the one covered by the privilege. Atty. Jularbal agreed with the observation of Rep. Casiño that the privilege should cover bloggers that are recognized by independent online news publications as regular content providers.

As for blocktimers, Atty. Jularbal informed the Body that the KBP has an accreditation process for them. He explained that a blocktimer refers to one that purchases airtime for a program and not necessarily the on-air personality during the program, but for as long as they are under the supervision of the station, in the sense that the station has the prerogative to cut them off the

air, then they should be considered as accredited journalists. Rep. Evardone further explained that this is because the stations are liable for what the commentators or blocktimers say on-air.

On the query of Rep. Casiño if the privilege covers those who reveal information through Facebook, Twitter or similar social network sites, Atty. Jularbal said that such network sites could contain pages devoted to news and comments, which could then qualify them for the privilege. However, Atty. Ibarra pointed out that news websites carry more responsibility and are more accountable to the public than these social network sites.

As to the concern raised by Rep. Lani Mercado-Revilla on the posting of items on Youtube, Rep. Maximo Rodriguez, Jr. said it is very difficult to identify the source of the video.

On motion of Rep. Casiño, the Committee approved the substitute bill as amended, subject to style.

Thereupon, the Chair directed the secretariat to file the Committee Report on the bill as amended, to the Bills and Index Service.

VI. CONTINUATION OF DELIBERATION ON HOUSE RESOLUTION NO. 247 (REPS. RUFUS RODRIGUEZ AND MAXIMO RODRIGUEZ, JR.) – Investigation on the Non-Compliance with Executive Order No. 255, which mandates the playing of four Original Pilipino Music (OPM) compositions every clockhour of programs with musical formats

Mr. Noel Cabangon of the Organisasyon ng Pilipinong Mang-aawit (OPM), reading from a prepared statement, said that there are two main factors in the opposition to EO 255: 1) there are not enough local materials to be played; and 2) many local materials may not fit current formats lorded over by talk radio.

The Philippine Association of the Recording Industry (PARI) has belied the first claim, saying that there are more than 26,000 locally recorded musical compositions of various genres and formats in its database, he said. This number does not include thousands of music created by cultural communities and independent artists whose musical heritage and compositions have not been recorded and disseminated simply because they do not have access to facilities and resources. The efforts of institutions such as the KBP, Filipino Society of Composers, Authors and Publishers (FILSCAP) and Metropop therefore are commendable and vital to the establishment of bigger and more popular body of work in Philippine music, he added.

As to the second claim, Mr. Cabangon emphasized that talk radio is clearly not covered under Sec. 1 of EO 255. The OPM has observed, however, that many talk radios still play music during their programs.

The OPM stressed that the ongoing dialogue between OPM, KBP and the National Telecommunications Commission (NTC) is an important step towards the effective promotion of original Pilipino music.

On behalf of the FILSCAP, Ms. Debbie Gaité, general manager, informed the Body that the organization has submitted to the Committee a partial inventory of approximately 25,900 original Pilipino music works by FILSCAP members. The FILSCAP currently has around 1,000 members, some of whom have been succeeded by their heirs. The list does not include works by FILSCAP members who have not updated their list of works, and Filipino composers who

have migrated to other countries and joined foreign music societies, such as Mr. Freddie Aguilar. It also excludes film and TV background music/musical scoring which may not be radio-friendly, and works covered under public domain, some of which have been rearranged into different genres.

On the part of the NTC, Commissioner Gamaliel Cordoba reported to the Body the results of its dialogue last January 21, 2011 with KBP and OPM:

1. OPM does not only encompass music performed by Filipino artists but also works by foreign composers, thus the parties agreed to come up with an expanded definition of the term "OPM";
2. KBP proposed modifications of the requirement for "four OPM songs in every clockhour of a program";
3. KBP will come up with a clear contemporary definition of what a "musical format" is since some broadcasts have mixed formats;
4. To address the lack of OPM materials for specific types of genre, OPM and KBP agreed to collaborate with and tap Filipino talents to produce more materials;
5. The KBP is of the opinion that instead of penal sanctions for non-compliance under Sec. 2 of EO 255, the law could extend tax and other incentives or even waive payment of royalties under certain circumstances for radio stations that comply.

