

2004 IMPLEMENTING RULES AND REGULATIONS, as amended

Pursuant to Section 3 (a) of Presidential Decree No. 1986, the Movie and Television Review and Classification Board (MTRCB), hereafter referred to as the BOARD, hereby enacts and promulgates the following Rules and Regulations.

Chapter I DEFINITION OF TERMS

As used in the Rules and Regulations, the following terms shall mean:

- (a) **BOARD** – The Movie and Television Review and Classification Board (MTRCB) created under Presidential Decree No. 1986.
- (b) **MOTION PICTURE** – A series of pictures projected on a screen in rapid succession so as to produce the optical effect of a continuous picture in which the objects move whether the picture is in black and white or in color, silent or with accompanying sound, on whatever medium, with whatever mechanism or equipment they are projected for instant showing.
- (c) **TELEVISION BROADCAST** – A public showing of images (video) and sounds (audio) via free television whether on Very High Frequency (VHF), or Ultra High Frequency (UHF), to include cable television and other limited audience distribution.
- (d) **THEATRICAL DISTRIBUTION** – A public exhibition of motion pictures in theaters, movie houses, or other places imposing admission fees.
- (e) **PUBLICITY MATERIALS and/or Promotional Materials** – Any material used to generate public interest in a motion picture or television program such as television commercials, movie and television trailers, print advertisements, still photos, photo frames, leaflets, posters and billboards and other related media.
- (f) **LIVE TV SHOW** – A television program telecast at the same time that it is being performed.
- (g) **TAPED TV SHOW** – A television program recorded before it is telecast.
- (h) **GENERAL VIEWING** – Refers to motion pictures made available to the general public for viewing whether through theaters, film libraries or such similar organizations.

- (i) REVIEW – The process of previewing motion pictures, television programs and related publicity materials to determine whether, based on the standards set by law, these are fit for importation, exportation, production, copying, distribution, sale, lease, and exhibition in theater or non-theatrical distribution networks; and to determine the material's classification.
- (j) NEWS – Refers to straight and objective news reporting as distinguished from news analyses, commentaries, opinions and editorials.
- (k) NEWS ANALYSES, COMMENTARIES, OPINIONS and EDITORIALS – Refer to views which are SUBJECTIVE in nature, whether these are of the speaker's and/or the network's.
- (l) NON-THEATRICAL DISTRIBUTION – A public showing of full-length or short-feature motion pictures through the use of mobile or non-mobile projection equipment for which no admission fee is charged. This includes showing of full-length and short-feature motion pictures exclusively to civic organizations, societies, clubs and other similar groups, including juvenile, educational, documentary, cultural, scientific, journalistic, industrial, sales, public relations and instructional films.

Chapter II GUIDING PRINCIPLES

Section 1. – The BOARD shall review and classify motion pictures, television programs and related promotion materials and commercials for TV and cinema, applying as general standard contemporary Filipino cultural values.

Section 2. – No motion picture, television program, or promotional material intended for such exhibition shall be disapproved by reason of its topic, theme or subject matter, subject to Article 201, “Offenses Against Decency and Good Customs” of the Revised Penal Code.

Section 3. – The classification shall be based on the treatment of theme, violence, language, nudity, sex, horror, illegal drugs and other similar elements. In making the evaluation, the BOARD shall not look at pieces of film, television, and related promotional materials in isolation, but shall consider the submitted material in its entirety.

Section 4. – The BOARD is fully aware of the State's concern in molding and reinforcing the moral character of the people as well as protecting the artist's freedom of expression. The BOARD's obligation therefore as mandated by law is to safeguard these values without negating the vital roles and services that the motion picture and television industries render to the community as important components in building the national economy.

Section 5. – The review and classification system rests on the doctrine of PARENS PATRIAE as well as the natural right of parents in rearing their children under the Constitution.

The BOARD recognizes the fundamental role of parents in their children’s choice of motion picture or television program, and thereby helps them decide what they will allow their children to watch.

Section 6. – The BOARD is a regulatory body which must not only function in terms of reviewing and classifying films or television programs brought before it but must also initiate plans and cooperate with the industry to improve, upgrade and make it viable as an important component of the national economy.

Chapter III SCOPE OF AUTHORITY

All motion pictures, television programs and commercials intended for public exhibition in theaters and television, and related publicity materials and/or promotional materials, whether imported or produced in the Philippines, for the purpose of local viewing or for export, shall be subject to review and classification by the BOARD before they are exported, copied, distributed, sold, leased and exhibited.

Chapter IV MOVIE, TELEVISION, and TRAILER CLASSIFICATION

Section 1. *Movie Classification*¹ – Motion pictures shall be classified as GENERAL AUDIENCE (“G”); PARENTAL GUIDANCE - 13 (“PG”); RESTRICTED – 13 (“R-13”); RESTRICTED – 16 (“R-16”); RESTRICTED – 18 (“R-18”); and NOT FOR PUBLIC EXHIBITION (“X”). In classifying motion pictures, the BOARD shall consider the treatment of the following factors: theme, violence, language, nudity, sex, horror, drugs, without prejudice to such other factors or elements that it may deem appropriate to consider.

The classification ratings for motion pictures shall be color coded, as follows:²

Film Rating		Color
GENERAL AUDIENCE (G)	--	GREEN
PARENTAL GUIDANCE (PG)	--	BLUE
RESTRICTED-13 (R-13)	--	YELLOW
RESTRICTED-16 (R-16)	--	ORANGE
RESTRICTED-18 (R-18)	--	RED

Applying contemporary Filipino cultural values as standard, the following are the guidelines for film classification:

¹ As amended by Memorandum Circular No. 08-2012 issued on 19 July 2012. See Annex “A.”

² As amended by Memorandum Circular No. 10-2012 issued on 03 October 2012. See Annex “B.”

A. GENERAL AUDIENCE (“G”) – Viewers of all ages are admitted. A “G” classification advises parents or supervising adults that the film, in the judgment of the BOARD, is suitable for all audiences.

1. **THEME** – The film must contain themes that are appropriate for all audiences. It should not contain violence, threat, abuse, horror, or other themes that may cause fear or disturbance to a young child’s mind. It should promote positive values.
2. **LANGUAGE** – The film may contain dialogue or other word representations beyond polite language, but swear words or gestures shall not be allowed. Profane, offensive, and sexually-suggestive language or gestures shall not be allowed. Language shall include both verbal and non-verbal expressions.
3. **NUDITY** – The film may contain occasional, as well as natural nudity; provided there is no sexual or demeaning context to it.
4. **SEX** – The film cannot contain and depict sexual activity, and such other scenes with a sexual context.
5. **VIOLENCE** – The depiction of any violence must be mild, brief, infrequent, and unlikely to cause undue anxiety or fear to young children.
6. **HORROR** – The depiction of horror and frightening scenes should be mild, brief, infrequent, and unlikely to cause undue anxiety or fear to young children.
7. **DRUGS** – There shall be no depiction of, or reference to, prohibited drugs or their use.

B. PARENTAL GUIDANCE (“PG”) – Viewers below thirteen (13) years old **must be accompanied by a parent or supervising adult** when admitted into a “PG” film. A “PG” classification advises parents or supervising adults that the film may contain any of the following: themes, language, violence, nudity, sex, and horror, whose treatment is suitable for children below thirteen (13) years of age.

A film classified as “PG” shall, in the judgment of the Board, meet the following criteria:

1. **THEME** – The film may contain themes that require parental supervision and guidance, but the treatment shall nonetheless be appropriate for children below thirteen (13) years of age.

The film should not promote any dangerous, violent, discriminatory, or otherwise offensive behavior or attitude.

The film should contain redeeming social values.

2. LANGUAGE – The film may contain mild and infrequent swear words and menacing language.

The use of strong swear words or sexually-derived expletives, as well as the successive or frequent use of swear words and expletives shall not be allowed.

Offensive, menacing, threatening language and references to sex shall always be suitable for viewers who are below thirteen (13) years of age.

Sexually-suggestive language may be allowed; provided that it is neither frequent nor prolonged, and always justified by the context of the scene where such is heard.

