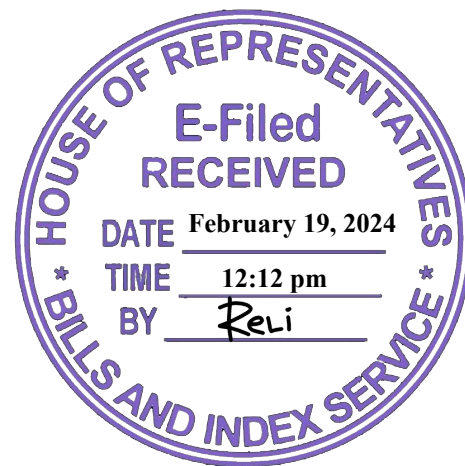


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 9939



Introduced by **REP. JOSE FRANCISCO “KIKO” B. BENITEZ**

EXPLANATORY NOTE

The Philippines is one of the largest English-speaking countries in the world. The shift to English has been a legacy of American colonial government.¹ As early as 1901, when the Philippine Commission established the rules of procedure in Philippine courts², English had been designated as an official language.³ Under the 1987 Constitution, Filipino and English are the official languages of the Philippines. (Section 7, Article XIV)

Due to use of English in government, schools, and mass media, English is widely spoken. According to Social Weather Stations, in a survey in March 2023, 55% of Filipinos speak English, virtually unchanged from 56% in 1993. SWS also reports 80% of Filipinos can read English-language materials, and understand spoken English in 2023, compared to 73% and 74% in 1993, respectively. Moreover, based on the 2023 English Proficiency Index, the Philippines has “high proficiency” in English, ranking 20th out of 113 countries, and second to Singapore in Asia.

However, several case studies find varying proficiency levels among K-12 students. An assessment of senior high school students in Leyte using the International English Language Testing System rubrics⁴ found that 60% of students speak English at “good” or “competent”⁵ levels. A study in Cagayan also reported high level of comprehension of English-language literary texts, however only at the literal level. The study noted that the respondents “could hardly answer questions elicited by why and how. They lack skills in giving judgment and generating ideas that are implicitly stated in the selections.”⁶

Another study which assessed the English proficiency of K-12 graduates in Batangas found that “students can comprehend the interviewer’s questions but have difficulty expressing their thoughts/ideas using the English language.”⁷

¹ Oxford English Dictionary

² Act No. 190

³ However, the use of English in the courts had been deferred several times until January 1, 1920.

⁴ Precious Domingo, “English Language Proficiency of Students in Visayas State University”, *Journal of Literature and Language Teaching*, 11(2) (2018).

⁵ Under the IELTS rubrics, “competent” level means that “generally you have an effective command of the language despite some inaccuracies, inappropriate usage and misunderstandings. You can use and understand fairly complex language, particularly in familiar situations.”

⁶ Jomel Manuel, “English Language Proficiency of Senior High School Students”, *Multidisciplinary Journal for Education Social & Technological Sciences*, 9(1) (2022), 71-86.

⁷ Lemuel Fontillas, Sherrilyn Quintos and Cynthia Ronquillos, “Philippine English Proficiency of the K12 students: Basis for the improvement of the English Curriculum” (36th Pacific Asia Conference on Language, Information and Computation, De La Salle University, October 20-22, 2022).

To address this, we must enhance learning delivery to enable acquisition of English as a second language (ESL). Mass media can be a platform for learning ESL.

Mass media can enable children to acquire ESL and develop English proficiency. There is rich literature to support this.⁸ Senator Pia Cayetano had also raised this in a Senate hearing in 2020 where she called on government channels to stop dubbing children's television programs and broadcast it in the original English.⁹

English proficiency is often cited as the key factor to the growth of the business process outsourcing industry in the country, which earned the Philippines the title of "call center capital of the world."¹⁰ Business groups have recently expressed concern that we might lose this competitive advantage if we do not enhance education, particularly ESL learning.¹¹

We must therefore help younger generations acquire English in different settings, and through different media, to enable them to communicate better and explore new horizons, in terms of employment and social interaction.

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


JOSE FRANCISCO "KIKO" B. BENITEZ

⁸ <https://edition.cnn.com/2018/03/19/health/learn-new-language-telenovela-trick/index.html>

⁹ <https://www.gmanetwork.com/news/topstories/nation/741682/pia-cayetano-to-tv-stations-show-cartoons-in-original-english/story/>

¹⁰ <https://www.nytimes.com/2011/11/26/business/philippines-overtakes-india-as-hub-of-call-centers.html>

¹¹ <https://www.bworldonline.com/top-stories/2023/10/17/551860/filipinos-declining-english-proficiency-alarms-foreign-business-groups/>

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 9939

Introduced by **REP. JOSE FRANCISCO “KIKO” B. BENITEZ**

AN ACT

PROHIBITING FILIPINO DUBBING OF ENGLISH-LANGUAGE MOTION PICTURES AND TELEVISION PROGRAMS, REQUIRING AUDIOVISUAL PRODUCTION, BROADCASTING, FILM DISTRIBUTION OR STREAMING SERVICES TO PROVIDE FILIPINO SUBTITLES THEREIN, AND FOR OTHER PURPOSES

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

SECTION 1. *Declaration of Policy.* – The State recognizes the role of mass media and technology to promote human development. In accordance with this mandate, the State shall promote the integration and adaptation of technology in mass media to facilitate self-learning and language acquisition.