With respect to the second sentence of Sec. 2 of EO 255, which gives the NTC the authority to suspend or cancel the operation of any radio station for violation of the EO, Commissioner Cordoba said this has to be clarified in light of the rulings of the Supreme Court in *Chavez v. Gonzalez* and *Divinagracia v. Consolidated Broadcasting System*. The High Court ruled that the NTC cannot issue content-related memorandum circulars or any other issuances and that it can only deal with technical matters (such as use of bandwidth). He added that based on these decisions, a *quo warranto* proceeding must be filed in court pursuant to a suspension or cancellation of a franchise, because closing down a station goes against the legislative intent of granting franchises.

Commissioner Cordoba also informed the Body that the parties agreed to come up with a Memorandum of Understanding (MOU) with regard to the implementation of EO 255 and the promotion of Filipino music and talents. A copy of the MOU will be submitted to the Committee.

As to the Implementing Rules and Regulations (IRR) as provided under Sec. 3 of EO 255, Rep. Rodriguez pointed out that conflict arose precisely because of the lack of IRR and that the IRR would be more effective than a MOU. Commissioner Cordoba replied that there is an IRR promulgated in 1988, but it only detailed the contents of the EO. Rep. Rodriguez then requested the NTC to submit the IRR to the Committee.

Rep. Rodriguez suggested that the stakeholders conduct a review of the IRR of EO 255. If the IRR proves insufficient in promoting Filipino talent, then he will file the necessary bill to address this matter.

Atty. Vin Dancel of the OPM said the organization is willing to work with the other stakeholders to come up with a better IRR. He added that if the NTC's authority has limitations then it would be better to identify the proper agency that would enforce the EO.

At this juncture, Rep. Evardone directed the NTC to act on the request of Mr. Elmar Ingles of the OPM to furnish the Committee and the OPM copies of the reports on all the requirements that are supposed to have been imposed by the NTC as the lead agency in implementing the EO. This includes the reports of compliance since 1988 of all radio stations as to the extent of the implementation of the EO, and the program logs of the radio stations. Mr. Ingles said this will help the Committee and the stakeholders to determine the extent of NTC's efforts to enforce the EO.

Atty. Jularbal stressed that there is no issue on the advocacy of promoting Filipino talent and that it is a matter that the KBP has supported from way back. He however opined that the reason for the issuance of EO 255 is no longer there, except for a few cases. He also stressed that while the State has the right and obligation to promote Filipino talent and culture, the issue at hand is the freedom of thought, expression and speech. The issue addressed by the Supreme Court decisions cited by NTC is whether a broadcast station can be compelled to adopt a particular advocacy in a particular way, a particular quantity and in a particular manner. The rationale is that the State has no right to compel a radio station the content of its programs, nor be told in a particular manner how, when and how much the radio station should promote Filipino talent. This, he said, brings up an issue of constitutionality, which the KBP does not want to raise because it believes in the advocacy itself.

Rep. Evardone replied that delving too deeply on the legal issues will lead nowhere and that the best course of action is to follow Rep. Rodriguez's suggestion for all stakeholders to continue the dialogue and help the NTC come up with more acceptable guidelines.

Ms. Gaité informed the Body that the FILSCAP, as a collector of royalties and distributor of royalties, remits overseas forty percent (40%) of what it collects and distributes only sixty percent (60%) locally as compared to the ratio in other countries which is 20:80, she pointed out. Last year, FILSCAP collected a total of P75 million, she added. She then requested that the FILSCAP be provided a seat in the ongoing dialogue among stakeholders, which Rep. Evardone agreed to.

VII. BRIEFING BY THE MOVIE AND TELEVISION REVIEW AND CLASSIFICATION BOARD (MTRCB)

Chairperson Mary Grace Poe Llamanzares of the MTRCB briefly presented the mandate and functions of the Board. She underscored the agency's mission, its procedure for review and classification, the steps it has taken to help the industry move toward self-regulation, and the adjudication process.

With respect to the monitoring of films and TV shows, Ms. Llamanzares said that the monitoring unit is composed of less than 15 people, making it a daunting task to review hundreds of films and shows daily. In this regard, the deputy cards issued by the MTRCB are very important because the agency needs all the assistance it can get. However, the theatre owners have asked the MTRCB to limit the issuance of such cards. Thus, the MTRCB is trying to maintain a balance of trying to help the industry by not issuing too many cards, but it truly needs help in monitoring all these movies and programs.

VIII. BRIEFING BY THE OPTICAL MEDIA BOARD (OMB)

Chairman Ronald Ricketts of the Optical Media Board (OMB) presented the mandate, functions and current plans and programs of the agency.

