

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
First Regular Session
HOUSE BILL NO. 3813



Introduced by Rep. Winston "Winnie" Castelo

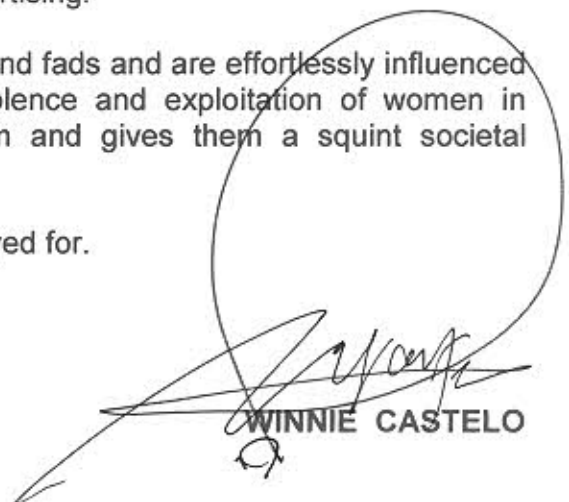
EXPLANATORY NOTE

This proposed measure finds it imperative to lay penalties to advertising agencies, either in form or more so in substance, exploit women and glorify sexual violence in their advertisements.

It should be that the public is given the opportunity to buy any product or commodity by relying solely on the truthful representations made by advertisers and to improve and safeguard the image of women in the field of advertising.

At this day and age, children easily catch trends and fads and are effortlessly influenced by mass media. Their exposure to sexual violence and exploitation of women in advertisements unnecessarily miseducates them and gives them a squint societal perception.

The swift passage of this bill is thus earnestly prayed for.



WINNIE CASTELO

Republic of the Philippines
HOUSE OF REPRESENTATIVES

SEVENTEENTH CONGRESS
First Regular Session
HOUSE BILL NO. 3813

Introduced by Rep. Winston "Winnie" Castelo

AN ACT
PENALIZING ALL ADVERTISING AGENCIES THAT EXPLOIT WOMEN AND GLORIFY
SEXUAL VIOLENCE IN THEIR ADVERTISEMENTS

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

SECTION 1. Short Title. – This Act shall be known as the "Advertisement Regulation Act 2016."

SEC. 2. Declaration of Policy. – Realizing the need to protect the morals of society, in view of the pervasive effect of advertisements in various media on the values of children and the public in general and recognizing the need to protect the vulnerable sectors of society from machinations and manipulations designed to increase profit, it is hereby declared the policy of the State to regulate advertisements in print, outdoor advertisements including posters and billboards.

SEC. 3. Definition of Terms. – For purposes of this Act, the following terms shall mean:

- a. Advertisement – any paid form of non-personal presentation and promotion of ideas, goods and services by an identified sponsor. Advertisement may be in print, outdoor advertisements including posters and billboards;
- b. Advertising Agency – any person, firm, corporation, partnership, association or other entities engaged in solicitation, production or conceptualization of advertisements in any media;
- c. Sexual violence – any prejudice, discrimination, harassment, or physical violence committed upon a person by another because of his or her gender or the perception that persons belonging to a particular gender are weak;
- d. Sexual exploitation – includes any portrayal or attitude of an individual or an object as sexually attractive or stimulating which portrayal or attitude is naturally calculated to excite impure imaginations and is not germane to the goods or services that are advertised;

SEC. 4. Prohibition and Penalties. – Any advertising agency which exploits and glorifies sexual violence in their advertisements shall, for the first offense, be liable for a fine of not less than One Hundred Thousand Pesos

(P100,000.00) nor more than One Hundred Fifty Thousand Pesos (P150,000.00) plus suspension of license or permit for thirty (30) days; For the second offense, for a fine not less than One Hundred Fifty Thousand Pesos (P150,000.00) nor more than Two Hundred Thousand Pesos (P200,000.00) plus suspension of license or permit for sixty (60) days; and for the third and final offense, for a fine of not less than Two Hundred Thousand Pesos (P200,000.00) nor more than Two Hundred Fifty Thousand Pesos (P250,000.00) and/or imprisonment for a period at the discretion of the court plus cancellation of the license or permit.

If the offender is a firm, corporation, partnership or association, the penalty shall be imposed upon the owner, manager, president or any responsible officer of the advertising agency.

If the offender is an alien, he shall be deported after serving sentence without further proceeding and shall be barred from entering the Philippines.

SEC. 5. *Monitoring.* – The Advertising Board of the Philippines shall monitor compliance with the provisions of this Act.

SEC. 6. *Rule-making Powers.* – The Board and the Department of Justice shall promulgate a Prosecution of violators of this Act and other Necessary rules and regulations for the effective implementation of this Act.

SEC. 7. *Repealing Clause.* – No provision of this Act shall affect Art. 201, Title VI of the Revised Penal Code, as amended. All other laws, executive orders, decrees, rules or regulations and other issuances, or parts thereof which are inconsistent herewith are hereby repealed or amended accordingly.

SEC. 8. *Effectivity Clause.* - This Act shall take effect upon its publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,