

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Constitution Hills, Quezon City

SIXTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 1407



Introduced by Representative Harlin Cast. Abayon

EXPLANATORY NOTE

This bill wishes to arrest the seemingly unrestrained influx of obscene pictures along the country's major thoroughfares. And by doing this, the general welfare of the populace is indeed protected and enriched. This measure was previously filed by Senator Manny Villar in the 15th Congress. Passage of this Bill is earnestly sought now in the 16th Congress.

A handwritten signature in black ink, consisting of a stylized 'H' and 'A' followed by a flourish.

HARLIN CAST. ABAYON
Representative
First District of Northern Samar

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**AN ACT PROHIBITING THE PUBLIC EXHIBITION OR DISPLAY OF
OBSCENE AND/OR DISTRACTIVE MOTION OR STILL PICTURES ALONG
MAJOR THOROUGHFARES**

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

SECTION 1. Declaration of Policy. Realizing the need to promote road safety, in view of the hazardous effects of obscene and/or distractive motion or still pictures along major thoroughfares upon vehicle drivers, and recognizing the need to protect the morals of the community, in view of the damaging effects caused by such pictures on the values of children and the general public, it is hereby declared the policy of the state to disallow the public exhibition or display of obscene pictures, whether for purposes of advertisement or otherwise, along major thoroughfares.

Section 2. Obscene and/or Distractive Pictures. For purposes of this Act, obscene and/or distractive pictures mean pictures or images, still or moving, that: 1) go substantially beyond customary limit of candor and offend community standards of decency; and 2) lack serious literary, artistic, political, or scientific value.

Section 3. Penalties. The party or parties responsible for the public exhibition or display of obscene and/or distractive picture 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, for advertisers, suspension of advertising permit or license for thirty-(30) days; for the second offense, to a fine of not less than Seventy Thousand Pesos (P70,000.00) nor more than Eighty Thousand Pesos (P80,000.00) plus, for advertisers, suspension of advertising permit or license for sixty (60) days; and for the third and final offense, imprisonment of not less than six months nor more than six (6) years or a fine of not less than Eighty Thousand Pesos (P80,000.00) nor more than One Hundred Thousand Pesos (P1 00,000.00) or both imprisonment and fine at the discretion of the court plus, for advertisers, cancellation of advertising permit or license.

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 aforementioned organizations.

Section 4. Monitoring. The Department of Public Works and Highway shall: 1) identify the major thoroughfares in the country, in view of its pre-established standards; and 2) monitor compliance with the provisions of this Act.

Section 5. Rule-Making Powers. The Department of Public Works and Highway and the Department of Justice shall promulgate a procedure for the prosecution of violators and other necessary rules and regulations for the effective implementation of this Act.

Section 6. Separability Clause. If for any reason, any portion or portions of this Act is found unconstitutional or invalid by a court of competent jurisdiction, such portions which are not affected by the declaration shall remain valid and ineffective.

Section 7. Effectivity Clause. This Act shall take effect upon its approval.

Approved,