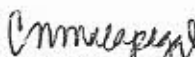
Rep. Lani Mercado-Revilla asked about the number of cases the OMB filed against copyright violators. Atty. Jose Luis Padilla of the OMB legal division replied that the agency has made several arrests and that there are several pending administrative and court cases, but there have not yet been any convictions under the OMB law.

Rep. Evardone asked the OMB to submit to the Committee its proposal for improvements to the OMB law. He also requested the OMB to submit its accomplishment report for 2010 as well as figures on the street value of the sales made by copyright violators.

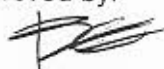
IX. ADJOURNMENT

There being no other matters to discuss, the meeting was adjourned at 4:38 p.m.

I hereby certify to the correctness of the foregoing minutes.


CATHERINE N. MACAPAGAL
Committee Secretary

Approved by:


BEN. P. EVARDONE
Chairman

It may be stressed that this Bill passed on third and final reading in the House of Representatives during the Thirteenth and Fourteenth Congresses but was not approved by the Senate, for lack of time upon congressional adjournment.

In view of all the foregoing, approval of the Bill is earnestly requested.



RACHEL MARGUERITE B. DEL MAR

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 370

Introduced by: **HON. RACHEL MARGUERITE B. DEL MAR**

AN ACT

**AMENDING REPUBLIC ACT NO. 53, AS AMENDED, OTHERWISE KNOWN AS
“AN ACT TO EXEMPT THE PUBLISHER, EDITOR OR REPORTER OF ANY
PUBLICATION FROM REVEALING THE SOURCE OF PUBLISHED NEWS OR
INFORMATION OBTAINED IN CONFIDENCE” BY INCLUDING WITHIN ITS
COVERAGE JOURNALISTS FROM BROADCAST, NEWS AGENCIES AND
INTERNET PUBLICATIONS**

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

1 SECTION 1. Section 1 of Republic Act No. 53, as amended, is hereby further amended
2 to read as follows:

3 “SECTION 1. Without prejudice to his liability under the civil and
4 criminal laws, [the publisher, editor, columnist or duly accredited reporter of any
5 newspaper, magazine or periodical of general circulation cannot be compelled to
6 reveal the source of any news-report or information appearing in said publication
7 which was related in confidence to such publisher, editor or reporter unless the
8 court or a House or committee of Congress] A DULY ACCREDITED
9 JOURNALIST OF ANY PRINT, BROADCAST, INTERNET, OR WIRE
10 SERVICE ORGANIZATION, INCLUDING THE PUBLISHER, STATION

1 OWNER AND/OR MANAGER, BUREAU CHIEF, EDITOR, NEWS EDITOR,
2 WRITER OR REPORTER, CORRESPONDENT, OPINION COLUMNIST OR
3 COMMENTATOR, CARTOONIST, PHOTOGRAPHER, OR OTHER
4 PRACTITIONER INVOLVED IN THE WRITING, EDITING, COMMENTING
5 ON THE NEWS FOR MASS CIRCULATION CANNOT BE COMPELLED TO
6 REVEAL THE SOURCE OF ANY NEWS ITEM, NEWS REPORT OR
7 INFORMATION APPEARING OR BEING REPORTED OR DISSEMINATED
8 IN SAID MEDIA, WHICH WAS RELATED IN CONFIDENCE TO SUCH
9 JOURNALIST OR PRACTITIONER UNLESS THE COURT OR THE HOUSE
10 OF REPRESENTATIVES OR THE SENATE OR ANY OF ITS COMMITTEES
11 finds that such revelation is demanded by the security of the State.”

12 SEC. 2. *Repealing Clause.* - All laws, decrees, executive orders, rules or regulations or
13 parts thereof inconsistent with the provisions of this Act are hereby repealed or modified
14 accordingly.

15 SEC. 3. *Effectivity.* - This Act shall take effect fifteen (15) days after its complete
16 publication in at least two (2) newspapers of national circulation.

Approved,

HOUSE OF REPRESENTATIVES

House Bill No. 2275

*Introduced by Representative Rufus B. Rodriguez and
Representative Maximo B. Rodriguez, Jr.*

EXPLANATORY NOTE

Every democratic nation today recognizes the value of freedom of the press. The recognition and respect for this freedom is the very essence of democracy. Uncensored public discussion is a necessary condition in a society enjoying the bounty of a free and democratic State. Hence, freedom of the press is founded on the assumption that the widest possible dissemination of information from diverse, and perhaps even "antagonistic" sources is essential for the enhancement and projection of the welfare and interest of the people. Indeed, government can be responsive to the will of the people only when free debate and unhampered exchange of ideas become the hallmark of the State.