SEC. 2. *Definition of Terms.* – As used in this Act:

- (a) Audiovisual Production Service refers to any person, whether natural or juridical, that produces motion pictures or television programs;
- (b) Broadcasting Service refers to any person, whether natural or juridical, that delivers television programs intended for reception by the general public, whether the delivery uses the radiofrequency spectrum, cable, optical fiber, satellite or any other means or a combination of those means;
- (c) Dubbing refers to the replacing foreign-language dialogue in a motion picture or television program with a recording of spoken Filipino translation thereof;
- (d) English-Language Motion Picture and Television Program refers to a motion picture or television program with a predominantly English dialogue track;
- (e) Film Distribution Service refers to any person, whether natural or juridical, engaged in the distribution of motion pictures in the Philippines on commercial basis;
- (f) Motion Picture refers to audiovisual work consisting of a series of related images which, when shown in succession, impart an impression of motion, together with accompanying sounds, if any;

- (g) Subtitles refer to on-screen text of the translation of any foreign-language dialogue, music or audio content in a motion picture or television program;
- (h) Subtitling refers to the process of providing subtitles;
- (i) Streaming Service refers to any person, whether natural or juridical, that provides continuous delivery of motion pictures and television programs over the Internet;
- (j) Television commercial refers to an audiovisual work of not more than one minute in duration produced for advertising or promoting a product or service on television;
- (k) Television Program refers to an audiovisual work produced for television broadcast;

SEC. 3. *Prohibition of Dubbing English-Language Motion Pictures and Television Programs.* – Filipino dubbing of English-language motion pictures and television programs that are distributed or broadcasted in the Philippines shall be prohibited.

SEC. 4. *Subtitling Requirement.* – In lieu of Filipino dubbing, audiovisual production, broadcasting, film distribution and streaming services shall provide Filipino subtitles in English-language motion pictures and television programs; *Provided*, That English-language closed captions shall be provided as an option for English-language audio content, in accordance with Republic Act No. 10905.

SEC. 5. *Responsibilities.* - Audiovisual production, broadcasting, film distribution or streaming services shall be responsible for the following:

- (a) For English-language motion pictures and television programs produced by foreign audiovisual production services, the film distribution, broadcasting or streaming services engaged in the distribution or delivery thereof in the Philippines shall provide Filipino subtitles for any English-language audio content therein;
- (b) For English-language motion pictures and television programs produced by Filipino audiovisual production services, the same shall provide Filipino subtitles for any English-language audio content therein.

SEC. 7. *Exemptions.* – The following shall be exempt from Filipino subtitling:

- (a) Television commercial;
- (b) Television programs shown from 01:00 AM to 06:00 Philippine Standard Time; and,
- (c) Television programs when compliance will be economically burdensome, as determined by the Movie and Television Review and Classification Board.

SEC. 8. *Penalties.* – Any audiovisual production, broadcasting, film distribution and streaming service who shall violate the provisions of this Act shall be punished by a fine of not less than fifty thousand pesos (P50,000.00) but not more than one hundred thousand pesos (P100,000.00) or by imprisonment of not less than six (6) months but not more than one (1) year, or both, at the discretion of the court.

In case the offender is a corporation, partnership or association, or any other juridical person, the president, manager, administrator, or person-in-charge of the management of the business who knowingly and willfully voted or assented or acted with bad faith and gross negligence to the unlawful act punishable under this Act shall be liable therefor. In addition, the license or permit to operate its business shall be cancelled.

SEC. 9. *Implementing Rules and Regulations.* – The Movie and Television Review and Classification Board, in consultation with the Film Development Council of the Philippines and business support organizations of audiovisual production, broadcasting, film distribution and streaming services, shall formulate the rules and regulations necessary to implement provisions of this Act within six (6) months from its effectivity.

SEC. 10. *Separability Clause.* – If any portion or provision of this Act is declared unconstitutional or invalid, the other portions or provisions hereof not affected thereby shall continue to be in full force and effect.

SEC. 11. *Repealing Clause.* – All laws inconsistent with or contrary to the provisions of this Act are deemed amended or repealed accordingly.

SEC. 12. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.