

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

SEVENTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 197



Introduced by **Representatives Manuel Luis T. Lopez**

EXPLANATORY NOTE

The right to access of information on matters of public concern is guaranteed by no less than the Constitution's Bill of Rights. Article III, Section 7 of the Philippine Constitution states: *"The right of the people to information on matters of public concern shall be recognized. Access to official records, and to documents and papers pertaining to official acts, transactions or decisions, as well as to government research data used as basis for policy development, shall be afforded the citizen, subject to limitations as may be provided by law"*.

The right of Filipinos to information embodies also the principle that public office is a public trust. Article XI, Section 1 of the Philippine Constitution states that *"Public office is a public trust. Public officers and employees must at all times be accountable to the people, serve them with utmost responsibility, integrity, loyalty, and efficiency, act with patriotism and justice, and lead modest lives"*. Further, in the case of Chavez vs. Public Estates Authority (G.R. No. 133250, 9 July 2002), it was emphasized by the Supreme Court that *"unless citizens have the proper information, they cannot hold public officials accountable for anything"*.

The participation of the people and organizations in the democratic process is likewise guaranteed in Article XIII, Section 16 of the Constitution which states that *"The right of the people and their organizations to effective and reasonable participation at all levels of social, political, and economic decision-making shall not be abridged. The State shall, by law, facilitate the establishment of adequate consultation mechanisms"*.

No doubt, the Philippines has many good laws, policies, programs and projects to date, nationally and locally, but there is a big disconnect in its implementation, compliance, utilization and participation of the people, primarily due to lack of public awareness on its existence and importance. Thus, there is a need for an efficient flow and an improved dissemination of public information by maximizing the use of mass media at no cost to the government and the public which will create the necessary trust and understanding in officials and in the system.

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


HON. MANUEL LUIS T. LOPEZ
Representative, 1st District, City of Manila

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AN ACT
MANDATING ALL TELEVISION NETWORKS, RADIO STATIONS,
NEWSPAPERS, MOVIE THEATERS, AND LOCAL GOVERNMENT UNITS TO
BROADCAST, PUBLISH, AND ADVERTISE PUBLIC INFORMATION FOR FREE
AS AN IMPROVED INFORMATION DISSEMINATION MECHANISM
OF THE GOVERNMENT TOWARDS A WELL-INFORMED CITIZENRY

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

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

2
3 **SEC. 2. Declaration of Policy.** – It is hereby declared the policy of the State to recognize
4 the right of the people to information on matters of public concern and the vital role of
5 information and communication in nation-building.

6
7 The State shall also take all appropriate measures to improve information
8 dissemination mechanisms of public information to intensify public awareness; to rally
9 for public support to government efforts; and enhance peoples’ compliance with the
10 law, participation in activities, utilization of programs and preparedness to respond to
11 situations.

12
13 **SEC. 3. Definition of Terms.** – As used in this Act, the following terms are defined as
14 follows:

15 (a) *Local Government Units* – refers to cities and municipalities which is an
16 administrative and political government unit subsidiary to the national
17 government;

18
19 (b) *Information Dissemination Mechanisms* – refers to mass media used to
20 disseminate public information such as broadcast media and print media;

21
22 (c) *Cinema* – refers to movie theater;
23

- 1 (d) *Newspaper* - refers to a company or organization that publishes a
2 newspaper which is printed and distributed usually daily or weekly and
3 that contains news, articles of opinion, features and advertising;
4
5 (e) *Public Information* - refers to up-to-date information on official matters
6 and of public concern such as, but not limited to: laws, national and local
7 policies, ordinances, proposed legislations, awareness campaigns, traffic
8 rules and regulations, new or discontinued products and services;
9
10 (f) *Radio Station* - refers to broadcast type radio network intended to reach a
11 wide audience and can be linked in radio networks to broadcast a
12 common radio format, either in broadcast syndication or simulcast or
13 both;
14
15 (g) *Television Network* - a telecommunications network for distribution
16 of television program content, whereby a central operation provides
17 programming to many television stations or pay television providers; it
18 shall be referred to in this Act as TV Network.