In the Philippines, freedom of the press is a right protected by no less than the Constitution. At the very core of the right is the liberty to discuss publicly and truthfully all matters of public interest without prior censorship or subsequent punishment. It signifies the freedom of a person to communicate with other members of the body politic.

It was in this liberal spirit that the Legislature enacted Republic Act No. 53 in 1946. The Act exempted the publisher, editor, columnist, or duly accredited reporter of any newspaper, magazine or periodical of general circulation from being compelled to reveal the source of any news report or information appearing in said publication which was related in confidence to such publisher, editor or reporter, unless the court or a House or committee of Congress finds that such revelation is demanded by the security of the State.

As in the case of anything good, Republic Act No. 53 had already outgrown its usefulness, so to speak. It would have been a very good law if only it anticipated the growth and development of mass media. Unfortunately, only members of the print media are covered under its provisions.

It is beyond doubt that included within the concept of the "press" are such vehicles of communications as radio, television and printed publications. Republic Act No. 53, therefore, failed to cope with the exigencies of modernization. In view of the foregoing, early passage of this bill is earnestly sought.



RUFUS B. RODRIGUEZ



MAXIMO B. RODRIGUEZ, JR.

HOUSE OF REPRESENTATIVES

House Bill No. 2275

*Introduced by Representative Rufus B. Rodriguez and
Representative Maximo B. Rodriguez, Jr.*

AN ACT

FURTHER AMENDING SECTION ONE OF REPUBLIC ACT NO. 53, OTHERWISE KNOWN AS AN ACT TO EXEMPT THE PUBLISHER, EDITOR, COLUMNIST OR REPORTER OF ANY PUBLICATION FROM REVEALING THE SOURCE OF PUBLISHED NEWS OR INFORMATION OBTAINED IN CONFIDENCE

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

SECTION 1. - Section One of Republic Act No. 53 is further amended to read as follows:

"SECTION 1. Without prejudice to his liability under the civil and criminal laws, the publisher, editor, columnist or duly accredited reporter of any newspaper, magazine or periodical of general circulation and the manager or duly accredited reporter or newscaster of any radio or television station, network or facility, cannot be compelled to reveal the source of any news report or information appearing in said publication or emanating from said radio or television station, network or facility which was related in confidence to such publisher, editor or reporter unless the court or a Senate or House Committee of Congress finds that such revelation is demanded by the security of the State."

SEC. 2. Effectivity. - This Act shall take effect immediately upon its approval,

Approved.

FACT SHEET

4262

House Bill No. _____
(As Approved by the Committee)

"AN ACT

AMENDING REPUBLIC ACT NO. 53, AS AMENDED, OTHERWISE KNOWN AS 'AN ACT TO EXEMPT THE PUBLISHER, EDITOR OR REPORTER OF ANY PUBLICATION FROM REVEALING THE SOURCE OF PUBLISHED NEWS OR INFORMATION OBTAINED IN CONFIDENCE' BY INCLUDING WITHIN ITS COVERAGE JOURNALISTS FROM BROADCAST, NEWS AGENCIES AND INTERNET PUBLICATIONS"

Introduced by: Rep. Rachel Marguerite B. Del Mar,
Reps, Rufus B. Rodriguez And Maximo B. Rodriguez, Jr.

Committee Referral: **COMMITTEE ON PUBLIC INFORMATION**
Committee Chairperson: **REP. BEN P. EVARDONE**

OBJECTIVE:

- To expand the coverage of the journalist's right to refuse to reveal the source of published news or information obtained in confidence

KEY PROVISION:

- Mandates that duly accredited journalists of any legitimate print, broadcast, internet, or wire service organization, station or network, including the publisher, station owner and/or manager, bureau chief, editor, news editor, writer or reporter, correspondent, opinion columnist or commentator, cartoonist, photographer, or other practitioner involved in the gathering, writing, editing of or commenting on the news for mass circulation or broadcast **cannot be compelled to reveal the source** of any news item, news report or information appearing or being reported, disseminated or commented on in said media, which was relayed in confidence to such journalist or practitioner **unless** the Court or the House of Representatives or the Senate or any of its committees finds that such revelation is demanded by the security of the State.

RELATED LAWS:

- RA 53, as amended
- RA 1477