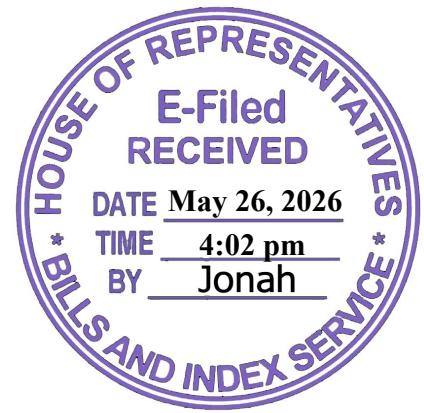




Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 9455



Introduced by **Representative EDUARDO R. RAMA JR.**

EXPLANATORY NOTE

In 2003, the Optical Media Board (OMB) was created under Republic Act No. 9239 to regulate the manufacturing, distribution, sale, and use of optical media such as compact discs (“CD”), and digital video discs (“DVD”), and to combat piracy through administrative licensing and criminal enforcement mechanisms.

As years passed, the use of optical media has sharply declined as consumers and businesses moved to digital downloads, streaming, cloud storage, and online platforms for accessing and distributing copyrighted works. As the OMB’s statutory mandate is limited only to the regulation of optical media, its core regulatory function no longer matches the realities of how copyrighted works are created, distributed, and infringed in the digital age. As a result, the OMB’s original mandate has lost its relevance, leading to institutional redundancy and an inefficient allocation of public funds.

At the same time, the Intellectual Property Office of the Philippines (IPOPHL) serves as the country’s primary agency for protecting intellectual property rights and already possesses the specialized digital infrastructure, legal frameworks, and technical expertise required to dismantle modern, web-based piracy operations effectively.

Clearly, the OMB’s core functions, such as licensing optical media manufacturers and replicators, monitoring the optical media industry, investigating piracy, and filing administrative and criminal cases, are now subsumed by IPOPHL’s comprehensive copyright and IP enforcement mandate. In other words, the OMB’s regulatory and enforcement activities are redundant because they overlap with IPOPHL’s existing authority and capacity to address copyright infringement across all media, including optical media, when they still exist

In view of the foregoing, the bill provides the legal mechanism to abolish the OMB, transfer all its functions to IPOPHL, and ensure a smooth transition that preserves enforcement continuity while eliminating an obsolete and redundant agency. Furthermore, this bill ensures that affected OMB personnel are equally protected through fair absorption mechanisms, separation packages, or retirement benefits.

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



REP. EDUARDO R. RAMA JR.
2nd District, Cebu City



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AN ACT

ABOLISHING THE OPTICAL MEDIA BOARD CREATED UNDER REPUBLIC ACT NO. 9239, TRANSFERRING ITS POWERS AND FUNCTIONS TO THE INTELLECTUAL PROPERTY OFFICE OF THE PHILIPPINES, AND FOR OTHER PURPOSES

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

SECTION 1. *Abolition of the Optical Media Board.* – The Optical Media Board (OMB) created under the Republic Act No. 9239, otherwise known as the Optical Media Act of 2003, is hereby abolished.

SECTION 2. *Transfer of Powers and Functions to IPOPHL.* – All powers, functions, and responsibilities of the OMB under Section 10 of RA 9239 relating to:

- a) licensing, regulation, and inspection of establishments engaged in reproduction and distribution of copyrighted works in physical media or their digital equivalents, including visitorial powers;
- b) enforcement of administrative and penal provisions relating to unauthorized reproduction of copyrighted works; and
- c) database and registry maintenance on licensed establishments and reproduction equipment, are hereby transferred to the Intellectual Property Office of the Philippines (IPOPHL).

A separate division may be created under the IPOPHL's Bureau of Copyright and Other Related Rights may be created, as may be deemed necessary by the IPOPHL, in order to perform the absorbed functions of the OMB.

SECTION. 3. *Absorption of Affected Personnel, Separation and Retirement Benefits.* – The Intellectual Property Office of the Philippines (IPOPHL) shall, as needed, absorb the employees of the Secretariat of the abolished OMB, without diminution of their salaries and other benefits. Employees who are separated from the service as a result of the abolition of the OMB and its Secretariat shall receive separation benefits under applicable laws and regulations: Provided, That those who are qualified to retire under existing laws shall be allowed to retire and receive retirement benefits to which they may be entitled under applicable laws, rules and regulations.

SECTION. 4. *Transfer of Properties and Resources to IPOPHL.* – The IPOPHL shall, by virtue of this Act, be subrogated to all the rights and assume all the obligations and liabilities of the OMB, and all records, property, assets, equipment, and funds of the OMB, including unexpended appropriations or allocations, shall be transferred to the IPOPHL.

SECTION. 5. *Appropriations.* – Funds necessary to implement this Act shall be sourced from current appropriations of the OMB. Thereafter, appropriations shall be included in IPOPHL’s annual budget.

SECTION. 6. *Separability Clause.* – If any provision or part of this Act is held invalid or unconstitutional, the remaining parts or provisions not affected shall remain in full force and effect.

SECTION. 7. *Repealing Clause.* – All laws, executive orders, presidential decrees or issuances, letter of instruction, administrative orders, rules, and regulations as well as local ordinances contrary to or inconsistent with the provisions of this Act are hereby repealed, amended, or modified accordingly.

SECTION. 8. *Effectivity.* - This Act shall take effect fifteen (15) days after publication in the Official Gazette or in two (2) national newspapers of general circulation.

Approved,