

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

SIXTEENTH CONGRESS
First Regular Session

House Bill No. 1187



INTRODUCED BY HON. MARCELINO "MARCY" R. TEODORO

EXPLANATORY NOTE

The seemingly unabated manufacturing, trading and vending of unauthorized copies of DVDs and other forms of optical media technology exacerbates the problems besetting the local movie industry, which woefully has to deal with other equally serious concerns such as heavy tax burdens and high productions costs.

Because of piracy, seventy (70%) per cent of Filipino movies produced will lose money, consequently translating into diminishing tax revenues for the government, as well.

Albeit the safeguards incorporated under Republic Act 9239, providing for stiffer penalties and fines against unscrupulous individuals who illegally make copies of such products in numbers and at such speeds and frequencies unprecedented in the last few years, law enforcement agencies, while gaining momentum in their crusade against piracy, are still or continue to be helpless in completely mitigating this deleteriously illegal activity.

The reason is that demands for pirated products are very high. Therefore, many enterprising syndicates continue taking risks manufacturing and selling, despite on-going crackdown operations, because of expectedly big returns, what with millions of Filipinos getting their hands into these prohibited products.

The pending measure is designed to take care of the demand side aspect of the problem, by apprehending and prosecuting those who buy, purchase and patronize pirated DVDs. Certainly, only through an efficient demand side management alongside with that of supply side could spell success for the government in truly curbing this nefarious menace.

Hence, immediate enactment of this bill is earnestly sought.

A handwritten signature in black ink, appearing to read "Marcelino Teodoro".

MARCELINO "MARCY" R. TEODORO
Representative, 1st District
City of Marikina

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AN ACT
AMENDING SECTION 19 OF REPUBLIC ACT 9239, AS AMENDED
AND FOR OTHER PURPOSES

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

SECTION 1. Section 19 (b) of Republic Act 9239, as amended, is hereby further amended to read as follows:

"(a) Imprisonment of at least 30 days but not more than 90 days or a fine of not less than 25,000.00 pesos but not exceeding fifty thousand pesos at the discretion of the court:

(1) Knowingly possess items of the same content or title, produced in violation of this Act, and used for the purpose with the intent to profit;

(2) Engaging in the sale, rental, distribution, importation, exportation of, or any other commercial activity involving optical media that are in violation of this Act.

(3) KNOWINGLY PURCHASE, BUY OR PATRONIZE ITEMS OF THE SAME CONTENT OR TITLE, PRODUCED IN VIOLATION OF THIS ACT."

SEC. 2. *Implementing Rules and Regulations.* - The Optical Media Board (OMB) shall promulgate the necessary rules and regulations for the effective implementation of this Act.

SEC. 3. *Repealing Clause.* - All laws, decrees, executive orders, rules and regulations or parts thereof of which are contrary to or inconsistent with this Act are hereby repealed, amended or modified accordingly.

SEC. 4. *Effectivity.* - This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in any two newspapers of general circulation, whichever comes earlier.

Approved,