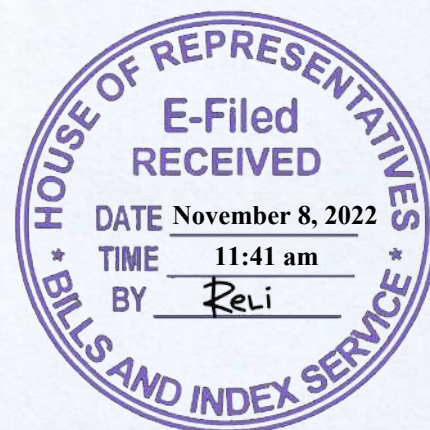


Republic of the Philippines
HOUSE OF REPRESENTATIVES

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 5916



Introduced by Representative Rex Gatchalian

AN ACT
REGULATING THE PLACEMENT AND CONTENT OF BILLBOARDS
INCLUDING THEIR SUPPORT STRUCTURES

EXPLANATORY NOTE

In recent years, there has been a steady growth of the number of billboards along major thoroughfares. This has sparked concerns among Filipinos, especially those regularly traversing these roads due to the concomitant dangers that come with erecting these billboards, such as distraction from driving and the integrity of the structures. Back in 2011, the Metro Manila Development Authority implemented "Operation roll down baby" wherein they have taken down advertisements on billboards along the Epifanio Delos Santos Avenue (EDSA) which have failed to meet the safety standards set by the National Building Code (NBC).¹ Specifically, the NBC prohibits the construction of any sign or signboard which unduly obstruct the natural view of the landscape, distract or obstruct the view of the public as to constitute a traffic hazard, or otherwise defile, debase, or offend aesthetic and cultural values and traditions.²

11 years later, the problem has persisted and even worsened. Thus, on 21 March 2022, Former President Rodrigo Duterte signed Executive Order (EO) No. 165, which prescribes regulations on out-of-home advertising signs and billboards. This updates the supplements the rules on non-mobile advertising signs and billboards under the NBC and its Implementing Rules and Regulations. It also prescribes

¹ Rhandell Rubio, Philippines cracks down on unsafe billboards in major thoroughfare Read more at: <https://www.campaignasia.com/article/philippines-cracks-down-on-unsafe-billboards-in-major-thoroughfare/257241>, Campaign (12 Mar 2011), available at <https://www.campaignasia.com/article/philippines-cracks-down-on-unsafe-billboards-in-major-thoroughfare/257241>

² P.D. 1096, Sec. 2001(b).

minimum standards to harmonize national and local rules and regulations as part of the strategies of ease of doing business, and in facilitating self-regulation within the advertising industry.

This bill further strengthens the aforementioned EO by:

- (1) Providing specific standards in putting up billboard structures;
- (2) Directs uniformity and consistency in installing traffic signs in all cities and municipalities;
- (3) Mandating adherence to a code of ethics for advertisements and promotions (the content and messages being conveyed, among others); and
- (4) Imposes a billboard clearance requirement prior to issuance of local and national structural clearances and permit.

In view of the foregoing, the passage of this bill is earnestly sought.



HON. REX GATCHALIAN
Representative
1st District, Valenzuela City

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

1 **SECTION 1.** *Short Title.* – This Act shall be known as the “Billboard Regulation
2 *Act.*”
3

4 **SEC. 2.** *Declaration of Policy.* – It is hereby declared the policy of the State to
5 ensure an improved quality of life for all through continuing efforts to improve the
6 natural and physical environments and to preserve public spaces as public domain
7 and to regulate the use of such spaces for private enjoyment or benefit. Towards this
8 end, the State shall:

- 9 1) promulgate measures to institutionalize the mechanism for the regulation
10 of billboards;
11 2) provide clear guidelines in the size and spacing of proper billboard
12 installation;
13 3) achieve visual order to enhance the scenic view of the environment; and
14 4) promote public peace, health, welfare and safety of the people.
15

16 **SEC. 3.** *Coverage.* - This Act shall apply to all existing and proposed
17 advertising signs, billboards, display signs, electrical signs, light emitting diode (LED)
18 signs and billboards, ground signs, roof signs, and sign structures, hereinafter
19 referred to as the “regulated signs,” along major thoroughfares, public roads,
20 secondary roads, avenues, streets, roads, parks and open spaces within Metro
21 Manila and other cities and municipalities.