3. NUDITY – The film may contain occasional, as well as natural nudity; provided that there is no sexual or demeaning context to it.
4. SEX – The depiction of sexual activity may be allowed, but it should be discreet, infrequent, and not prolonged; provided no graphic depiction of sexual activity shall be allowed.
5. VIOLENCE – The depiction of violence and suffering should be minimal, and without graphic detail; provided that gratuitous violence shall not be allowed in any case.
6. HORROR – The depiction of horror and frightening scenes shall be allowed; provided that they are brief and infrequent.
7. DRUGS – There shall be no depiction of, or reference to, prohibited drugs or substances and their use.

C. RESTRICTED–13 (“R-13”) – Only viewers who are **thirteen (13) years old and above** can be admitted into an “R-13” film. An “R-13” classification advises parents or supervising adults, as well as the would-be viewers themselves, that the film may contain any of the following: themes, language, violence, nudity, sex, horror, and drugs whose treatment may **not be suitable** for children below thirteen (13) years of age.

A film classified as “R-13” must, in the judgment of the Board, meet the following criteria:

1. THEME – The film may contain mature themes; provided that the treatment of any of these themes is suitable for teenagers above thirteen (13) years of age.

The film shall not gratuitously promote or encourage any dangerous, violent, discriminatory, or otherwise offensive behavior or attitude.

The film must contain social redeeming values.

2. LANGUAGE – The film may contain moderate swear words and menacing language consistent with the context of the scene in which they are employed.

The use of strong swear words or sexually-derived or suggestive expletives and expressions as well as the use of swear words and expletives shall be allowed; provided that its use is infrequent and not vulgar.

Offensive, menacing, threatening or other equally negative language, as well as references to sex shall be suitable for viewers who are at least thirteen (13) years of age.

The use of sexually-oriented or suggestive language and other references to sex shall always be suitable for viewers who are at least thirteen (13) years of age.

3. NUDITY – The film may contain occasional, natural and sexually-oriented nudity; provided that this is brief and discreet, and its use is justified by the context, narrative, or character development; and taking into account the contemporary values and understanding of a Filipino viewer who is at least thirteen (13) years of age.
4. SEX – Sexual activity may be depicted, but it should be discreet, infrequent, brief, and without graphic detail; provided that its depiction is justified by the context, narrative, or character development; and taking into account the contemporary values and understanding of a Filipino viewer who is at least thirteen (13) years of age.
5. VIOLENCE – Violence may be allowed; provided that it is infrequent, not gratuitous, and without graphic detail, and its use is justified by the context, narrative, or character development; and taking into account the contemporary values and understanding of a Filipino viewer who is at least thirteen (13) years of age.
6. HORROR – The depiction of horror, frightening scenes, and occasional gore are allowed; provided that such depiction is justified by the context, narrative, or character development; and taking into account the contemporary values and understanding of a Filipino viewer who is at least thirteen (13) years of age.
7. DRUGS – The depiction of drugs or their use may be allowed; provided that such depiction is brief and infrequent, and the same is justified by the context, narrative, or character development; and taking into account the contemporary values and understanding of a Filipino viewer who is at least thirteen (13) years of age.

The movie shall not in any case promote, condone, justify and/or encourage drug use.

D. RESTRICTED-16 (“R-16”) – Only viewers as well as the viewers themselves who are **sixteen (16) years old and above** can be admitted into an “R-16” film. An “R-16” classification advises parents and supervising adults that the film may contain any of the following: themes, language, violence, nudity, sex, horror, and drugs that may not be suitable for children below sixteen (16) years of age.

A film classified as “R-16” must, in the judgment of the Board, meet the following criteria:

1. **THEME** – There are no restrictions on themes; provided that the treatment is appropriate for viewers who are at least sixteen (16) years of age.
2. **LANGUAGE** – The film may use any kind of language; provided that such use is justified by context, narrative, or character development; and taking into account the contemporary values and understanding of a Filipino viewer who is at least sixteen (16) years of age.
3. **NUDITY** – The film may contain natural and sexually-oriented nudity; provided that it is discreet and its depiction is not gratuitous and is justified by the context, narrative, or character development; and taking into account the contemporary values and understanding of a Filipino viewer who is at least sixteen (16) years of age.
4. **SEX** – Sexual activity may be depicted; provided any depiction does not contain graphic detail, and such depiction is not gratuitous and is justified by the context, narrative, or character development; and taking into account the contemporary values and understanding of a Filipino viewer who is at least sixteen (16) years of age.
5. **VIOLENCE** – Violence and gore may be allowed; provided that their depiction is not gratuitous and is justified by the context, narrative, or character development; and taking into account the contemporary values and understanding of a Filipino viewer who is at least sixteen (16) years of age.
6. **HORROR** – The non-gratuitous depiction of horror, frightening scenes, and gore are allowed; provided that their use is justified by the context, narrative, or character development; and taking into account the contemporary values and understanding of a Filipino viewer who is at least sixteen (16) years of age.
7. **DRUGS** – The non-gratuitous depiction of drugs or their use may be allowed; provided that its depiction is justified by the context, narrative, or character development; and taking into account the contemporary values and understanding of a Filipino viewer who is at least sixteen (16) years of age.

The movie shall not in any case promote, condone, and encourage drug use.

E. RESTRICTED–18 (“R-18”) – Only viewers who are **eighteen (18) years old and above** can be admitted into an “R-18” film. An “R-18” classification advises viewers, parents, and supervising adults that the film may contain any of the following: themes, language, violence, nudity, sex, horror, and drugs that may **not be suitable** for children below eighteen (18) years of age.

An “R-18” rating does not mean that the film is “obscene”, “offensive”, or “pornographic,” as these terms are defined by law.

A film classified as “R-18” must, in the judgment of the Board, meet the following criteria:

1. **THEME** – There are no restrictions on themes and their treatment.
2. **LANGUAGE** – The film may use any kind of language; provided that such use is justified by the context, narrative, or character development; and taking into account the contemporary values and understanding of a Filipino viewer who is at least eighteen (18) years of age.
3. **NUDITY** – The film may contain sexually-oriented nudity; provided that it is non-gratuitous, and is justified by the context, narrative, or character development; and taking into account the contemporary values and understanding of a Filipino viewer who is at least eighteen (18) years of age.

An “R-18” rating does not mean that the film is “obscene” or “pornographic,” as these terms are defined by law.

4. **SEX** – The realistic depiction of sexual activity may be allowed; provided that such depiction is not gratuitous, and is justified by the context, narrative, or character development; and taking into account the contemporary values and understanding of a Filipino viewer who is at least eighteen (18) years of age.

An “R-18” rating does not mean that the film is “obscene” or “pornographic,” as these terms are defined by law.

5. **VIOLENCE** – There are no restrictions on the depiction of violence except that it should not be gratuitous and that it is justified by the context, narrative, or character development; and taking into account the contemporary values and understanding of a Filipino viewer who is at least eighteen (18) years of age.
6. **HORROR** – The depiction of horror, frightening scenes, and gore are allowed; provided that such depiction is justified by the context, narrative, or character development, and taking into account the contemporary values and understanding of a Filipino viewer who is at least eighteen (18) years of age.
7. **DRUGS** – The depiction of drugs or their use may be allowed; provided that such depiction is justified by the context, narrative or character development; and taking into account the contemporary values and understanding of a Filipino viewer who is at least eighteen (18) years of age. In no case, however, should the use of drugs be promoted, condoned, justified and/or encouraged.

F. NOT FOR PUBLIC EXHIBITION (“X”) – “X-rated” films are not suitable for public exhibition. A film shall be disapproved for public viewing if, in the judgment of the BOARD:

- a. The average person, applying contemporary community standards and values, would find that the dominant theme of the work, taken as a whole appeals solely to the prurient interest and satisfies only the craving for gratuitous sex and/or violence.
- b. The film depicts in a patently lewd, offensive, or demeaning manner, excretory functions and sexual conduct such as sexual intercourse, masturbation and exhibition of the genitals.
- c. The film clearly constitutes an attack against any race, creed, or religion.
- d. The film condones or encourages the use of illegal drugs and substances.
- e. The film tends to undermine the faith and confidence of the people in their government and/or duly-constituted authorities.
- f. The film glorifies criminals or condones crimes.
- g. The film is libelous or defamatory to the good name and reputation of any person, whether living or dead.
- h. The film may constitute contempt of court or of a quasi-judicial tribunal, or may pertain to matters which are subjudicial in nature.

