

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 4639

Introduced by Rep. Winston "Winnie" Castelo

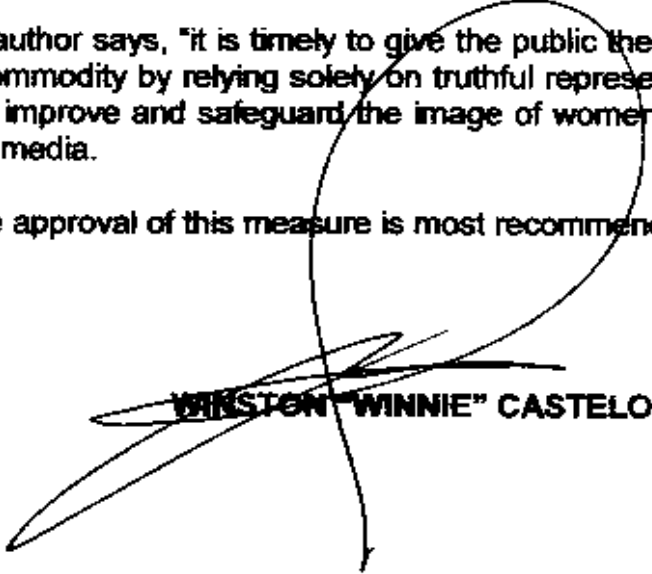
EXPLANATORY NOTE

Offhand, this bill has been filed in the 14th Congress as introduced by Rep. Glenda B. Ecleo but its relevance and timeliness are not diminished, hence this refiling.

This finds it imperative to lay penalties to advertising agencies, televisions, radio stations and publications which, either in form or more so in substance, exploit women and glorify sexual violence in their advertisements.

As the former author says, "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.

Henceforth, the approval of this measure is most recommended.



WINSTON "WINNIE" CASTELO

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

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

SECTION 1. Short Title. – This Act shall be known as the "Advertisement Regulation Act of 2011."

SECTION. 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, televisions, outdoor advertisements including posters and billboards, in movie theaters and other media.

SECTION 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, televisions, cable televisions, outdoor advertisements 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.

Section 4. Prohibition and Penalties – Any Advertising agency, television or radio stations and publication which exploit individual and glorify sexual violence in its advertisements shall, for the first offense, be liable for a fine of not less than Fifty Thousand Pesos (P50,000.00) nor more than Seventy Thousand Pesos (P70,000.00) plus suspension of license or permit for thirty days (30); For the second offense, to a fine of not less than Seventy Thousand Pesos (P70,000.00) nor more Eighty (P80,000.00) plus suspension of license or permit for Sixty Days (60); and for the third and final offense, imprisonment 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, televisions 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.

Section 5. Monitoring – The Movie Television Review and Classification Board shall monitor compliance with the provisions of this Act.

Section 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.

Section 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.

Section 8. Effectivity – This Act shall take effect upon its approval.

Approved,