

[MTRCB, July 20, 1998]

IMPLEMENTING RULES AND REGULATIONS 1998

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 as guidelines.

Chapter I Authority

SECTION 1. Scope of Authority — All motion pictures, television programs, and related publicity materials intended for public exhibition in theaters and television, whether imported or produced in the Philippines, in any case for local viewing or for export, shall be subjected to review for classification by the BOARD before they are exported, imported, copied, distributed, sold, leased, and exhibited.

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

Chapter II Statement of Intent

SECTION 2. Classification — The BOARD shall classify motion pictures, television programs, and related publicity materials submitted for review, applying, as a general standard, contemporary Filipino cultural values.

The classification system rests on the assumption of responsibility by parents. The BOARD renders the classification to offer parents advance information about a motion picture, television program, and related publicity material, in order for them to decide what they will allow their children to see.

The BOARD shall not classify movies, television programs, and related publicity materials on the basis of quality or lack of quality. That is a matter for film critics and the audience to decide.

The classification shall be based on the treatment of theme, violence, language, nudity, drug abuse, and other similar elements. In making the evaluation, the BOARD shall not look at pieces of film, television and related publicity materials in isolation, but shall consider the submitted material in its entirety. The BOARD shall base its decision on what is seen or heard on screen, not on what is imagined.

Chapter III Movie, Television, and Trailer Classification

SECTION 3. Movie Classification — Movies shall be classified as: GENERAL AUDIENCE ("G"); PARENTAL GUIDANCE-13 ("PG-13"); STRICTLY FOR ADULTS ("R"); and "NOT FOR PUBLIC VIEWING ("X").

a. GENERAL AUDIENCE ("G"), all ages admitted — A movie which, in the judgment of the BOARD, contains nothing that would be deemed offensive by parents whose young children were to view the material.

While some snippets of language may go beyond polite conversation, they should be common everyday expressions. No stronger words are present in "G" films. Violence is at a minimum. There is no sexually oriented nudity. Any drug use content pushed the "G" film into a "PG-13" classification.

b. PARENTAL GUIDANCE-13 ("PG-13"), parents strongly cautioned — A movie which, in the judgment of the BOARD, goes beyond a "G" classification in theme, violence, nudity, sensuality, language, or other contents but does not quite fit in the "STRICTLY FOR ADULTS" ("R") rating.

A "PG-13" film may contain some material inappropriate for children below 13. Parents are strongly cautioned to give special attention to this film before allowing their minor children to view it. Children below 13 may view a "PG-13" film only if accompanied by a parent or an adult.

The "PG-13" classification will generally not allow considerable sex or violence. A film's single use of a harsh sexually derived word, though only as an expletive, may require the BOARD to issue the material a "PG-13" classification. Successive use of such expletives may lead the BOARD to issue the material an "R" classification, as may one of these words used in a sexual context.

"PG-13" places the principal responsibility on parents for their children's movie going. Its purpose is to give prescreening advance information or warnings, so that parents can form their own judgments. It is designed to make these parental decisions easier for films between "G" and "R".

c. STRICTLY FOR ADULTS ("R"), restricted to or patently for adults — A movie which, in the judgment of the Board, contains adult material, vulgar or profane language, considerable sex and violence, sexually oriented nudity, tolerant depiction of aberrational behavior, drug use, or a combination of all of the above.

No one below 18 shall be allowed to watch material with an "R" classification. The "R", however, does not mean the material is "obscene" or "pornographic". It is merely classified as such because most parents would consider the abovementioned adult elements off-limits for viewing by their children.

A motion picture classified "R" is automatically disqualified from exhibition on television, unless it has been made to fit into the standards of the "G" and "PG" classification for television.

d. NOT FOR PUBLIC VIEWING ("X") — A movie which, in the judgment of the Board, is contrary to law, public order, public safety, or any legitimate public interest.

The BOARD shall not mark such "X"-rated films as obscene, pornographic, or seditious. These are legal terms for courts to decide.

A motion picture classified "X" is likewise disqualified from exhibition on television, unless it has been made to fit into the standards of the "G" and "PG" classification for television.