Section 2. *Television Classification*³ – All television programs are to be classified as “GENERAL PATRONAGE (“G”); PARENTAL GUIDANCE (“PG”); STRONG PARENTAL GUIDANCE (“SPG”) and DISAPPROVED FOR AIRING ON TELEVISION (“X”). In classifying the television program, the Board shall consider the treatment of the following factors: theme, violence, language, nudity, sex, horror, illegal drugs and other elements.

These Rules shall cover all television programs, motion pictures, and publicity materials for, or pertaining to, television broadcast including cable television service.⁴

Applying contemporary Filipino cultural values as standard, the following are the guidelines for television classification:

A. GENERAL PATRONAGE (“G”) – Suitable for all ages. Material for television, which in the judgment of the BOARD does not contain anything unsuitable for children.

A pictogram advisory accompanied by full-screen written and verbal advisory to the effect that the program is classified as “G” shall be broadcast for at least ten (10) seconds immediately before the opening credits of the particular television material. The text of the full-screen written advisory shall be written in font 10 of arial-narrow, solid white color with black outline. The pictogram advisory showing a capital letter “G” written on a green box with an MTRCB logo at the top and the phrase “*General Patronage For All Viewers*” at the bottom shall be clearly superimposed at the bottom right corner of the television screen throughout the entire showing of the program

³ As amended by Memorandum Circular No. 05-2011 issued on 25 August 2011. See Annex “C”.

⁴ Section 1, Chapter I of the Implementing Guidelines of Memorandum Circular No. 05-2011.

classified as such. The superimposed pictogram advisory shall be 32.5mm x 19.05mm in size. ⁵The suggested pictogram advisory and full-screen written and verbal advisory are as follows:

*“ANG SUSUNOD NA PROGRAMA AY RATED “G”.
ITO AY PUWEDE SA LAHAT NG MANONOOD.”*



B. PARENTAL GUIDANCE (“PG”) – Parental guidance suggested. Material for television, which, in the judgment of the BOARD, may contain some adult material that may be permissible for children to watch but only under the guidance and supervision of a parent or adult.

The “PG” classification advises parents to exercise parental responsibility in their children’s viewing of the program. A pictogram advisory accompanied by full-screen written and verbal advisory to the effect that the program is classified as “Parental Guidance” shall be broadcast for at least ten (10) seconds immediately before the opening credits of the particular television material classified as such. The text of the full-screen written advisory shall be written in font 10 of arial-narrow, solid white color with black outline. The pictogram advisory showing a capital letter “PG” written on a blue box with an MTRCB logo at the top and the phrase “*Parental Guidance For Young Viewers*” at the bottom shall be clearly superimposed at the bottom right corner of the television screen throughout the entire showing of the program classified as such. The superimposed pictogram advisory shall be 32.5mm x 19.05mm in size. ⁶The suggested pictogram advisory and full-screen written and verbal advisory are as follows:

*“ANG SUSUNOD NA PROGRAMA AY RATED “PG”. ITO AY
NANGANGAILANGAN NANG PATNUBAY AT GABAY NG
MAGULANG PARA SA MGA BATANG MANONOOD.”*



⁵ As amended by Memorandum Circular No. 11-2011 issued on 02 November 2011.

⁶ As amended by Memorandum Circular No. 11-2011, *ibid*.

The television program classified as “PG” must, in the judgment of the Board, meet the following criteria:

1. **THEME** – More serious issues may be tackled but the treatment must be suitable to children below thirteen (13) years old.
2. **LANGUAGE** – Very mild swear words only shall be allowed. Use of a strong expletive in a sexual context or sexually-based expletives shall not be allowed. Neither shall prolonged and/or successive use of expletives be allowed.
3. **NUDITY** – Occasional natural nudity, with no sexual activity, is permissible.
4. **SEX** – Graphic depiction of sexual activity shall not be permitted. Sexual activity may be implied but with no details shown.
5. **VIOLENCE** – There should be no glamorization of weapons and crimes. No detail of fighting or other dangerous techniques. No detail or prolonged showing of violence or suffering. There should be a redeeming social value at the end.
6. **HORROR** – Scary sequences must be mild and brief.
7. **DRUGS** – There may only be implied depiction of prohibited drugs and/or substances or their use provided it does not condone, encourage or glamorize drug and/or substance use and it should be necessary to the theme and characterization.

C. **STRONG PARENTAL GUIDANCE (“SPG”)**⁷ – Stronger and more vigilant parental guidance is suggested. Programs classified as “SPG” may contain more serious topic and theme, which may not be advisable for children to watch except under the very vigilant guidance and presence of a parent or an adult.

The “SPG” classification warns parents to exercise greater parental responsibility in their children’s viewing of the program. The television program classified as “SPG” must still fall within the parameters of existing Parental Guidance classification rating. However, to merit the issuance of an “SPG” rating, the gravity of the material must, in the judgment of the BOARD, be leaning towards the maximum allowable for Parental Guidance rating. In determining the proper classification rating, the Board shall consider the purpose, genre, and time slot of the program as well as the treatment and depiction of attendant factors such as, but not limited to: Theme (*Tema*), Violence (*Karahasan*), Drugs (*Droga*), Language (*Lenggvahe*), Sex (*Sekswal*) and Horror (*Katatakutan*).

⁷ Amended by Memorandum Circular No. 12-2011 issued on 01 December 2011. See Annex “D”.

In the exercise of its judgment, the BOARD shall take due consideration of balancing the interest of the State to protect the welfare of the youth with the interest of the broadcast networks to freedom of expression.

A pictogram advisory accompanied by a full-screen written advisory with voice over to the effect that the program is classified as “Strong Parental Guidance” shall be broadcast for at least twenty (20) seconds, immediately before the opening credits and midway in the full airing of the particular television material classified as such. The full-screen advisory shall specifically declare the content descriptors pertinent to the program being shown, such as but not limited to: Theme (*Tema*), Violence (*Karahasan*), Drugs (*Droga*), Language (*Lenggawahe*), Sex (*Sekswal*) and Horror (*Katatakutan*).

The pictogram advisory showing the capital letters “SPG” written on a red box with the phrase “*Strong Parental Guidance Striktong Patnubay at Gabay*” at the bottom shall be clearly superimposed at the bottom right corner of the television screen throughout the entire showing of the program classified as such. As the need may arise, the superimposed pictogram may be placed in other part of the television screen; provided it is not done too often. The text in the pictogram of the phrase “*Strong Parental Guidance Striktong Patnubay at Gabay*” shall be written in font ten (10) of arial-narrow solid white with black outline. The superimposed pictogram advisory shall be 32.5 mm x 19.05 mm in size.

Until further revised by the BOARD, the suggested pictogram advisory and full-screen written advisory with voice over in Filipino are as follows:

PRESCRIBED PICTOGRAM ADVISORY:



FOR OPENING AND MIDWAY CREDITS:

“ANG PROGRAMANG ITO AY RATED ‘SPG.’

*‘STRIKTONG’ PATNUBAY AT GABAY NG MAGULANG
ANG KAILANGAN. MAY MASESELANG TEMA,
EKSEKANG KARAHASAN, DROGA, LENGGAWAHE,
SEKSWAL AT KATATAKUTANG MAAARING HINDI
ANGKOP SA MGA BATANG MANONOOD.”*

D. **DISAPPROVED FOR AIRING ON TELEVISION (“X”)** – Any television program that does not conform to the “G”, “PG” or “SPG” classification shall be disapproved for television broadcast. The material shall be disapproved for television broadcast if, in the judgment of the Board applying contemporary Filipino cultural values as standard, it is objectionable for being immoral, indecent, contrary to law and/or good customs, injurious to the prestige of the Republic of the Philippines or its people, or with a dangerous tendency to encourage the commission of violence, or of a wrong, or crime, such as but not limited to:

1. The work depicts in a patently lewd, offensive, or demeaning manner, excretory functions, and sexual conduct such as sexual intercourse, masturbation and exhibition of the genitals.
2. The work clearly constitutes an attack against any race, creed or religion.
3. The work condones or encourages the use of illegal drugs and substances.
4. The work tends to undermine the faith and confidence of the people in their government and/or duly constituted authorities.
5. The work glorifies criminals or condones crimes.
6. The work is libelous or defamatory to the good name and reputation of any person, whether living or dead.
7. The work may constitute contempt of court of a quasi-judicial tribunal, or may pertain to matters, which are subjudicial in nature.