SEC. 4. Definition of Terms. – As used in this Act:

- a) *Advertisement* refers to a notice or announcement calling the attention of the public through the use of posters, banners, billboards or any advertising signs;
- b) *Advertising sign* refers to a notice or announcement that directs attention to a business, profession, commodity, service or entertainment conducted, sold or offered at a place other than where the business, profession, commodity, or service is located. It is also known as an off-premise sign;
- c) *Ad Standards Council* refers to a non-stock, non-profit organization which aims to promote truth in advertising through self-regulation of advertising content which is recognized by the Philippine Association of National Advertisers (PANA), Association of Accredited Advertising Agencies-Philippines (4As) and other parties who own or exhibit advertising content;
- d) *Billboard* refers to all types of identification, description, illustration, images, pictures, display or device which is affixed to or represented directly or indirectly upon a portion of a building or structure, support structure or land and which directs attention to a product, place, activity, person, institution, business, idea or belief. The term shall be generic and shall collectively include multi-media or tri-vision billboards, neon or other illuminated signs, painted signs and the like. It consists of a support structure, a display or message area, a lighting system and its related components.
- e) *Building* refers to a three-dimensional physical development erected within a lot or property or any combination of or all of its three different levels (at grade, below grade, above grade). The term buildings or structures as used in this Act shall invariably refer to both proposed and existing physical developments within a lot;
- f) *Business sign* refers to an accessory sign that directs attention to a profession, business, commodity, service or entertainment. A business sign may be On-premise, when the sign is placed on the location where the profession, business, commodity, service or entertainment is conducted, sold or offered or Off-premise, when the sign is placed in a location other than where the profession, business, commodity, service or entertainment is conducted, sold or offered;

- 1 g) *Display surface* refers to the entire area enclosed by the extreme limits or
2 perimeter of a sign;
- 3 h) *Ground sign* refers to a sign with support resting on the ground, the base
4 of which range from a single pole to double-pole, and does not exceed ten
5 (10.0) square meters as one (1) unit.
- 6 i) *LED signs or boards* refer to signs and billboards using Light Emitting
7 Diodes technology which digital readouts are displayed and mounted on
8 walls or buildings or with support resting on the ground;
- 9 j) *Major thoroughfares* refer to a public street or highway which is a major
10 artery leading to other parts of Metro Manila and nearby provinces with a
11 minimum width of ten (10.0) meters, mostly maintained by the National
12 Government;
- 13 k) *Nits* refers to candela per meter squared which is the international unit of
14 measurement of luminance;
- 15 l) *Projecting signs* refer to notices or announcements fastened to, suspended
16 from or supported on a building or structure, the display surface of which
17 is perpendicular from the wall surface or is at an angle therefrom;
- 18 m) *Regulated signs* refer to existing and proposed advertising signs,
19 billboards, display signs, electrical signs, digital or electronic billboards,
20 LED signs or boards, ground signs, roof signs and sign structures along
21 major thoroughfares, public roads, secondary roads, avenues, streets,
22 roads, parks and open spaces;
- 23 n) *Road-Right-Of-Way or street* refers to a parcel of land unobstructed from
24 the ground to the sky, more than three (3.0) meters in width, appropriated
25 to the free passage of the general public;
- 26 o) *Roof sign* refers to a sign installed on roofs, roof decks, and the horizontal
27 least cross-sectional area in case of supporting frame does not exceed ten
28 (10.0) sq. m. for such framed structure resting entirely on the roof.
- 29 p) *Setback* refers to the horizontal distance measured ninety (90) degrees
30 from the outermost face of the building or structure to the property lines;
- 31 q) *Sign structure* refers to means employed to support the installation of signs
32 and this includes the structural frame, anchorages and fasteners to
33 support and suspend such signs. A building where a roof sign is installed
34 entirely on its roof is not part of the sign structure;