19
20 **SEC. 4. Dissemination of Information.** - In coordination with the Presidential
21 Communications Operations Office (PCOO), Movie and Television Review and
22 Classification Board (MTRCB), and other concerned agencies, the following are
23 mandated to:

- 24
25 (a) *TV Network* - broadcast Public Information for Thirty (30) seconds per
26 day in the morning and Thirty (30) seconds per day on primetime;
27
28 (b) *Radio Stations* - broadcast Public Information for One (1) minute per day;
29
30 (c) *Cinema* - run a Thirty (30)-second Public Information video prior to film
31 viewing;
32
33 (d) *Newspaper* - publish Public Information daily, occupying 1/8 of the front
34 page of the newspaper;
35
36 (e) *LGUs* - advertise Public Information on at least 1 billboard per city and
37 municipality, the size of which shall not be smaller than thirty-sheet
38 poster panel (approximately 12 x 25 ft or 3.6 x 7.6 m); it shall be
39 displayed for Thirty (30) days and shall be replaced thereafter; and it
40 shall be located on primary or secondary traffic ways.

41
42 The broadcast, publication, and advertisement of Public Information shall be at no cost,
43 whether direct or indirect, to the government.
44

45 **SEC. 5. Report of Violations.** - Any natural or juridical person may report before the
46 PCOO any violation of this Act.
47

48 **SEC. 6. Penalties.** -

- 1 (a) Any person who gives false or misleading public information, conceals or falsifies
2 a material fact, in any investigation, inquiry or other proceeding held pursuant to
3 this Act, shall be punished with imprisonment of not less than three (3) months
4 but not more than six (6) months, and with a fine of not less than Ten Thousand
5 Pesos (Php 10,000.00) but not more than Fifty Thousand Pesos (Php 50,000.00).
6 *Provided, however,* That if the false or misleading public information shall have
7 been under oath, the maximum penalty for giving false testimony or perjury shall
8 be imposed;
9
- 10 (b) Any natural or juridical person or corporation who broadcast, publish or
11 advertise false or misleading public information or violates any provision of this
12 Act shall be punished with a fine of not less than One Million Pesos (Php
13 1,000,000.00) but not more than Five Million Pesos (Php 5,000,000.00) and/or a
14 suspension or revocation of its legislative franchise and other permits and
15 licenses to operate, upon the discretion of the court. The maximum penalties
16 prescribed in paragraph (a) shall also be imposed on the members of its board
17 and/or management, as applicable;
18
- 19 (c) An alien in violation of this Act shall, in addition to the penalty herein provided,
20 be deported after service of sentence;
21
- 22 (d) All monetary penalties shall directly accrue to the National Treasury.
23

24 **SEC. 6. Implementing Rules and Regulations (IRR).** - Within ninety (90) days from the
25 effectivity of this Act. The Presidential Communications Operations Office, Philippine
26 Information Agency, News and Information Bureau, Bureau of Broadcast Services,
27 National Printing Office, and Bureau of Communications Services, shall promulgate the
28 rules and regulations to effectively implement the provisions of this Act.
29

30 **SEC. 7. Monitoring Agency and Reports.** - The PCOO shall supervise and monitor the
31 implementation of this Act; and shall annually report to the President and Congress on
32 its activities in carrying out the provisions of this Act.
33

34 **SEC. 8. Amendatory and Repealing Clause.** - All laws, decrees, orders, rules and
35 regulations, ordinances, or any parts thereof, inconsistent herewith are hereby repealed
36 or modified accordingly.
37

38 **SEC. 9. Separability Clause.** - If any provision or part hereof is held invalid or
39 unconstitutional, the remainder of the law or the provision not otherwise affected shall
40 remain valid and subsisting.
41

42 **SEC. 10. Effectivity Clause.** - This Act shall take effect fifteen (15) days after its
43 publication in at least two (2) national newspapers of general circulation.
44

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46 Approved,