Section 3. *Movie and Television Trailers*⁸ – Trailers and publicity/promotional materials for movies and television must strictly be made suitable for a General Audience (“G”) classification. Trailers and publicity/promotional materials that do not fall within the “G” classification shall not be approved for exhibition in a movie house, television broadcast, publication in print media and exposure in other related media.

The BOARD may, from time to time, applying Filipino cultural values, amend this system of classification and the guidelines thereto, and the BOARD may consider the time slot, purpose and venue of the program in determining the proper rating for it.

Chapter V APPLICATION AND ISSUANCE OF PERMITS

Section 1. *Who May Apply* – Any natural or juridical person authorized by law may apply for a permit to import, export, produce, copy, distribute, sell, lease, publicly exhibit, or broadcast by

⁸ See Section 3, Chapter III of Memorandum Circular No. 08-2012.

television, any motion picture, television program, or related publicity materials, with respect to which use or appropriation he has, by law, the corresponding right.

Section 2. Form and Requirements of Permit Application – The application shall be in writing and in the form prescribed by the BOARD. It shall state, among others, the kind of permit applied for, the applicant's name, address, and company position, and the title of the film, television program, or publicity/promotional material being submitted. The application shall be made under oath, to be accompanied by the following documents:

A sworn statement by the producer or, in the case of imported films, by the importer or distributor declaring the exact number of prints of the motion picture or material produced or imported.

- i. In the case of locally produced films, a sworn certification by the film studio or laboratory stating the exact number of film prints and corresponding footage that has been processed, and an undertaking not to process further copies without clearance by the BOARD.
- ii. In the case of imported or exported motion pictures and publicity/promotional materials, the documents mentioned in Chapter IX, "Import and Export of Films."
- iii. Such other documents as the BOARD may from time to time require.

Section 3. Application Fee – No application for a permit shall be acted upon by the BOARD unless the applicant has fully paid the prescribed application fee.

Those with outstanding obligations with the BOARD shall likewise be made to settle said obligations before the BOARD acts upon the latest application.

Section 4. Period for Review and Classification – Film prints and tapes of television programs shall be submitted to the BOARD for classification on a "first come, first served" basis.

Fees prescribed by the BOARD for films, and for television programs on a per-episode basis, will be charged.

The BOARD must review and classify the motion picture, television program, or promotional/publicity material within a period of ten (10) days, which shall be counted from the date of receipt by the BOARD of an application for review and classification, together with the complete film prints, the tapes of television programs, or stills and other publicity /promotional materials to be reviewed.

In the case of a Second Review, the BOARD shall render its decision within five (5) days from the date of the receipt of the motion picture, television program, or promotional/publicity material for Reclassification and/or Reconsideration.

However, no special consideration will be made regardless of an applicant's playdate or date of broadcast. It is the applicant's duty to meet his deadlines, without prejudice to those who have submitted their respective applications, film prints, and tapes of television programs before him.

Section 5. *Titles and Publicity and/or Promotional Materials* – Promotional and/or publicity materials such as print advertisements, still photos, photo frames, leaflets, posters, and billboards shall be submitted for review during the run of the movie as long as the first batch of material has been approved.

The following shall not be approved as titles:

- A. Direct representations of, or clear references to, sexual acts, masturbation, excretory functions and the genitalia.
- B. Those which when maliciously mispronounced for promotional purposes become direct representations of, or clear references to, sexual acts, masturbation, excretory functions, and the genitalia.
- C. Those which no matter how innocent in a particular Philippine dialect or in any other language are, in the Filipino language, direct representations of, or clear references to, sexual acts, masturbation, excretory functions, and the genitalia.
- D. Those which are contrary to law, public morals, or any legitimate public interest.
- E. Those that contain vulgar language.

All publicity materials of motion pictures and television programs, whether in print or audio/video format, are required to have permit to exhibit. Each publicity material shall be assessed appropriate review fee. In the case of movie trailers imbedded in a particular movie material, the assessment shall be for every movie title of the corresponding imbedded movie trailers.⁹

Only such versions of publicity materials duly approved and passed upon by the BOARD are fit for public exhibition. Film distributors are primarily responsible for the fitness and validity of all materials distributed for public screening. Corollary, theater and television network managers should not accept from any film distributor any publicity material, especially imbedded movie trailers, that has not been duly cleared with the BOARD.¹⁰

In the event the title or publicity/promotional material does not meet BOARD approval, the applicant shall undertake to shoulder additional expenses for a reshoot of optical titles or reproduction of publicity/promotional materials.

Changing of titles of old or reissued motion pictures shall not be allowed, except when such titles fall under any of the abovementioned subsections. Old films shall carry their original title in the feature print and in all promotional/publicity materials, with the word “REISSUE” prominently printed in bold letters under the original title.

⁹ As amended by Memorandum Circular No. 05-2012 issued on 12 March 2012. See Annex “E.”

¹⁰ As amended by Memorandum Circular No. 05-2012, *ibid*.

All print and sign advertisements related to motion pictures and television programs such as advertising copy, still photos for theater lobby or non-theater lobby display, photo frames, leaflets, posters, and billboards shall fall within the standards of a General Audience (“G”) classification.

All advertising copy, still photos for theater lobby display, photo frames, leaflets, posters and billboards and other promotional materials that do not meet a “G” classification cannot be exhibited in public. Violation of this provision shall be a ground for the withholding or cancellation of the film’s Exhibition Permit and, the imposition of other such penalties as the BOARD may deem appropriate.

Motion pictures on which voluntary deletions have been made shall not be advertised as “UNCUT” in any and all publicity/promotional materials. The BOARD shall not hesitate to impose sanctions on such deceptive advertising.

The BOARD may, from time to time, applying contemporary Filipino cultural values, amend this system of classification and the guidelines hereunder. The BOARD may consider the time slot, purpose and venue of the program in determining the proper rating for it.

Section 6. *Display of Permit to Exhibit* – A copy of the Permit to Exhibit shall be prominently posted or displayed at conspicuous places near the entrances and at the ticket booth of all theaters or cinemas or other venue where the motion picture is exhibited.¹¹

Section 7. *Display of the Classification of the Film* – All theater or other venue owners or operators, producers, advertisers, billboard owners or operators, and any such other persons or entities responsible for advertising, making known, or publicizing a film shall always prominently display the Board’s classification of the film in all advertising, publicity, and promotional materials of whatever media, such as but not limited to images, posters, playbills, announcements, messages, standees, billboards, signages, banners, and marquees.

The Board’s classification of a motion picture shall be prominently displayed on a movable three (3)-foot high standee in the theater lobby. The standee shall display the prescribed color-code and pictogram of the film rating and its corresponding film rating advisory.¹²

Unless otherwise required by the Board, the standee and the color-coded film pictograms shall have the following specifications:

STANDEE SPECIFICATIONS:

Standee height (ground to top)	Four (4) feet and (5) five inches
Standee printed area	Fourteen (14) inches by twenty two (22) inches (WxH)
Color-coded pictogram	Ten (10) inches by twelve (12) inches (WxH)
Pictogram font size	700 Verdana Bold (for “G”) 500 Verdana Bold (for “PG” to “R-18”)

¹¹ As amended by Memorandum Circular No. 08-2012, *ibid*.

¹² As amended by Memorandum Circular No. 10-2012, *ibid*.

