

## [ MTRCB, July 27, 1993 ]

### RULES AND REGULATIONS

#### Chapter I Definition of Terms

*SECTION 1. Meaning of Terms Used* - As used in these 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, with objects shown in successive positions slightly changed so as to produce the optical effect of a continuous picture in which the objects move, whether the picture be black and white or colored, silent or with accompanying sound, on whatever medium with whatever mechanism or equipment they are projected or recorded for instant projection. For the purpose of these Rules, the material in which the motion picture is contained, preserved, or recorded, forms an integral part of the motion picture subject of these Rules. The term film is here used synonymously with motion picture;
- c. **Television Broadcast** Public showing by transmitting sound or images by television or similar equipment, including cable television and other limited audience distribution;
- d. **Theatrical Distribution** Public showing or exhibition of motion pictures in theaters, moviehouses, or any other places imposing admission fees to persons for entertainment, education, information and advertisement;
- e. **Non-Theatrical Distribution**
  - (1) The Public showing of long or short motion pictures through the use of mobile projection equipment, for which no admission fee is charged.
  - (2) The showing of long or short motion pictures exclusively to member organizations, societies, clubs and other similar groups, including juvenile, educational, documentary, cultural, scientific, journalistic, industrial, sales, public relations and instructional films.
- f. General Viewing refers to motion pictures made available to the general public for its viewing whether through film packs or public lending clubs or similar organizations;
- g. **General Patronage or G** a classification of motion pictures admission to

which is open to persons of all ages;

h. **Parental Guidance or P** a classification of motion pictures cautioning parents on a delicate content of the film and the need for parental guidance in its appreciation;

i. **Restricted or R** a classification of motion pictures admission to which is limited to adults. Adults, for the purpose of these Rules, are persons eighteen years of age or over;

j. **Not for Public Viewing or X** a classification of motion pictures disapproved by the BOARD for public exhibition or television broadcast;

k. **Television Program** any matter to be aired or broadcast on television including live programs, product and service advertisements, teleplays, motion pictures originally shown in moviehouses or elsewhere;

l. **Live Programs** any television program containing events which are happening simultaneous as it is actually being shown. Pre-taped portions of these live programs shall not be considered live;

m. **Newsreels** refers to straight news reporting as distinguished from news analyses, commentaries and opinions. Talk shows on a given issue are not considered newsreel;

n. **Publicity Materials** any material employed to generate public interest in a motion picture, including film, TV and radio trailers, advertisement copies, still photos, leaflets, posters and billboards;

o. **Review** the process of examining motion pictures, television programs and related publicity materials and determining whether, using the standards set by law, they are fit for importation, exportation, production, copying, distribution, sale, lease, exhibition or broadcast by television. The process includes the determination as to what audience classification the film may be exhibited.

## **Chapter II**

### **Guiding Principles**

*SECTION 2. Guiding Principles* - The Board recognizes the important roles that motion pictures and television play in society, as educator of the great masses of the people, as merchant of diversion and entertainment, and as motivator in life. As media of expression, motion pictures and television are also indispensable to the exercise of freedom and liberty of communication and the development of the entertainment arts. At the same time, however, the Board is conscious of the State's concern that motion pictures and television, invested as they are with public interest, have to be shielded from those who would prostitute their functions in society, violate laws, public morals and good customs, and corrupt the minds of the young. The Board's task, as mandated by law, is to safeguard these values without nullifying the salutary services that motion pictures and television render to the community and the individual.

### **Chapter III**

#### **Scope of Authority to Review**

*SECTION 3. Matters Subject to Review* - All motion pictures, television programs and publicity materials, as defined in Chapter I hereof, whether these be for theatrical or non-theatrical distribution, for television broadcast or general viewing, imported or produced in the Philippines, and in the latter case, whether they be for local viewing or for export, shall be subject to review by the Board before they are exported, imported, copied, distributed, sold, leased, exhibited or broadcast by television.

*SECTION 4. Governing Standard* - a) The Board shall judge the motion pictures and television programs and publicity materials submitted to it for review, using as standard contemporary Filipino cultural values, to abate what are legally objectionable for being immoral, indecent, contrary to law and 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:

- I. Those which tend to incite subversion, insurrection, rebellion or sedition against the State, or otherwise threaten the economic and/or political stability of the State;
- II. Those which tend to undermine the faith and confidence of the people in their government and/or the duly constituted authority;
- III. Those which glorify criminals or condone crimes;
- IV. Those which tend to abet the traffic in and use of prohibited drugs;
- V. Those which are libelous or defamatory to the good name and reputation of any person, whether living or dead;
- VI. Those which may constitute contempt of court or of any quasi-judicial tribunal, or pertain to matters which are subjudice in nature;
- VII. Those which clearly constitute a malicious attack against any race, creed or religion, or against different sectors of the community like women, youth, cultural communities, the handicapped and urban poor sectors.

