

1
2 Republic of the Philippines
3 **HOUSE OF REPRESENTATIVES**
4 Quezon City, Metro Manila

5
6 **SIXTEENTH CONGRESS**

7
8 First Regular Session

9
10 **HOUSE BILL NO. 2366**



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12
13 **INTRODUCED BY REPRESENTATIVE XAVIER JESUS "XJ" D. ROMUALDO**
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16 **EXPLANATORY NOTE**

17
18 The late Representative Pedro P. Romualdo originally filed a version of this proposed measure in
19 the previous Congress. The Explanatory Note of the late Representative Romualdo is herein
20 reproduced and adopted as the explanation for the filing of this bill:

21
22 The right of reply bill does not curtail nor trample the freedom of expression. The
23 intent of this proposal is to expand the exercise of freedom of expression, as this is
24 not a monopoly of the media.

25
26 The freedom of expression as enshrined in the 1987 Constitution pertains to the right
27 of every Filipino to express his or her opinion in whatever form or format or in any
28 forum. In the exercise of this right, a corresponding responsibility also rests to allow
29 the affected person or entity to respond to any allegations, innuendos, mortifications
30 or false statements of people from the media. This is premised on the spirit of fair
31 play and transparency.

32
33 Equal opportunity shall be given to those persons affected by the actions, statements,
34 rumors and other mischievous statements of the media. The right of reply bill is a
35 vehicle for all people from all walks of life to defend their rights, reputation, honor
36 and integrity against any attack by the media.
37

1 Presently, existing media organizations cannot police their ranks, particularly fly-by-
2 night media practitioners that are mushrooming anywhere and are using their identity
3 to harass, extort, malign or discredit persons, who are against their vested interests or
4 contravene their ill-motives.

5
6 In the exercise of the freedom of expression, we are supporting the discourse of
7 issues, which at times may result to clashing of opinions, but it must be done in a
8 respectful and cordial manner. Media should also exercise caution and practice
9 responsible journalism in all aspects whether in print media, broadcast media or by
10 electronic format. It should not result to brawling or to unfairly criticize the position
11 or opinion of any person.

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13 In view of the foregoing, the support of the Members of Congress for the timely passage of this
14 proposed measure is earnestly requested.

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16 **XAVIER JESUS "XJ" D. ROMUALDO**
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15
16 **AN ACT**
17 **GRANTING THE RIGHT OF REPLY AND PROVIDING PENALTIES FOR**
18 **VIOLATION THEREOF**
19

20 *Be it enacted by the Senate and House of Representatives of the Philippines in Congress*
21 *assembled:*
22

23 Section 1. Right of Reply. – Every person, whether natural or juridical, who is the subject
24 of allegations or insinuations of wrongdoing, misconduct, incompetence, dishonesty,
25 impropriety, corruption, criminality, or immorality, or is the subject of a strong and damaging
26 report, critique, account, or feature, shall have the right to reply to the allegations, insinuations,
27 report, critique, account, or feature published or printed in a newspaper, magazine, newsletter, or
28 any other publication, website, blog, or any other form of social media or aired or broadcasted
29 over radio or television, whether or not operated for profit.
30

31 Section 2. Exercise of the Right of Reply. – The reply shall be published or printed in the
32 same space of the newspaper, magazine, newsletter, publication, website, blog, or social medium
33 or aired or broadcasted over the same segment, program, or show on radio or television, free of
34 charge or any other fee.
35

36 The reply shall be published, printed, aired or broadcasted not later than three (3) days after the
37 reply shall have been delivered to the owner, author, producer, publisher, responsible manager or
38 officer, or editorial office of the publication, website, blog, social medium, segment, program,
39 show, or television or radio station or network concerned. The reply shall not be edited or

1 otherwise altered and shall be presented in full in the same manner it was prepared and delivered
2 by the person exercising his, her, or its right of reply.

3
4 The reply shall not be longer than the space or time used in publishing, printing, airing, or
5 broadcasting the allegations, insinuations, report, critique, account, or feature.

6
7 Section 3. Penalties. – The owner, author, editor-in-chief, publisher, producer,
8 responsible manager or officer, as the case may be, of the publication, website, blog, social
9 medium, segment, program, show, radio or television station or network, who fails or refuses to
10 publish, print, air, or broadcast the reply as required in this Act shall be fined Twenty Thousand
11 Pesos for the first offense, Thirty Thousand Pesos for the second offense, and Fifty Thousand
12 Pesos for the third offense. Thereafter, for subsequent failures or refusals to publish, print, air, or
13 broadcast the reply as required herein, a fine of One Hundred Thousand pesos shall be imposed.

14
15 Moreover, if the offender is a public officer, he or she shall be subjected to administrative
16 liability under existing Civil Service law. As used herein, a public officer is any person holding
17 any office in the Government of the Republic of the Philippines by virtue of an appointment,
18 election, or contract.

19
20 Section 4. Jurisdiction and Procedure in Court. – The criminal action for violations of this
21 Act shall be under the jurisdiction of the Metropolitan Trial Courts, Municipal Trial Courts in
22 Cities, Municipal Trial Courts, and Municipal Circuit Trial Courts and shall be governed by the
23 Revised Rule on Summary Procedure.

24
25 Section 5. Availability of Other Remedies. – The publication, printing, airing, or
26 broadcasting of the reply does not preclude recourse to other remedies or actions available under
27 existing law.

1 Section 6. Separability. – If any provision of this Act is declared invalid or
2 unconstitutional, the other provisions not affected thereby shall continue to be in full force and
3 effect.

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5 Section 7. Effectivity. – This Act shall take effect fifteen (15) days following its
6 publication in two (2) newspapers of general circulation.

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8 Approved,
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