	(same specifications as in film pictograms)
Font (full film rating)	40 Verdana Bold (black color)
Font (full film advisory)	40 Helvetica Bold (black color)
Material of printed area	Glossy paper

FILM PICTOGRAMS SPECIFICATIONS:

<p>A. GENERAL AUDIENCE</p> <p>Background Color: Green (#009900); Gradient overlay: 009900; 5af85a; 100% location; Font: Verdana, Bold, 302.04pt/250, Fbdfef, Pillow emboss, Smooth, 174% depth, Direction up, Size 35px; Layer Style: Background; Contour: input 22% output 48%; Bevel and Emboss: Inner bevel, Smooth, 154% depth, Up direction, 27% px size, 2 px soft, Shading 106%.</p>
<p>B. PARENTAL GUIDANCE</p> <p>Background Color: Blue (#024d82); Gradient overlay; #024d82, #3d46f7; Font: Verdana, Bold, 302.04pt/250, Fbdfef; Layer Style: Background; Contour: input 22% output 48%; Bevel and Emboss: Inner bevel, Smooth, 154% depth, Up direction, 27% px size, 2 px soft, Shading 106%.</p>

<p>C. RESTRICTED-13</p> <p>Background Color: Yellow (#ffc000), 100% CMYK; Font: Verdana, Bold, 302.04pt/250; Gradient overlay: 27f04/fabf7f/f27f04; Inner Bevel; Depth 368%; Size 73px; Direction – up; Soften – 9px; Angle 153° global light 53°; Shadow Mode: Multiply; Opacity 26%; Gradient overlay #04fa04; Outer Glow.</p>
<p>D. RESTRICTED-16</p> <p>Background Color: Orange (#fb9006); Font: Verdana, Bold, 302.04pt/250, Fbdfef, Pillow emboss, Smooth, 174% depth, Direction up, Size 35px; Layer Style: Background; Contour: input 22% output 48%; Bevel and Emboss: Inner bevel, Smooth, 154% depth, Up direction, 27% px size, 2 px soft, Shading 106%.</p>

E. RESTRICTED-18

Background Color: Red (#ff0000); Font: Verdana, Bold, 302.04pt/250, Fbdfde, Pillow emboss, Smooth, 174% depth, Direction up, Size 35px; Layer Style: Background; Contour: input 22% output 48%; Bevel and Emboss : Inner bevel, Smooth, 154% depth, Up direction, 27% px size, 2 px soft , Shading 106%.

Consistent with Section 3(k) of Presidential Decree No. 1986, immediately after every intermission, the Board's prescribed audio-video public service announcement on film classifications shall be showed on the theater screen. Also, immediately prior to every exhibition of any main film feature, the film's corresponding advisory rating shall be flashed on screen in the prescribed audio-video format.

The prescribed film pictogram and audio-video advisory shall be as follows:

A. GENERAL AUDIENCE (“G”)



GENERAL AUDIENCE

*ANG PELIKULANG ITO AY RATED “G.” ITO AY
PUWEDE SA LAHAT NG MANONOOD.*

*THIS MOVIE IS RATED “G.” IT IS SUITABLE FOR ALL
AUDIENCES.*

B. PARENTAL GUIDANCE (“PG”)



PARENTAL GUIDANCE

ANG PELIKULANG ITO AY RATED "PG." ITO AY NANGANGAILANGAN NG PATNUBAY AT GABAY NG MAGULANG PARA SA MGA BATANG MANONOOD.

THIS MOVIE IS RATED "PG." IT MAY CONTAIN SCENES SUITABLE ONLY FOR CHILDREN BELOW THIRTEEN (13) YEARS OLD. PARENTAL GUIDANCE IS ADVISED.

C. RESTRICTED -13 ("R-13")



RESTRICTED - 13

ANG PELIKULANG ITO AY RATED "R-13." MAAARING MAY TEMA, LENGGWAHE, KARAHASAN, NUDITY, SEKSWAL, KATATAKUTAN, AT DROGA, NA HINDI ANGKOP SA MAY EDAD NA MABABA SA LABINTATLONG (13) TAONG GULANG.

THIS MOVIE IS RATED R-13. IT MAY CONTAIN THEMES, LANGUAGE, VIOLENCE, NUDITY, SEX, HORROR, AND DRUGS WHICH MAY NOT BE SUITABLE FOR CHILDREN BELOW THIRTEEN (13) YEARS OLD.

D. RESTRICTED-16 ("R-16")



RESTRICTED-16

ANG PELIKULANG ITO AY RATED “R-16.” MAAARING MAY TEMA, LENGGWAHE, KARAHASAN, NUDITY, SEKSWAL, KATATAKUTAN, AT DROGA, NA HINDI ANGKOP SA MGA MAY EDAD NA MABABA SA LABING-ANIM NA (16) NA TAONG GULANG.

THIS MOVIE IS RATED R-16. IT MAY CONTAIN THEMES, LANGUAGE, VIOLENCE, NUDITY, SEX, HORROR, AND DRUGS, WHICH MAY NOT BE SUITABLE FOR CHILDREN BELOW SIXTEEN (16) YEARS OLD.

E. RESTRICTED–18 (“R-18”)



RESTRICTED-18

ANG PELIKULANG ITO AY RATED “R-18.” MAAARING MAY TEMA, LENGGWAHE, KARAHASAN, NUDITY, SEKSWAL, KATATAKUTAN, AT DROGA NA HINDI ANGKOP SA MAY GULANG NA MABABA SA EDAD LABINWALONG (18) TAONG GULANG.

THIS MOVIE IS RATED R-18. IT MAY CONTAIN THEMES, LANGUAGE, VIOLENCE, NUDITY, SEX, HORROR, AND DRUGS, WHICH MAY NOT BE SUITABLE FOR CHILDREN BELOW EIGHTEEN (18) YEARS OLD.

The prescribed MTRCB poster, on the proper understanding of the film classification categories, shall be prominently displayed in a conspicuous place near every cinema ticket booth. Every cinema operator shall make available such adequate number of posters as there are ticket booths. The said poster, printed on glossy paper, and with dimensions of 27 inches by 40 inches (WxH), shall contain the advisories with text, pictograms and images, as prescribed by the Board.

For this purpose, and to ensure uniformity, the Board shall make available to cinema or theater owner or operator, in digital format, the graphic content or material for the poster.

Section 8. MTRCB Seal of Approval – All still photos, photo frames and posters approved for display in the theater lobby and other public places must bear the MTRCB seal of approval.

Section 9. *Television Programs*¹³ – The BOARD shall not review/classify television programs on a per-episode basis, but on a sample episode submitted from a particular program’s output for the season. The BOARD may, if circumstances warrant, require the review of all episodes of certain television programs.

For proper review and classification of serial television programs based on sample episodes, the rules and guidelines are as follows:

- a. Serial television programs shall be reviewed and classified based on their sample episodes for a particular period.
- b. A permit to exhibit issued based on a sample episode shall be limited to the following number of episodes: 1) for daily telecast, shall not exceed twenty (20) episodes; 2) for weekly telecast, shall not exceed ten (10) episodes. The sample episode itself must not be one of the episodes to be shown within the period.
- c. Serial television programs that are given a “PG” or “SPG” rating shall be subjected to an automatic post evaluation review for purposes of determining the propriety of the classification rating in relation to the progression of the program’s thematic content.
- d. Unless determined by the BOARD to the contrary, episodes shown on Fridays shall be submitted to the BOARD a day after their airing for purposes of post evaluation review. If the due date falls on a non-working day of the BOARD, the material shall be submitted on the immediately following working day.
- e. To facilitate proper post evaluation review, the program producer shall submit a copy of the material as shown on television together with a synopsis and a copy of its permit to exhibit.
- f. Materials that are originally rated “Parental Guidance” may be *motu proprio* reclassified by the network or program producer to “Strong Parental Guidance”, if they deem fit in the exercise of self-regulation, without the necessity of prior approval from the BOARD.
- g. However, materials that are originally rated “Strong Parental Guidance” cannot be *motu proprio* reclassified by the network or program producer to “Parental Guidance” without prior written approval from the BOARD.
- h. The pay-before-broadcast rule for the airing of each episode shall continue to be observed.
- i. Sample episodes of serial programs on daily telecast shall be submitted for proper review and classification at least five (5) days prior to airing date, otherwise, a special review fee shall be imposed in addition to the regular review fee. However, television programs not on daily telecast shall continue to be regulated by the ten (10)-day prior-to-airing rule.

¹³ As amended by Memorandum Circular No. 03-2012 issued on 23 February 2012. See Annex “F”.

- j. The BOARD shall retain all sample episodes for record and monitoring purposes. To facilitate efficient archival of retained sample episodes, the BOARD shall only accept said materials in an optical media format (DVD/VCD).