- 1 r) *Temporary sign* refers to a notice or announcement using cloth or other
2 light or combustible material, with or without a frame such as streamer,
3 bills, posters and the like installed for a limited period of time;
4 s) *Wall sign* refers to a notice or announcement painted on, attached to or
5 fastened to the surface of the wall or any part of a building or structure
6 the display surface of which is parallel to the wall surface.
7

8 **SEC. 5. Guidelines for the Application of Billboard Clearance.** – Any billboard
9 erected, modified, retrofitted, rehabilitated or otherwise altered and thereafter
10 exhibited after the effectivity of this Act shall comply with the following requirements
11 and conditions:

- 12 a) *Setback Requirements* - For new regulated signs, it shall have an eight (8)
13 meters setback from the property line to the edge of the billboard. The
14 existing regulated signs must have a setback of not less than five (5.0)
15 meters.
16 b) *Size of Display Surface* - Regulated signs and sign structures, including
17 LED and other electronic signs and billboards, shall not exceed forty
18 inches (40') x sixty inches (60') which is equivalent to two thousand four
19 hundred (2,400) square feet or equivalent to two hundred sixteen (216)
20 square meters inclusive of the space required for the landscape or vertical
21 gardens.
22 c) *Height of Billboard Structures* - Ground signs and sign structures along
23 Epifanio delos Santos Avenue (EDSA), Circumferential Road (C-5) and
24 Commonwealth Avenue shall have a maximum thirty-six (36.0) meters
25 height and minimum twenty-four (24.0) in height from the ground. In all
26 the other areas, the height limits for billboard and billboard structures
27 shall be determined by the local government units in their respective local
28 zoning ordinances.
29 d) *Minimum Distance Between Signs* - No new billboard or billboard structure
30 shall be located within the distance of one hundred (100) meters from
31 existing billboards. In some areas where more than one billboard structure
32 can be constructed side-by-side, the distance should be three (3) meters
33 apart.
34 e) *Non-obstruction of Traffic Signs* - No regulated sign shall be installed in
35 such a manner as to confuse or obstruct the view or interpretation of any
36 official traffic sign, signal or device.

- 1 f) *Non-obstruction of Landscape* - No regulated sign shall be constructed as
2 to unduly obstruct the natural view of the landscape, distract or obstruct
3 the view of the public as to constitute a traffic hazard, or otherwise defile,
4 debase or offend aesthetic and cultural values and traditions.
- 5 g) *Billboards-free Zones* - No billboard or billboard structures shall be
6 constructed in areas of historical sites, tourist destinations and parks.
7 Neither shall they be installed near power stations and institutional
8 establishments like hospitals, schools and other academic or learning
9 facilities.
- 10 h) *Restrictions on Combustible Materials* - All regulated signs installed in
11 highly restrictive Fire Zones as defined in Presidential Decree No. 1096,
12 otherwise known as the "*National Building Code of the Philippines*" and its
13 Implementing Rules and Regulations (IRR) shall have structural members
14 of incombustible materials. Ground signs may be constructed of any
15 material meeting the requirements of the National Building Code.
16 Combination signs, roof signs, wall signs, projecting signs and signs on
17 marquees shall be constructed of incombustible materials. No combustible
18 materials other than approved plastics shall be used in the construction
19 of electric signs.
- 20 i) *Clearances from Fire Escapes, Exits or Standpipes* - No regulated sign shall
21 be installed in such a manner that any portion of its surface or supports
22 will interfere in any way with the free use of any fire escape, exit, or
23 standpipe.
- 24 j) *Obstruction of Openings* - No regulated sign shall obstruct any opening to
25 such an extent that light or ventilation is reduced to a point below that
26 required by the National Building Code. Regulated signs installed within
27 1.50 meters of an exterior wall in which there are openings within the area
28 of the regulated sign shall be constructed of incombustible material or
29 approved plastics.
- 30 k) *Roof Signs* - Installation of roof signs shall be allowed subject to the
31 provisions of the local zoning ordinance of the concerned local government
32 unit. In addition, a maximum size of two hundred sixteen (216) square
33 meters shall be allowed and the height limit shall be in accordance with
34 allowable height limit contained in the zoning ordinance and the building
35 permit issued by the local government unit. Building name or building sign

shall be allowed but shall not exceed one-fourth (1/4) of the area of the supporting roof.

