

EIGHTEENTH CONGRESS)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



HOUSE OF REPRESENTATIVES

Introduced by Representative Rufus B. Rodriguez

House Bill No. 2837

EXPLANATORY NOTE

This bill was originally introduced as House Bill No. 2275 during the 15th Congress where it was approved by the Committee on Public Information and substituted by House Bill No. 4262. It was again re-filed during the 16th Congress where it was consolidated into House Bill 362. It was re-filed during the 17th Congress.

Every democratic nation today recognizes the value of freedom of the press. The recognition and respect for this freedom is the very essence of democracy. Uncensored public discussion is a necessary condition in a society enjoying the bounty of a free and democratic State. Hence, freedom of the press is founded on the assumption that the widest possible dissemination of information from diverse, and perhaps even "antagonistic" sources is essential for the enhancement and projection of the welfare and interest of the people. Indeed, government can be responsive to the will of the people only when free debate and unhampered exchange of ideas become the hallmark of the State.

In the Philippines, freedom of the press is a right protected by no less than the Constitution. At the very core of the right is the liberty to discuss publicly and truthfully all matters of public interest without prior censorship or subsequent punishment. It signifies the freedom of a person to communicate with other members of the body politic.

It was in this liberal spirit that the Legislature enacted Republic Act No. 53 in 1946. The Act exempted the publisher, editor, columnist, or duly accredited reporter of any newspaper, magazine or periodical of general circulation from being compelled to reveal the source of any news report or information appearing in said publication which was related in confidence to such publisher, editor or reporter, unless the court or a House or committee of Congress finds that such revelation is demanded by the security of the State.

As in the case of anything good, Republic Act No. 53 had already outgrown its usefulness, so to speak. It would have been a very good law if only it anticipated the growth and development of mass media. Unfortunately, only members of the print media are covered under its provisions.

It is beyond doubt that included within the concept of the "press" are such vehicles of communications as radio, television and printed publications. Republic Act No. 53, therefore, failed to cope with the exigencies of modernization. In view of the foregoing, early passage of this bill is earnestly sought.


RUFUS B. RODRIGUEZ

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AN ACT

AMENDING REPUBLIC ACT NO. 53, AS AMENDED, OTHERWISE KNOWN AS "AN ACT TO EXEMPT THE PUBLISHER, EDITOR OR REPORTER OF ANY PUBLICATION FROM REVEALING THE SOURCE OF PUBLISHED NEWS OR INFORMATION OBTAINED IN CONFIDENCE", BY INCLUDING WITHIN ITS COVERAGE JOURNALISTS FROM BROADCAST, NEWS AGENCIES AND INTERNET PUBLICATIONS

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

SECTION 1. Section 1 of Republic Act No. 53, as amended, is hereby further amended to read as follows:

"SECTION 1. Without prejudice to his liability under the civil and criminal laws, [the publisher, editor, columnist or duly accredited reporter of any newspaper, magazine or periodical of general circulation cannot be compelled to reveal the source of any news-report or information appearing in said publication which was related in confidence to such publisher, editor or reporter unless the court or a House or Committee of Congress] **A DULY ACCREDITED JOURNALIST OF ANY LEGITIMATE PRINT, BROADCAST, INTERNET, OR WIRE SERVICE ORGANIZATION, STATION OR NETWORK, INCLUDING THE PUBLISHER, STATION OWNER AND/OR MANAGER, BUREAU CHIEF, EDITOR, NEWS EDITOR, WRITER OR REPORTER, CORRESPONDENT, OPINION COLUMNIST OR COMMENTATOR, CARTOONIST, PHOTOGRAPHER, OR OTHER PRACTITIONER INVOLVED IN THE GATHERING, WRITING, EDITING OF, OR COMMENTING ON THE NEWS FOR MASS CIRCULATION OR BROADCAST CANNOT BE COMPELLED TO REVEAL THE SOURCE OF ANY NEWS ITEM, NEWS REPORT OR INFORMATION APPEARING OR BEING REPORTED, DISSEMINATED OR COMMENTED ON IN SAID MEDIA, WHICH WAS RELAYED IN CONFIDENCE TO SUCH JOURNALIST OR PRACTITIONER UNLESS THE COURT OR THE HOUSE OF REPRESENTATIVES OR THE SENATE OR ANY OF ITS COMMITTEES finds that such revelation is demanded by the security of the State.**"

SEC. 2. Insert a new Section 2 after Section 1 of Republic Act No. 53, as amended, to read as follows:

“SEC. 2. FOR PURPOSES OF THIS ACT, A DULY ACCREDITED JOURNALIST OR PRACTITIONER OF ANY LEGITIMATE PRINT, BROADCAST, INTERNET, OR WIRE SERVICE ORGANIZATION, STATION OR NETWORK, IS ONE WHO IS ACCREDITED WITH ANY REPUTABLE ASSOCIATION OF MEDIA PERSONS SUCH AS, BUT NOT LIMITED TO, THE PHILIPPINE INFORMATION AGENCY-PRESIDENTIAL COMMUNICATIONS OPERATIONS OFFICE (PIA-PCOO), THE NATIONAL PRESS CLUB (NPC), THE NATIONAL UNION OF JOURNALISTS OF THE PHILIPPINES (NUJP), AND THE KAPISANAN NG MGA BROADCASTER NG PILIPINAS (KBP), AND/OR ONE WHO IS A REGULAR EMPLOYEE OF A LEGITIMATE PRINT, BROADCAST, INTERNET, OR WIRE SERVICE ORGANIZATION, STATION OR NETWORK: PROVIDED, THAT ANY JOURNALIST ENGAGED BY ANY LEGITIMATE MEDIA COMPANY SHALL BE DEEMED TO BE AN ACCREDITED JOURNALIST.”

SEC. 3. Any law, decree, ordinance, rule or regulation inconsistent with or contrary to the provisions of this Act is hereby amended or repealed.

SEC. 4. This Act shall take effect fifteen (15) days after its publication in the Official Gazette and/or in at least two (2) newspapers of national circulation.

Approved,