

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SIXTEENTH CONGRESS
First Regular Session



HOUSE BILL NO. 362

Introduced by: REP. RAUL V. 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.

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.



RAUL V. DEL MAR

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 362

Introduced by: REP. RAUL V. 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 the House of Representatives of the Philippines in Congress assembled:

SECTION 1. Section 1 of Republic Act No. 53, as amended, is hereby 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 cannot be 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] 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 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."

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

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

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ordinance or rule or regulation inconsistent with or contrary to the provisions of this Act is hereby amended or repealed.

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

Approved,