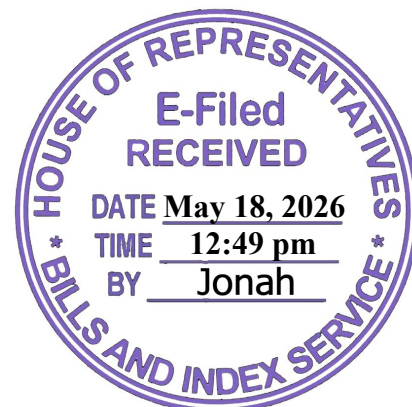


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS

First Regular Session

House Bill No. 9286



Introduced by **Rep. BEVERLEY ROSE A. DIMACUHA**

EXPLANATORY NOTE

Section 24, Article II of the 1987 Philippine Constitution provides that the State recognizes the vital role of communication and information in nation-building. Information, after all, is power. Mere recognition of its power, however, is not enough. One can only witness the true power of information when it has been used and applied effectively in nation-building. Instilling discipline, for instance, requires information. A disciplined citizenry presupposes an informed society. One cannot be expected to obey laws, rules, or code of behavior without knowing and understanding what these laws, rules, and code of behavior are. Clearly, the role of communication and information is vital in nation-building.

The government is the agency or instrumentality through which the will of the State is formulated, expressed and realized.¹ One of the important tasks of the government is to act for the State as *parens patriae*, or guardian of the rights of the people.² As guardian of the rights of the people, it is the duty of the government to see to it that the citizens are well-informed of their rights, duties and responsibilities. It is only when people are well-informed of these rights, duties, and responsibilities that they realize the importance of their role and purpose in society.

Mass media, on the other hand, is the primary means of communication to reach the vast majority of the general public. The vast reach and influence of media can be seen especially during elections. Political advertisements have been an effective tool in conveying a candidate's message and in gaining votes and public support. Television, for instance, is considered the most cost effective medium of dissemination.³ Even a slight increase in television exposure can significantly boost a candidate's popularity, name recall and electability.⁴ If mass media can be used as means to get votes, the more it can be used to inform the public of their rights, their duties, and their responsibilities. Above all, mass media has the duty to inform people.

¹ Cruz, I. (2003). Political Law.

² *Ibid.*

³ GMA v. COMELEC, G.R. No. 205357, September 2014

⁴ *Ibid.*

Considering all these, it is vital that we have a law mandating mass media, in particular radio and television broadcasting companies to allocate airtime for public service announcements and infomercials on laws, social welfare, public safety, government processes and other matters of public and national concern to increase awareness and inform the public of their rights, duties and responsibilities.

In truth, radio and television broadcasting companies, which are given franchises, do not own the airwaves and frequencies through which they transmit broadcast signals and images. They are merely given the temporary privilege of using them. Since a franchise is a mere privilege, the exercise of the privilege may reasonably be burdened with the performance by the grantee of some form of public service.⁵ By allocating public service announcements and government infomercials, TV and radio networks are performing some form of public service for the Filipino people. It is time government and mass media work together for the betterment of this country.

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



BEVERLEY ROSE A. DIMACUHA

⁵ Telecommunications and Broadcast Attorneys of the Philippines, Inv. v. COMELEC, G.R. No. 132922, April 1998

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AN ACT
REQUIRING BROADCAST MEDIA TO ALLOCATE ADEQUATE FREE
AIRTIME FOR PUBLIC SERVICE ANNOUNCEMENTS ON VITAL PUBLIC
ISSUES AND CONCERNS

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

SECTION 1. **Short Title.** – This Act shall be known as the “*Public Service Announcement Act.*”

SEC. 2. **Declaration of Policy.** – The State recognizes the vital role of communication and information in nation-building, and the influence, breadth, and accessibility of broadcast media to reach the population on important public issues. Towards this end, the State shall adopt measures to implement an integrated approach to enable the government to reach the people and keep them well-informed and cognizant of the issues and concerns affecting them.

SEC. 3. **Coverage.**—This Act shall apply to all radio and television broadcasting stations.

For purposes of this Act, radio and television broadcasting station refers to radio and television networks engaged in the business of distributing audio and video content to a dispersed audience via any audio, mass, digital or online communication media.

SEC. 4. **Public Service Announcement.**— A public service announcement (PSA) is a non-commercial broadcast advertisement for the purpose of educating the public to generate awareness and disseminate information on matters of public interest.

SEC. 5. ***Allocation for Public Service Announcements.*** – To fulfill the obligation of broadcast media to render public service under their franchises, all broadcast media are required to allocate adequate media time for public service announcements, free of charge, an accumulated maximum of two (2) minutes within each hour of broadcast to enable the government to effectively reach out to the people, educate and increase their awareness, and disseminate information on matters of public concern. The time allocation does not refer to the length of the PSA, which is subject to prevailing industry standards.

The time allocation requirement may be suspended during special programs or coverage of natural calamities, disasters and emergencies and events of national significance where the insertion of non-program content is impractical to perform during the duration of said special program or coverage.

SEC. 6. ***Production of Public Service Announcements.***– The Philippine Information Agency shall produce public service announcements designed to promote and inform the public on the latest issues, announcements, warnings, plans and programs of the government to be aired by the broadcast media. All national government agencies are encouraged to develop their own PSA, if warranted, and submit the same to the Philippine Information Agency (PIA) for consideration and facilitation of its broadcast.

The public service announcement under this Act shall be non-commercial, non-denominational and non-political.

Public announcements involving public figures running for elective posts in the elections shall not be allowed and shall be subject to existing election laws and COMELEC promulgations on media use.

SEC. 7. ***Availment by Government Agencies.*** – All government departments, bureaus, offices, agencies or instrumentalities, including government-owned and controlled corporations, except local government units, are enjoined to utilize, cooperate and avail of the benefits under this Act.

SEC. 8. ***Penalty.*** – The failure of any covered broadcasting station to provide the required public service time under this Act shall be a ground for the suspension, revocation, or non-renewal of license to operate television and radio networks.

SEC. 9. **Monitoring.** – The Philippine Information Agency, in coordination with the National Telecommunications Commission shall monitor the compliance of covered broadcast media with the provisions of this Act.

They shall submit a quarterly report to the Senate of the Philippines and House of Representatives on the compliance of broadcast media and the implementation of this Act.

SEC. 10. **Appropriations.** – The amount necessary to implement the provisions of this Act shall be charged to the current year's appropriations of the Philippine Information agency and the National Telecommunications Commission. Thereafter, such sum as may be necessary for the continued implementation of this Act shall be included in the annual General Appropriations Act.

SEC. 11. **Implementing Rules and Regulations.** – Within ninety (90) days from the approval of this Act, the Philippine Information Agency and the National Telecommunications Commission, in coordination with the *Kapisanan ng mga Brodkaster ng Pilipinas*, promulgate the necessary rules and regulations for the effective implementation of this Act. The implementing rules and regulations shall include the determination of time standards for public service announcements of government agencies, offices or instrumentalities.

SEC. 12. **Repealing Clause.** – All laws, executive orders, presidential decrees, rules and regulations or parts thereof inconsistent with any provisions of this Act are hereby repealed, amended or modified accordingly.

SEC. 13. **Effectivity.** – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved