




'22 AUG 15 P4 :37

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

RECEIVED BY: 

SENATE

S.B. No. 1159

Introduced by **SENATOR IMEE R. MARCOS**

AN ACT
AMENDING SECTION 11 OF REPUBLIC ACT NO. 9006, OTHERWISE KNOWN
AS THE "FAIR ELECTION ACT", AS AMENDED BY REPUBLIC ACT NO. 11207,
AND FOR OTHER PURPOSES

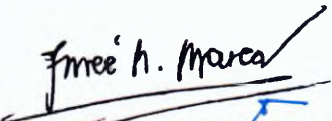
EXPLANATORY NOTE

The amendment by Republic Act No. 11207 to Section 11 of Republic Act No. 9006 was intended to make political advertising through media outlets substantially more accessible to all candidates, especially the ones who have limited campaign budgets. However, as presently worded, Section 11 of Republic Act No. 9006, as amended, only requires media outlets to give a discount from their respective average published rates. During the hearings of the Senate Committee on Electoral Reforms and People's Participation, it was found out that aside from the published rates, media outlets have also a set of rates called "negotiated rates." These rates are generally substantially lower than the published rates.

While media outlets do comply with the law by giving the prescribed discounts, oftentimes, the discounted published rates available to bona fide candidates and political parties are not much lower than the negotiated rates available to non-political advertisers. To remedy this situation, the proposed bill mandates that the discounts prescribed by Section 11 of Republic Act 9006, as amended, shall be applied not only to the average published rates but also to the average negotiated rates as well as to any other set of rates and that the lowest of these rates shall be the one that shall be charged by the media outlets to political advertisers.

It is hoped that through this measure, political advertisement in television, radio, and print media will truly be more accessible to candidates, thus helping to ensure a fairer and more even political battlefield during the election period.

In view of the foregoing, the passage of this measure is earnestly requested.


IMEE R. MARCOS

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

1 **SECTION 1.** Section 11 of Republic Act No. 9006, as amended by
2 Republic Act No. 11207, is hereby amended to read as follows:

3 "Sec. 11. *Rates of Political Propaganda.* – During the election
4 period, [~~media outlets shall give~~] **THE MAXIMUM RATES THAT**
5 **MEDIA OUTLETS MAY CHARGE** registered political parties,
6 **SECTORAL PARTIES OR SECTORAL ORGANIZATIONS,**
7 and *bona fide* candidates **SHALL BE NO HIGHER THAN THE**
8 **AVERAGE OF EITHER THE PUBLISHED RATES, NEGOTIATED**
9 **RATES, OR ANY OTHER SET OF RATES, WHICHEVER IS THE**
10 **LOWEST, CHARGED IN THE LAST THREE CALENDAR YEARS**
11 **PRIOR TO THE ELECTION, LESS** a discount **THEREFROM** of
12 fifty percent (50%) for television, forty percent (40%) for radio and
13 ten percent (10%) for print [~~from the average of the published rates~~
14 ~~charged in the last three calendar years prior to the election~~].

15 Nothing in this provision prohibits a media outlet from giving higher
16 discounts: *Provided,* That the discount it gives one candidate shall
17 be the same discount it gives to other candidates for the same
18 position

1 In no case shall rates charged to registered political parties,
2 **SECTORAL PARTIES OR SECTORAL ORGANIZATIONS,**
3 and *bona fide* candidates be higher than rates charged to non-
4 political advertisers."

5 **SEC. 2. *Implementing Rules and Regulations.*** – Within thirty (30) days
6 from the effectivity of this Act, the Commission on Elections shall issue
7 implementing rules and regulations for the effective implementation of the
8 provisions of this Act.

9 **SEC. 3. *Repealing Clause.*** – All laws, decrees, executive orders, rules and
10 regulations, and issuances inconsistent with the provisions of this Act are hereby
11 repealed, amended, or modified accordingly.

12 **SEC. 4. *Effectivity.*** – This Act shall take effect fifteen (15) days after its
13 publication in the Official Gazette or in any newspaper of general circulation.

Approved,