In the case of taped television programs, after submitting a sample episode of a television program, the program producer shall be required to set aside a tape of each episode broadcast to be made immediately available to the BOARD for spot-checking.

The tape submitted for spot-checking shall be kept by the BOARD for a period of one month from the date of broadcast. Tapes of programs identified by the BOARD to have consistently violated these Rules and Regulations shall be kept for a period of three months from the date of broadcast.

Programs previously classified for “General Audiences (G)” or “Parental Guidance (PG)” shall be continuously monitored on the basis of the same classification. To avoid sanctions as provided for in Section 11 of PD No. 1986, television program producers shall, in case of any doubt regarding a particular program episode’s classification, voluntarily submit said episode to the BOARD for proper review.

In the case of live television programs such as noontime variety shows and talk shows, the phrase “Parental Guidance” shall be superimposed onscreen throughout the airing of the program to continuously remind parents to be on the alert because such programs may contain material that they may deem inappropriate for their children. The program producer shall be required to set aside a tape of each episode broadcast, to be made immediately available to the BOARD for spot-checking.

Officers and/or owners of television networks and production companies shall be held responsible for any violation of pertinent laws arising from or by reason of all their television programs.

The BOARD shall not hesitate to impose penalties and fines, cancel permits and licenses, and cause the prosecution of all those found guilty of violating said pertinent laws.

Section 10. *Exempted Films and Television Programs*¹⁴ – No films, television program or publicity/promotional material for such films and television programs, unless they are imprinted or exhibited by the Philippine Government and/or its departments and agencies, shall be granted exemption from review and classification for audience suitability.

The following are the rules and guidelines to be observed for the proper implementation of exemption from review and classification of legitimate government materials pursuant to Section 7 of P.D. No. 1986:

- a. Only those motion pictures, television programs, and publicity materials that are directly imprinted or exhibited by the Philippine Government and/or its departments and agencies are exempt from review and classification by the BOARD.

¹⁴ As amended by Memorandum Circular No. 07-2012 issued on 02 May 2012. See Annex “G”.

- b. At the option of the requesting government agency, the material under consideration may be submitted to the BOARD for advisory classification to determine the audience suitability. An advisory charge of Two Thousand Pesos (Php2,000.00) shall be made for every full length motion picture submitted to the BOARD for advisory classification.
- c. All requests for exemption from review and classification must be in the prescribed application form made under oath by the head of the agency concerned. In case the request for exemption is made by bureau or office head, or by local government authorities, the application shall be signed under oath by the Secretary of the department concerned. Any representative signing on behalf of the Secretary or Head of Agency must be armed with a notarized special power of attorney for the specific purpose of applying for exemption from review and classification.
- d. The prescribed application for exemption from review and classification shall contain the name and address of the requesting government agency, the specific government activity relied as basis for exemption, the details of the material sought for exemption, the intended date and place of exhibition, and the sworn undertaking of the Secretary or Head of Agency, as follows:
 - i. That the public exhibition of the above-described material is a government activity of our agency pursuant to its direct governmental mandate.
 - ii. That we take direct and primary responsibility for its public exhibition.
 - iii. That we have mechanism in place to make sure that only such age of person suited for the material be admitted to its public exhibition.
 - iv. That the material does not contain scenes which, applying contemporary Filipino cultural values as standard, are objectionable for being immoral, indecent, contrary to law and/or good customs, injurious to the prestige of the Republic of the Philippines or its people, with a dangerous tendency to encourage the commission of violence, or of wrong or crime, tend to glorify criminals or condone crimes, or libelous or defamatory to the good name and reputation of any person.
- e. The duly filled-up and notarized application shall be accompanied by a synopsis of the material sought for exemption, and the same shall be submitted to the Registration Division of the BOARD or appropriate issuance of exemption permit. One application form shall be required for every material sought for exemption.
- f. An amount of Five Hundred Pesos (Php500.00) shall be assessed for every issuance of exemption permit. The exemption permit may contain an advisory rating if the material under consideration was submitted for advisory classification.
- g. The material covered by an exemption permit can be publicly exhibited anywhere in the Philippines. However, such public exhibition can only be done by the government agency that was granted an exemption permit. The exemption permit is not assignable or transferable to any private entity or other agency of the government.

- h. No motion picture theater or television station shall cause the public exhibition of any motion picture, television program or publicity material not duly passed upon by the BOARD or duly issued an exemption permit.
- i. An application for exemption shall be denied if the requesting government agency fails to substantiate that the public exhibition of the government material under consideration is pursuant to its direct governmental update.

Section 11. *Deletions and/or Cuts* – It shall be the responsibility of the applicant to delete scenes, shots or dialogue on his own to arrive at the classification he desires for his material, with such voluntary deletions to be noted down in the Exhibition Permit as a safeguard against illegal insertions. However, if the applicant so desires, the BOARD may suggest deletions in order that the applicant may obtain the classification he desires.

All copies of the voluntary deletions shall be submitted to the BOARD for monitoring purposes.

This provision shall be made to apply not only to films or television programs/shows but also to the film's /or TV program's publicity/promotional materials.

Section 12. The Board may require the applicant to submit a copy of the materials reviewed for record purposes.

Chapter VI

PROCEDURE FOR REVIEW AND CLASSIFICATION OF FILM AND TELEVISION

Section 1. *Designation of Reviewers* – The Chairman of the BOARD shall designate the members of the review committees.

It shall be the duty of the Board Members to disclose any potential conflict of interest regarding a material assigned to him for review. No Board Member shall be assigned to sit on a committee to review and classify when said Board Member has a conflict of interest regarding the said movie, television program or publicity/promotional material.

Section 2. *Committee on First Review*

- A. The Committee on First Review shall be composed of at least three (3) BOARD MEMBERS, one of whom shall be designated as Chair by the Chairman of the BOARD.
- B. The Committee on First Review does not give special consideration for an applicant on the basis of an impending film playdate/television broadcast, said film playdate/television broadcast being the applicant's responsibility.
- C. The decision of the Committee shall be rendered by a majority vote. In case a majority vote is not immediately reached, the Committee shall continue to deliberate until the members arrive at a majority decision. No member shall be allowed to abstain. Such a

decision shall be rendered on the day the material is reviewed by the Committee. Unless otherwise determined by the Committee, the decision shall be written by the Chair of the Committee.

- D. In case the Committee is unable to arrive at a majority decision on the day of the review, the Chairman of the BOARD shall designate another committee to review the film as soon as possible.
- E. After the movie is previewed and before the Committee renders its decision, the representatives of the producer and/or the distributor allowed by PD 1986 to join the screening will be given a chance to defend the material.

The Committee shall confer with the applicant or his duly authorized representative before writing the committee report or decision. With leave of the Committee, the applicant may re-edit his material to suit the rating he is seeking. The committee report or the decision shall then be rendered upon submission of the edited material and the deleted portions to the same committee for checking. The decision shall clearly state the result of the voting of the members and the particular reasons for the majority opinion.

Section 3. *Committee on Second Review*

- A. The applicant may file a Motion for Reclassification and/or Reconsideration within five (5) calendar days from notice of the decision.
- B. Upon receipt of the Motion for Reclassification and/or Reconsideration, the Chairman or the BOARD shall designate a Committee on Second Review composed of five (5) Board Members to conduct a second review of the subject film or TV show. One (1) member from the Committee on First Review may be required to sit with the Committee on Second Review as an observer and/or consultant. No member from the First Review Committee may sit in the Committee on Second Review.
- C. The Committee on Second Review shall be presided over by the Chairman or the Vice-Chairman of the BOARD or by a Board Member designated by the Chairman.
- D. The decision of the Committee on Second Review shall be rendered by a majority vote (3 out of 5) of the members. In case no majority decision is arrived at, the Committee shall continue to deliberate until a majority vote is obtained. Such a decision shall be rendered on the day the material is reviewed. No member shall be allowed to abstain.
- E. After the movie is previewed and before the Committee renders its decision, a representative of the producer and/or the distributor allowed by PD 1986 to join the screening will be given a chance to present his case and/or defend his material.
- F. The decision of the Committee on Second Review shall prevail over that of the Committee on First Review.