The owner or operator of the roof sign shall be required to submit a Certification prepared, signed and sealed by a civil or structural engineer confirming the structural stability and worthiness of the existing building that it is still safe to carry the proposed roof sign.

- l) *Wall Sign* - Wall signs shall be placed on the exterior perimeter walls of the building and maybe allowed to cover the entire surface of blank walls provided that it shall not exceed the roofline and cover or obstruct windows and any openings such as fire exits.

Wall signs should follow the roll down procedure during inclement weather. For wall mounted LED signs, they shall be treated as wall signs subject to luminance regulations which should not exceed the limits of the wall.

The owner or operator shall be required to submit a certification prepared, signed and sealed by a civil or structural engineer confirming the structural stability and worthiness of the existing building that it is still safe to carry the proposed wall sign. The consent of the neighbor should be submitted as a requirement for clearance.

- m) *Material Requirement* - Sign structures carrying signs and signboards made of banners, pennants, tarpaulins and other similar non-rigid materials shall not be installed near power lines and shall maintain a horizontal clearance from such power lines in accordance with Rule XIII, Table XIII.1 of the National Building Code IRR.

- n) *Clearance from High Voltage Power Lines* - Clearances of regulated signs from high voltage power lines shall be in accordance with the Philippine Electrical Code. In areas near electrical distribution facilities including that of any power substations, the minimum horizontal distance measured from the property line abutting the RROW and all the adjoining properties to the nearest base of the sign structure shall be the height of the structure plus one (1.0) meter.

- o) *LED Signs or Boards, Electronic Signs and Digital or Electronic Billboards* - LED Signs and Boards, electronic signs and digital or electronic billboards shall have a maximum size of two hundred sixteen (216) square meters. Its brightness must be five thousand (5,000) nits during the daytime and four hundred (400) nits at nighttime. They shall be equipped with outdoor

sensors to ensure that standard brightness or luminance is complied with to ensure tolerable and safe levels including time delay for power surges to avoid glare when powering up at nighttime.

Their installations should be duly certified by structural engineers to carry a two hundred forty to two hundred fifty (240-250) kilometers per hour (Kph) wind load capacity and must be placed above traffic lights.

- p) *Prohibited Signages* - All regulated signs, temporary signs and LED signs installed over or across or straddling along public thoroughfares, center islands and RROW, whether it be a national road or secondary road are strictly prohibited except those approved by the Metropolitan Manila Development Authority (MMDA) in Metropolitan Manila, pursuant to its programs and policies, or the respective local government unit (LGU) in other areas, whose main messages and majority of the LED area space shall be for traffic, public emergency and government announcement purposes or contributes in the enhancement and improvement of applicable road infrastructure and furniture consistent with the programs of the MMDA and the Department of Public Works and Highways (DPWH). Markers of historical sites and tourist destinations including directional signs shall not be combined with advertisement signs even if these are sponsored by private businesses.

It shall likewise be unlawful for any person, private and public corporations, advertising and promotion companies, movie producers, professional and service contractors to post, install, display any kind or form of billboards, signs, posters and other visual clutters in any part of the roads, sidewalk, center island, posts, trees and open spaces.

No signs shall be installed in trees, electric or lighting posts, center islands, side strips and fences that will destroy, alter, or deface the natural landscape or seascape of historical sites and tourist destinations.

- q) *Automatic Dismantling During Inclement Weather* - All regulated signs, temporary signs and LED signs along covered areas shall automatically be put down or turned off by the owners and advertisers upon the announcement by the Philippine Atmospheric Geophysical and Astronomical Services Administration (PAGASA) that there would be a low-pressure area or other weather disturbance. In case of failure of the billboard owners and advertisers to comply with this Section, the MMDA

1 in Metropolitan Manila, and the concerned LGU in other areas, shall put
2 down the aforesaid advertising material at the expense of the owners.

