

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 5753



Introduced by Hon. ANGELO B. PALMONES

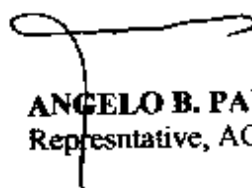
**AN ACT AMENDING SECTION 19 OF RA 9239 OTHERWISE KNOWN AS
THE OPTICAL MEDIA ACT OF 2003 TO IMPOSE PENALTIES TO BUYERS
OF ILLEGAL OPTICAL MEDIA PRODUCTS AND FOR OTHER PURPOSES**

EXPLANATORY NOTE

RA 9239 otherwise known as the Optical Media Act of 2003 has been in operation for 9 years now and its implementation has resulted in the apprehension of illegal optical media products as well as the confiscation of illegally produced optical media products including production equipment. The importation/exportation of illegal optical media products and their production within the country have violated the intellectual property rights of persons creating these optical media products. They also violate the rights of optical media manufacturers and entities selling and distributing licensed optical media products.

Yet, despite the efficient implementation of RA 9239 the production and sale of illegal optical media products proliferate. This is because buyers of these products are not liable to punishment under this Act. For as long as there are buyers of illegal optical media products there will be manufacturers, distributors and sellers of these products.

It is the aim of this proposed legislation to impose penalties to buyers of illegal optical media products.


ANGELO B. PALMONES
Representative, AGHAM Party List

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

SECTION 1. Title. This Act shall be known as the "Amendment to RA 9239 or the
Optical Media Act of 2012"

SECTION 2. Amendment. Section 19 (d) of RA 9239 or the Optical Media Act of 2003
is hereby amended to read:

- (3) Purchase or mere possession of illegally produced or illegally imported optical
media for commercial or personal use is a violation of this Act. For the
purpose of implementing this Act the OMB shall conduct extensive
information and education campaign to inform the public of this Act and on
how to distinguish legal from illegal optical media products.

SECTION 3. Implementing Rules and Regulations. -- The OMB shall, within three (3)
months from the effectivity of this Act, submit to the COC-OMB, the implementing rules
and regulations (IRR) governing this Act. The COC-OMB shall approve the IRR within
thirty (30) days.

SECTION 4. Separability Clause. — If, for any reason, any provision of this Act is
declared invalid or unconstitutional, the other sections or provisions not so declared shall
remain in full force and effect.

SECTION 5. Repealing Clause. --- All other laws, rules, regulations, decrees, executive
orders and other issuances or parts thereof which are inconsistent with the provisions of
this Act are hereby repealed or modified accordingly.

SECTION 6. 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.