

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
Third Regular Session

House Bill No. 6688



Introduced by HON. IRWIN C. TIENG
and HON. MARIANO MICHAEL M. VELARDE

EXPLANATORY NOTE

Television is recognized as the most popular source of information and entertainment in the world. However, a huge amount of programming is not accessible to individuals with hearing disabilities. It is thus the aim of this bill to require all franchise holders or operators of television stations and producers of television programs to broadcast their program with closed captions.

Closed Captions are text descriptions of the speech, music and sound effects of a television program. Although closed captioning provides a critical link to news, entertainment, and information for individuals with hearing disabilities, closed captioning is not limited to those with hearing disabilities. This is also useful in public places where sound is inaudible or impractical. Moreover, the captions significantly help in the development of reading and literacy skills of viewers.

Hence, immediate passage of this bill is earnestly sought.

IRWIN C. TIENG

MARIANO MICHAEL M. VELARDE

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AN ACT
TO REQUIRE ALL FRANCHISE HOLDERS OR OPERATORS OF TELEVISION
STATIONS AND PRODUCERS OF TELEVISION PROGRAMS TO BROADCAST OR
PRESENT THEIR PROGRAMS WITH CLOSED CAPTIONS, AND FOR OTHER
PURPOSES

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

Section 1. Requirement. - All franchise holders or operators of television stations and producers of television programs are required to broadcast their programs with closed caption to benefit persons with hearing disabilities.

Section 2. Definition of Terms. - As used in this Act:

- a) Closed-caption shall mean a method of subtitling television programs by coding statements as vertical interval data signal that are decoded at the receiver and superimposed at the bottom of the television screen.
- b) Economically burdensome shall mean that which result in a significant difficulty or expense to be determined by the following factors:
 - 1) The nature and cost of the closed captions for the programming;
 - 2) The impact on the operation of the provider or producer;
 - 3) The financial resources of the provider or producer;
 - 4) The type of operations of the provider or producer.

Section 3. Exempt Programming. - The following shall be exempt from closed captioning:

- a) Public service announcements that are shorter than ten (10) minutes.
- b) Programs shown in the early morning hours from 1:00am to 6:00am.
- c) Programs that are primarily textual in nature.
- d) When compliance would be economically burdensome.

Section 4. Penalties. - Any franchise holder or operator of television stations and producer of television programs, who shall violate the provisions of this Act shall be punished by a fine of not less than Fifty Thousand Pesos (P50,000.00) but not more

than One Hundred Thousand Pesos (P100,000.00) or by imprisonment of not less than six (6) months but not more than one (1) year, or both, at the discretion of the court.

In case the offender is a corporation, partnership or association, or any other juridical person, the president, manager, administrator, or person-in-charge of the management of the business shall be liable therefore. In addition, the license or permit to operate its business shall be cancelled.

Section 5. *Implementing Rules and Regulations.* – The National Telecommunication Commission and the Movie and Television Review and Classification Board, in consultation with other concerned agencies and entities, shall promulgate the necessary rules and regulations for the effective implementation of this Act.

Section 6. *Repealing Clause.* - All laws, decrees, orders, rules or regulations, other issuances or parts thereof inconsistent with this Act are hereby repealed or amended accordingly.

Section 7. *Separability Clause.* - If any provision of this Act is declared invalid, other parts or provisions thereof not affected thereby shall remain and continue to be in full force and effect.

Section 8. *Effectivity.* - This Act shall take effect fifteen (15) days after publication in two (2) newspapers of general circulation.

Approved,