3 r) *Ad Standard Council Screening* - To conform with the standards for
4 advertising content, all out-of-home (OOH) billboard advertising materials
5 shall be screened by the Ad Standard Council (ASC) and assigned an ASC
6 screening reference number that shall be prominently displayed with the
7 displayed or exhibited advertising material. Non-compliant billboards
8 referred to the ASC which do not comply within five (5) days shall be rolled-
9 down by the MMDA in Metropolitan Manila and the concerned LGU in
10 other areas.

11 For purposes of this Section, out-of-home (OOH) media refers collectively
12 to all forms of media outside the home that carry advertising messages for
13 consumer audiences.
14

15 **SEC. 6. *Uniformity and Consistency of All Traffic Signs.*** – All traffic signs to be
16 installed in all streets of Metro Manila and in other cities or municipalities, whether
17 local or national roads, shall conform to the international standards as to design and
18 installation specifications embodied in the “Philippine Road Signs Manual” or
19 subsequent revisions thereof. Structural specifications shall be in accordance with
20 DPWH standards.

21 In case of road signs for traffic improvement projects such as one-way system,
22 alternate or detour routes, U-turn slots and the like, appropriate design plan shall
23 be coordinated with the MMDA in Metropolitan Manila or the concerned LGU in other
24 areas prior to installation and implementation.
25

26 **SEC. 7. *Adherence to Code of Ethics.*** – All advertisers, owners and operators
27 of billboards shall adhere to the ASC’s Code of Ethics for advertising and promotions
28 that regulate the content of the advertising signs and the meaning of the message,
29 including its words and visuals, being conveyed by the sign, which must not be
30 offensive and should conform to accepted moral standards.

31 No outdoor advertiser or billboard operator shall display or cause to be
32 displayed upon any advertising structure or sign, any statement or words of an
33 obscene, indecent or immoral character, or any visual that goes against public
34 morals or decency.
35

1 **SEC. 8. Review of Advertising Content.** – The review of the contents of
2 regulated signs including digital or electronic billboards, moving or static LED signs,
3 and liquid crystal display (LCD) advertisements shall be administered and regulated
4 by the Movie and Television Ratings and Classification Board (MTRCB). The billboard
5 owner or operator shall forthwith be notified if the content of the advertisement
6 defiles, debases or offends aesthetic and cultural values and traditions and shall
7 require them to modify the content of the billboard accordingly. The findings of the
8 MTRCB shall not be subject to appeal.

9
10 **SEC. 9. Billboard Clearance.** – All owners and operators of existing regulated
11 signs, billboards and structures along major thoroughfares shall be required to
12 secure a clearance from the MMDA for the Metropolitan Manila or the LGU Building
13 Official with regard to other areas. The clearance shall be made a requirement prior
14 to the issuance of locational and structural clearances and permits. A clearance
15 granted prior to the effectivity of this Act shall be suspended pending compliance of
16 the requirements.

17 The clearance shall ensure compliance with the requirements on setback, size
18 of display surface, height, minimum distance between signs, as well as clearance
19 from power lines, location, structural stability and zoning.

20 All applications for billboard clearance shall be required to pay the following
21 to the MMDA or to the concerned LGU:

- 22 a) P1,000.00 upon filing of the application;
23 b) P5,000.00 annual inspection fee;
24 c) P2,000.00 clearance fee.

25 The clearance shall be valid for one (1) year, unless sooner revoked for
26 violation of this Act and other applicable laws or ordinances concerning billboards.
27 An application for renewal shall be made not later than thirty (30) days after the
28 expiration of the clearance: *Provided*, That the billboard has not been altered or
29 modified. Failure to comply within the said period, shall cause the MMDA or LGU to
30 remove or roll down the advertising material installed after due notice, and the cost
31 or expenses incurred shall be chargeable to the owner or operator of the regulated
32 sign, business sign or wall sign.

33
34 **SEC. 10. Billboard Permit Required.** – No billboard shall hereinafter be erected,
35 constructed, maintained or altered until a billboard permit has been issued by the
36 Building Official of the LGU concerned after payment of the required fees. An

1 application for a billboard shall be made in writing by a duly licensed outdoor
2 advertising company or by legitimate entities with in-house outdoor advertising
3 services on the permit forms furnished by the authorities concerned and shall
4 include such information as maybe required for a complete understanding of the
5 proposed work.