The decision of the Committee on Second Review shall be final, with the exception of a decision disapproving or prohibiting the screening of a motion picture or a television program in its

entirety, which decision shall be appealable to the President of the Philippines. The President may himself/herself decide the appeal or be assisted by an *ad hoc* committee he/she may create or by the Appeals Committee as mandated by PD 1986.

Except for members of the BOARD, persons specifically authorized by the BOARD, and two representatives of the distributor and/or producer and exhibitor of the motion picture, television program or promotional materials under examination and review, no persons shall be allowed in the screening room and the projectionist's room during the examination and review of said motion picture, television program or promotional/publicity material.

Section 4. *Termination of Committee Review* – A committee review shall be deemed terminated only after the committee has rendered its decision and transmitted its decision to the applicant.

Section 5. *Decisions* – Decisions of the BOARD's First and Second Review Committees shall all be in writing, copies of which shall be made available to the applicant upon his request, and in no case shall be denied him. The decisions must contain a written explanation of the committee's classification. The decision shall be written in the Committee Report which shall be countersigned by the applicant or his authorized representative.

Chapter VII **APPEAL**

Section 1. *Decisions Up for Appeal* – The applicant may appeal decisions of the Committee on Second Review disapproving a motion picture or television program from exhibition in its entirety under Chapter III, Sections 1 and 2, Subsections (c) and (d) respectively hereof, to the President of the Philippines, who may himself/herself decide the appeal, or be assisted either by an *ad hoc* committee he/she may create, or by the Appeals Committee as specified in Section 4, Paragraph 5, of PD 1986.

Section 2. *Making the Appeal* – An appeal shall be made within fifteen (15) days from notice of the decision by the Committee on Second Review by filing a notice of appeal with the BOARD and by paying the appeal docket fee.

Section 3. *Transmittal of Film Prints and/or Records* – Upon perfection of the appeal, the BOARD shall send notice to the Office of the President regarding said appeal and shall facilitate the transmission of the film print, television program, and/or records pertinent to the appeal.

Section 4. *Appeals Committee* – The decision of the President of the Philippines through the Appeals Committee on the appealed matter shall be final.¹⁵

Chapter VIII **PERMITS**

¹⁵ See Rules of Procedure for the Conduct of Review of the MTRCB Appeals Committee promulgated on 19 July 2012.

Section 1. *Restriction in the Use of the Permit to Exhibit* – Permit holders shall use such permits only for the purpose or purposes therein stated. Permit holders shall preserve the integrity of the motion picture, television program, or related publicity/promotional material in the same condition it was approved, guarding against illegal insertions of material either previously disapproved or not submitted for review.

The BOARD shall not hesitate to impose penalties and fines, cancel permits and licenses, and cause the prosecution of all those found guilty of exhibiting materials and film prints without an Exhibition Permit. Tampering with the Exhibition Permit shall likewise be subject to penalties and fines.

Section 2. *Duties of Holders of Permit to Exhibit* – Movie houses, theaters, and television networks benefit financially from permits to exhibit and/or airing their respective material. Owners of such movie houses, theaters, television networks, and their respective managers are therefore enjoined to take on the following duties and responsibilities:

- A. To ensure that the rules and regulations herein enumerated are followed and observed by their employees under risk of sanctions against the entire company;
- B. In the case of television, to create in-house network regulatory bodies to strictly ensure that programs fall into either a “G” or a “PG” classification;
- C. In the case of movie houses, to come up with similar company-instituted safeguards against flagrant violations of the law, such as the immediate reporting to the BOARD of any noticeable insertions or additions that are patently objectionable on the basis of the existing guidelines for classifications;
- D. To terminate, after due process, and to criminally prosecute employees involved in illegal insertions in a material up for screening/exhibition;
- E. In cases where motion pictures are presented as double features, to apply the more restrictive classification governing admission; and
- F. To comply strictly, at the risk of criminal prosecution and administrative penalty, with classification for audience suitability, by which absolutely no unaccompanied children below thirteen (13) are allowed into movie houses and theaters showing films classified as “PG”, not to admit viewers below thirteen (13) when the movies are classified as “R-13”, and absolutely no minors are allowed into movie houses and theaters showing films classified as “R-18”.¹⁶

Section 3. *Length of Validity of Permit to Exhibit*

A. FOR MOTION PICTURES – The validity of an Exhibition Permit given to motion pictures intended for theatrical release covers a period of five (5) years, without further need for the applicant to pay application fees on a yearly basis. The said Exhibition Permit does not extend to

¹⁶ As amended by Memorandum Circular No. 08-2012, *ibid*.

television, which constantly requires that all materials for airing fit into only the “G” or the “PG” classification.

B. FOR TELEVISION PROGRAMS – A television program reviewed on the basis of a sample of its output for the season is given a broadcast permit for three (3) months. The permit may be revoked at any time upon documented proof of violations of the “G”, “PG”, and “SPG” classifications.¹⁷ Because these television programs shall be regularly monitored for spot-checking, fees for each airing will remain in place, on a Pay-Before-Broadcast (PBB) basis.

Chapter IX IMPORT AND EXPORT OF FILMS

Section 1. *Import of Films* – Upon advice of an applicant, the BOARD shall issue the permit required to release imported motion pictures, television programs, or related publicity materials from the Bureau of Customs. Such permit shall be issued upon proper application, payment of fees, and submission of documents prescribed by the BOARD.

The permit to release imported motion pictures, television programs, television commercials, or related publicity materials from the Bureau of Customs is not to be confused with the Exhibition Permit which comes only after said motion pictures, television programs, or related publicity materials have been reviewed and classified.

Applicants with previous account with the BOARD must first settle such accounts in order for them to get their respective permits.

Section 2. *Disposition of Imported Films Determined to be Not Suitable for Public Exhibition* – Motion pictures, television programs, and promotional/publicity materials declared not suitable for public in the Philippines shall be ordered returned to the country of origin within thirty (30) days from the Importer/Distributor’s receipt of the BOARD’s final decision. A true copy of the decision shall be forwarded to the Commissioner of Internal Revenue and the Collector of Customs. The Importer/Distributor shall submit to the BOARD proof of compliance within ten (10) days from the expiration of the thirty (30)-day period.

Section 3. *Export of Films* – No motion picture, television program, or related publicity material may be exported outside the Philippines without a permit to export issued by the BOARD. Such permit shall be issued upon proper application, payment of fees, and the submission of documents prescribed by the BOARD. Whenever a version different from that previously approved by the BOARD for local exhibition is to be exported, a separate review may be undertaken but without prejudice to the issuance of the necessary export permit. Motion pictures, television programs, and/or publicity materials exhibited abroad fall under the inviting country’s own rules and regulations governing the exhibition and/or airing of such.

Chapter X REGISTRATION OF PERSONS UNDER THE BOARD’S JURISDICTION

¹⁷ As amended by Memorandum Circular No. 05-2011, *ibid*.

Section 1. Registration¹⁸ – All persons and entities authorized by law to engage in the movie and television industry such as but not limited to importers or exporters of films and television programs, film studios or laboratories, television networks, cable television operators, movie producers, television program producers, film distributors and booking agents, shall register with the BOARD pursuant to Section 3 (d) of P.D. No. 1986.

For entities required to obtain Congressional Franchise or Certificate of Authority (CA) or Provisional Authority (PA) from the National Telecommunications Commission, the registration fee shall be assessed, as follows:

Date of Issuance of CA/PA	Registration Fee
January to March	100% of the prescribed registration fee
April to June	75% of the prescribed registration fee
July to September	50% of the prescribed registration fee
October to December	Registration will commence on the following year.

For entities NOT required to obtain Congressional Franchise or Certificate of Authority (CA) or Provisional Authority (PA), the registration fee shall be assessed based on the date of actual operation, as follows:

Date of Issuance of CA/PA	Registration Fee
January to March	100% of the prescribed registration fee
April to June	75% of the prescribed registration fee
July to September	50% of the prescribed registration fee
October to December	25% of the prescribed registration fee

Entities found unlawfully engaging in the movie and television industry shall be assessed one hundred percent (100%) of the prescribed registration fee plus a surcharge equivalent to one hundred percent (100%) of the prescribed registration fee reckoned from the date of actual operation or date of issuance of Congressional Franchise, P.A. or C.A., whichever is earlier. No surcharge shall be imposed on the year of issuance of the original Congressional Franchise, P.A. or C.A.

