

S. No. 2239
H. No. 925

Republic of the Philippines
Congress of the Philippines
Metro Manila
Sixteenth Congress
Third Regular Session

Begun and held in Metro Manila, on Monday, the twenty-seventh day of July, two thousand fifteen.

[REPUBLIC ACT No. **10905**]

AN ACT REQUIRING ALL FRANCHISE HOLDERS OR OPERATORS OF TELEVISION STATIONS AND PRODUCERS OF TELEVISION PROGRAMS TO BROADCAST OR PRESENT THEIR PROGRAMS WITH CLOSED CAPTIONS OPTION, AND FOR OTHER PURPOSES

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

SECTION 1. *Requirement.* - All franchise holders or operators of television stations and producers of television programs are required to provide closed captions option in the broadcast of their programs including newscast, news programs and pre-scripted programs.

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

(a) *Closed caption* shall mean a method of subtitling television programs by coding statements as vertical data signal that are decoded at the receiver and superimposed at the bottom of the television screen.

(b) *Economically burdensome* shall mean that which result in a significant difficulty or expense to be determined by the following factors:

- (1) The nature and cost of the closed captions for the programming;
- (2) The impact on the operation of the provider or producer;
- (3) The financial resources of the provider or producer; and
- (4) The type of operations of the provider or producer.

(c) *Newscast or news programs* shall refer only to report of happenings of recent occurrence of a varied character, such as political, social, moral, religious and other subjects intended for the information of the general public. It shall also refer to straight news reporting as distinguished from news analyses or editorials, commentaries and opinions.

SEC. 3. *Exempt Programming.* – The following shall be exempt from closed captioning:

- (a) Public service announcements that are shorter than ten (10) minutes;
- (b) Programs shown in the early morning hours from 1:00 a.m. to 6:00 a.m.;
- (c) Programs that are primarily textual in nature; and
- (d) When compliance would be economically burdensome.

SEC. 4. *Penalties.* – Any franchise holder or operator of television stations and producer of television programs 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. 5. *Implementing Rules and Regulations.* – The Movie and Television Review and Classification Board, in consultation with the National Telecommunications Commission and other concerned agencies and entities, shall promulgate the necessary rules and regulations within one hundred twenty (120) days from the effectivity date of this Act, including guidelines and applications of exemption, system of warnings, penalties and appeals, and monitoring and compliance.

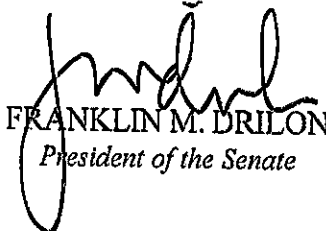
SEC. 6. *Repealing Clause.* – All laws, decrees, orders, rules or regulations, other issuances or parts thereof inconsistent with this Act are hereby repealed or amended accordingly.

SEC. 7. *Separability Clause.* – If any provision of this Act is declared invalid, other parts or provisions hereof not affected thereby shall remain and continue to be in full force and effect.


SEC. 8. *Effectivity.* – This Act shall take effect fifteen (15) days after the completion of its publication in the *Official Gazette* or in at least two (2) newspapers of general circulation.


Approved,


FELICIANO BELMONTE JR.
Speaker of the House
of Representatives


FRANKLIN M. DRILON
President of the Senate

Senate Bill No. 2239, which was approved by the Senate on May 23, 2016, was adopted as an amendment to House Bill No. 925 by the House of Representatives on May 23, 2016.


MARILYN B. BARUA-YAP
Secretary General
House of Representatives


OSCAR G. YABES
Secretary of the Senate

Approved:

BENIGNO S. AQUINO III
President of the Philippines

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Lapsed into law on JUL 21 2016
Without the signature of the President
in accordance with Article VI, Section
27 (1) of the Constitution