6 The construction and erection permit or annual inspection clearances issued
7 by the LGU for a qualified entity to erect, operate, and maintain a billboard may be
8 revoked by the DPWH if the billboard is:

- 9 a) In violation of any provision of the National Building Code or its Implementing
10 Rules and Regulations or poses a clear threat to public welfare, safety and
11 health; or
- 12 b) In violation of any provision of this Act or its Implementing Rules and
13 Regulations or of any provision of subsequent derivative rules and regulations
14 as subsequently promulgated by the DPWH.

15 The permit or clearances issued by the MMDA and the LGU for the erection,
16 operation, and maintenance of a billboard and revoked by them, may be officially
17 reinstated if the violations found have been properly addressed or remedied.

18
19 **SEC. 11. Administrative Fines and Sanctions.** – After the effectivity of this Act,
20 the following fines shall be imposed on any person, corporation, partnership, or
21 juridical entity found violating the size and height requirement for outdoor
22 advertising as provided in this Act:

- 23 a) The fine shall be computed at P100.00 per square foot of the surface space
24 of the advertising material.
- 25 b) Government offices or agencies with non-compliant government signs shall
26 be charged P25.00 per square foot.
- 27 c) A surcharge of Twenty Five Percent (25%) of the penalty shall be added for
28 failure to pay the fine within seven (7) days upon receipt of notice thereof.
- 29 d) Operators shall be given ninety (90) days from receipt of notice of violation
30 to comply or retrofit the non-compliant billboard structure based on the
31 rules and regulations hereof. Failure to retrofit within the said period from
32 receipt of notice, shall cause the dismantling/removal of the billboard and
33 the cost for such shall be for the account of the billboard owner.
- 34 e) For new applications of regulated signs, any billboard structure or
35 commercial structure erected or installed prior to the release of the MMDA
36 or LGU billboard clearance shall be covered by the following sanctions:

- i. *First Offense* - Warning and a fine in the amount of Ten thousand pesos (P10,000.00);
- ii. *Second Offense* - Prohibition from installing advertising material for two (2) years and a fine of Twenty thousand pesos (P20,000.00); and
- iii. *Third Offense* - Non-issuance of billboard clearance for the subject billboard structure and a fine of One hundred thousand pesos (P100,000.00).

SEC. 12. *Transitory Provisions.* - All owners and operators of existing regulated signs and billboard structures are given six (6) months from the approval of this Act to retrofit their billboards as to size of display surface, height, minimum distance between signs, as well as clearance from power lines, location, structural stability and zoning in order to conform with the provisions herewith stated. Structures that do not comply with the requirements after six (6) months may be subject to summary dismantling by the MMDA or the LGU, and appropriate charges shall be filed against its owner or operator.

Without prejudice to whatever legal action the MMDA or the LGUs may take, all owners and operators of existing regulated signs and sign structures without valid permits and clearances are required to apply for building permits and other required permits and clearances immediately.

The MMDA and the LGUs concerned may grant a reasonable period of time for the owners and operators of existing regulated signs and sign structures to comply with the requirements in the preceding paragraph.

SEC. 13. *Implementing Rules and Regulations.* - Within sixty (60) days from the approval of this Act, the Secretary of Public Works and Highways shall, in consultation with the MMDA and the various stakeholders from the advertising industry, promulgate the necessary rules and regulations for the effective implementation of this Act.

SEC. 14. *Separability Clause.* - If any provisions or part hereof, is held invalid or unconstitutional, the remaining parts or the provisions not otherwise affected shall remain valid and subsisting.

SEC. 15. *Repealing Clause.* - Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation,

1 contrary to or inconsistent with the provisions of this Act is hereby repealed,
2 amended or modified accordingly.

3

4 **SEC. 16. Effectivity.** – This Act shall take effect fifteen (15) days after its
5 publication in the *Official Gazette* or in at least two (2) newspapers of general
6 circulation in the Philippines.

Approved,