Registration of all entities required by law to register with the BOARD shall be renewed annually, which shall be made not later than January 30 of every year. To encourage timely and prompt renewal of registration, a surcharge equivalent to one hundred percent (100%) of the prescribed registration fee shall be assessed on late registrants.

Section 2. Application for Registration – Persons required to register with the BOARD shall accomplish the prescribed forms, submit true copies of documents attesting to the authority to do business in the Philippines, and pay the registration fee fixed by the BOARD, after which a Certificate of Registration is accordingly issued by the BOARD.

¹⁸ As amended by Memorandum Circular No.06-2012 issued on 26 April 2012. See Annex “H”.

Certificates of Registration may not be issued to those who still have unsettled obligations with the BOARD.

Section 3. *Effectivity of Registration* – The Certificate of Registration issued by the BOARD shall be effective for one (1) year, renewable every year, unless earlier cancelled by the BOARD for cause.

Chapter XI **BOARD REPRESENTATIVES**

Section 1. *Appointment* – Any Filipino citizen of legal age and of good community standing may, upon recommendation of a member of the Board, be appointed as Board Deputy to assist in overseeing the implementation of laws and rules relating to the public exhibition of motion pictures, television programs, and publicity materials falling within the jurisdiction of the BOARD. The person so appointed shall not be entitled to compensation, and his appointment is revocable.

Section 2. *Scope of Duties and Authority* – A Board Deputy, when issued a valid appointment and identification card, shall have the authority to inspect all public exhibition of any motion picture or publicity material in movie houses, theaters, and other public establishments and may demand to see the actual appropriate permits for such exhibition. Upon discovery of any violation, he/she shall immediately report such violation to the BOARD. The Board representative may be accompanied by another person who shall act as witness. The Board Deputy shall be accountable to the BOARD and shall be obliged to give a report of his/her activities to the Chairman.

Chapter XII **NATIONAL AND LOCAL REGULATORY COUNCILS**

Section 1. *National Regulatory Council* – The BOARD may constitute and organize a National Regulatory Council for Motion Picture and Television, to be headed by the Chairman, the composition of which shall be drawn and designated from appropriate government agencies, from associations belonging to the movie and television industry, and from civic or religious organizations. The Council shall advise the BOARD on problems relevant to the implementation of the objectives of PD 1986 and its Implementing Rules and Regulations. They shall serve without compensation and for such period of time as the Chairman of the BOARD shall determine.

Section 2. *Local Regulatory Council*¹⁹ – To assist in the implementation of policies enunciated in P.D. No. 1986, the Local Regulatory Councils are hereby created. As the exigency of the service may require, a Local Regulatory Council shall be created, whenever practicable, in every region, province, city, or municipality in the Philippines.

¹⁹ Amended by Memorandum Circular No. 10-2011 issued on 05 October 2011. See Annex “F”.

A Local Regulatory Council shall be composed of at least ten (10) members chosen from a particular geographical unit as would produce a multi-sectoral combination of expertise from local government agencies, non-governmental organizations, people's organizations, civic or religious organizations. The Local Regulatory Councils shall be placed under the Office of the Chairperson of the BOARD.

The members of the Local Regulatory Councils shall be appointed by the Chairperson of the BOARD and shall hold office for a term of one (1) year, unless sooner removed for any cause. A member may be eligible for reappointment after the lapse of his/her term.

Every member of the Local Regulatory Council shall be issued Identification Card by the BOARD. The LRC ID is purple in color and clearly indicates the name of the LRC member and the place of his/her LRC locality. Every LRC identification card is valid for one (1) year only.

The members of Local Regulatory Council shall be Filipino citizens, at least eighteen years of age, and of known good moral character and probity, especially in the locality where he/she sought appointment.

Appointment to a Local Regulatory Council is public service and privilege, as such, no member thereof shall be entitled to salaries, honoraria or allowances except reimbursement of expenses for activities duly approved by the BOARD.

A Local Regulatory Council shall have the following powers, duties, and functions:

1. To conduct monitoring activities, by itself or in coordination with other competent agencies of the government, at any time, of establishments or entities within the jurisdiction of the BOARD to determine compliance with the provisions of P.D. No. 1986 and its implementing rules and regulations. Specifically, the Local Regulatory Council is tasked to monitor all television broadcast in free TV and Cable TV.
2. To immediately report to the BOARD any violation of the provisions of P.D. no. 1986 and its implementing rules and regulations.
3. To assist the BOARD in the public dissemination of policies, rules, and regulations promulgated pursuant to the provisions of P.D. No.1986 implementing rules and regulations.
4. To recommend to the BOARD of reasonable regulations appropriate to a particular locality.
5. To perform such other duties, powers and functions as may be authorized in writing by the BOARD.

A member of the Local Regulatory Council shall be subject to the same rights, privileges, and restrictions as that of a regular MTRCB Deputy Cardholder. Any abuses committed by member of the Local Regulatory Council shall mean immediate termination of all his/her privileges as an MTRCB Deputy.

Chapter XIII
VIOLATIONS AND ADMINISTRATIVE SANCTIONS

Section 1. *Violations and Administrative Sanctions* – Without prejudice to the immediate filing of the appropriate criminal action and the immediate seizure of the pertinent articles pursuant to Section 13, any violation of PD 1986 and its Implementing Rules and Regulations governing motion pictures, television programs, and related promotional materials shall be penalized with suspension or cancellation of permits and/or licenses issued by the BOARD and/or with the imposition of fines and other administrative penalty/penalties. The BOARD recognizes the existing Table of Administrative Penalties attached without prejudice to the power of the BOARD to amend it when the need arises. In the meantime, the existing revised Table of Administrative Penalties shall be enforced.

Section 2. *Hearing and Adjudication* – Any administrative complaint for violation of PD 1986 and its Implementing Rules and Regulations shall initially be heard by the Chairman. If the alleged violator admits the violation, the Chairman shall impose the appropriate penalty. If the violator does not admit the alleged violation, then the Chairman shall refer the case to the Hearing and Adjudication Committee composed of at least three (3) Board Members designated by the Chairman at least one (1) of whom shall be a member of the Philippine Bar.

Section 3. *Preventive Suspension Order* – Any time during the pendency of the case, and in order to prevent or stop further violations or for the interest and welfare of the public, the Chairman of the BOARD may issue a Preventive Suspension Order mandating the preventive seizure of offending motion pictures and related publicity materials and/or suspension of the permit/permits involved, and/or closure of the erring movie house, television network, cable TV station and other related establishments or the temporary/preventive dismantling or tearing down of public signs and billboards provided that the temporary/preventive order thus issued shall have a life of not more than twenty (20) days from the date of issuance.

Section 4. *Hearing Rules before the Board* - In hearings before the BOARD, appropriate flexibility and liberality shall be observed while strict technical rules of procedure shall be shunned although the Rules of Court and/or the Administrative Code may have suppletory application.

Section 5. *Decisions of the Board* – The BOARD shall decide the case within thirty (30) days following the last submission that it may require or the expiration of the period given and such decision shall be in writing and shall present its basis clearly and distinctly.

Section 6. *Finality of Decision of the Board* – Decisions of the BOARD (including that of the Chairman and the Hearing and Adjudication Committee) shall become final and executory after the lapse of the period for appeal without any appeal having been perfected.

Chapter XIV
OTHER PROVISIONS

Section 1. *Sinking Fund* – To effectively discharge its duties, the BOARD shall administer at all times the Sinking Fund established under Section 20 of PD No. 1986, which fund consists of

the fees and charges it levies, assesses and collects and which the BOARD shall exclusively use for the BOARD's operations/administration and acquisition of facilities, supplies and equipment it needs.

Section 2. *Repeal* – Any prior rule, regulation, circular, or order that is inconsistent with the above provisions shall be deemed amended, modified, or repealed.

Section 3. *Effectivity* – These Rules and Regulations of the BOARD shall become effective FIFTEEN (15) DAYS after publication in two (2) newspapers of general circulation in the Philippines.

APPROVED, by the Movie and Television Review and Classification Board on 24 February 2004.