The "X" classification is tantamount to a ban on a film's theatrical distribution. Before the BOARD issues an "X" classification, it must first clearly determine that:

- i. The average person, applying contemporary community standards, would find that the dominant theme or the work, taken as a whole, appeals to prurient interest and satisfies only the market for gratuitous sex and/or violence; or
- ii. The work depicts, in a patently lewd, offensive, or demeaning manner, excretory functions and sexual conduct such as ultimate sexual acts (normal or perverted, actual or stimulated), masturbation, and exhibition of the genitals; or
- iii. The work, taken as a whole and viewed within its context, manner or presentation, intention, and culture, lacks serious literary, artistic, political, or scientific value.

A motion picture that has been rated "X" may be exhibited in venues that do not fall under the jurisdiction of the MTRCB as provided by law. It is incumbent upon such venues to strictly observe non-admission of minors. These venues are not in any way compelled to exhibit such "X"-rated films, and may reject an "X"-rated film for exhibition.

SECTION 4. Television Classification — All television programs, motion pictures, and publicity materials broadcast on television are to be classified as: GENERAL AUDIENCE ("G") or PARENTAL GUIDANCE ("PG").

- a. GENERAL AUDIENCE ("G"), suitable for all ages — Material for television which, in the judgment of the BOARD, does not contain anything unsuitable for children and minors, and may be watched without adult guidance and supervision.
- b. PARENTAL GUIDANCE ("PG"), parental guidance suggested; some material may not be suitable for children. — Material for television which, in the judgment of the BOARD, may contain adult material but may be permissible for children to watch under the guidance and supervision of a parent or responsible adult.

The "PG" classification advises parents to exercise parental responsibility in their children's viewing of the program. An advisory to the effect that the program requires Parental Guidance shall be shown immediately before the opening credits of the particular television material classified as such. The phrase "PARENTAL GUIDANCE" shall be superimposed onscreen throughout the showing of the television material classified as such.

Sexually oriented nudity is not allowed. Neither is graphic violence. Strong language may be allowed only when used in the proper context.

Motion pictures rated "PG-13" for theatrical exhibition do not automatically get a "PG" classification for television.

c. **DISAPPROVED FOR TELEVISION** — Any television program, motion picture, or publicity material that does not conform to the "G" or "PG" classification.

SECTION 5. *Movie and Television Trailers* — Trailers and publicity materials for movies and television must strictly be made suitable for a GENERAL AUDIENCE ("G") classification.

Trailers or publicity materials for movies and television that do not fall within "G" classification shall not be approved for exhibition in movie houses or for broadcast on television.

CHAPTER IV

Application and Issuance of Permits

SECTION 6. *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 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 7. *Form and Requirement 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 material being submitted. The application shall be under oath, to be accompanied by the following documents:

- a. 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.
- b. 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 it has processed, and an undertaking not to process further copies without clearance by the BOARD.
- c. In the case of imported or exported motion pictures and publicity materials, the documents mentioned in Chapter VIII, "Import and Export of Films."
- d. Such other documents as the BOARD may from time to time require.

SECTION 8. *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 9. *Period for Review and Classification* — Film prints and tapes for 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 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 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 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 10. Titles and Publicity Materials — Publicity materials shall be presented for review and approval together with a synopsis of the film or television program. Applicants are not required to submit the titles of their films, television programs, and publicity materials for prior approval. This is not in any way to be misconstrued as an automatic permit from the BOARD, since such titles and publicity materials must still necessarily fall within the standards of a GENERAL AUDIENCE ("G") classification.

This provision notwithstanding, the following titles shall not be allowed:

- a. Direct representations of, or clear references to, sexual acts, masturbation, excretory functions, and the genitalia;
- b. Those which, when intentionally 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 but are, in the Filipino language, direct representations of, or clear references to, sexual acts, masturbation, excretory functions, and the genitalia; and
- d. Those which are contrary to law, public order, public safety, or any legitimate public interest.

In the event the title or publicity material does not meet BOARD approval, the applicant undertakes additional expenses for a reshoot of optical titles and publicity materials.

Changing of titles of imported, old, or reissued motion pictures shall not be allowed, except when such titles fall under any of the abovementioned subsections (a), (b), (c), and (d). Old films shall carry their original title in the feature print and all advertising, publicity, and merchandising materials, with the word "REISSUE"