**Pornography** as here used is synonymous with obscenity the test of which is whether to the average person, applying contemporary community standards, the dominant theme of the material taken as a whole appeals to prurient interest. This includes: a) patently offensive or demeaning representations or descriptions of ultimate sexual acts, normal or perverted, actual or simulated, including but not limited to zooerastia, and anal or oral sexual intercourse; b) patently offensive representations or scatological descriptions of masturbation, excretory functions and lewd exhibition of the genitals, and c) explicit sexual exploitation of children.

**Violence** as here used refers to that which can arouse a person especially children

and the youth, to instigate copying or imitation of aggressive and anti-social acts, and shape of values of the person regarding a variety of undesirable and anti-social behavior. This includes brutal behavior leading to violation of human rights and dignity, sexual assault and other perversions, moral and physical abuse of children and explicit detail of carnage.

b) No film or motion picture, television program or publicity material intended for exhibition at moviehouses or theaters or on television shall be disapproved by reason of its topic, theme or subject matter, but upon the merits of each picture considered in its entirety.

c) Titles and publicity materials shall be presented in advance and shall be approved or disapproved in the light of the synopsis of the film submitted by the applicant and shall be judged as to their suitability for publication in print, moviehouses, TV, billboard and sign media. In no case shall obscene, violent or suggestive titles be allowed. Old films with new titles shall be indicated in their application and in the publicity materials of such films.

*SECTION 5. Board Action* - a) After review, the Board shall approve or disapprove or prohibit the importation, exportation, copying, distribution, sale, lease, exhibition or television broadcast of the motion pictures, television programs and publicity materials thus reviewed.

b) The Board, shall not, as a general rule, order deletions or cuts in films but shall merely give them classification ratings in accordance with the law and these Rules. Films that it disapproves shall bear the X classification and those it approves, the G, P or R classification. Films that are approved for exhibition in moviehouses shall, unless re-edited, be given the same classification by the Board if shown on television provided that only films with G classification shall be authorized by the Board for showing on television from 6:00 a.m. to 8:00 p.m. and those with P classification from 8:00 p.m. to 6:00 a.m. Films carrying the R or X classification shall not be allowed for television broadcast.

c. Live programs on television shall not require prior review and approval by the Board but television studios shall give the Board at least 48 hours advance notice regarding the title and contents of such programs before they are aired or broadcast. In any event, television, studios, their officers and managers, shall be responsible for any breach or violation of any pertinent law existing from such live presentation. They shall see to it that no scenes objectionable under Presidential Decree 1986 or these Rules shall be shown. These programs shall be submitted for post-review within 48 hours after airing. Moreover, should there be matters that are prohibited for television exhibition, under Presidential Decree 1986 and these Rules, the Board shall require pre-taping of the program or its sequel for post-review and approval.

d) Where deletions or cuts are ordered made, the Board shall have these executed on the positive prints of the film but it shall require that the master negative be deposited with its Film Archives for safekeeping, subject to the applicant's use for export and other lawful purpose.

*SECTION 6. Exempted Films* - Upon application by proper parties and for good cause given, the Board may grant exemptions from the requirements of prior review

and approval to bonafide, educational, documentary, cultural, sales, public service, public relations, and instructional films produced or imported by such parties. The television studios, their officers and managers, shall be responsible for any breach or violation of any pertinent law existing from such presentations. They shall see to it that no scenes objectionable under Presidential Decree 1986 and these Rules are shown. Furthermore, these exemption can at any time be revoked by the Board.

## **Chapter IV**

### **Procedure for Review and Issuance of Permits**

*SECTION 7. Requirements of Prior Review* - No motion picture, television program or related publicity material shall be imported, exported, produced, copied, distributed, sold, leased, exhibited or broadcast by television without prior permit issued by the Board after review of the motion picture, television program or publicity material.

*SECTION 8. Who May Apply* - Any person authorized by law may apply for permit to import, export, produce, copy distribute, sell, lease, exhibit or broadcast by television, any motion picture, television program or related publicity material with respect to which use or appropriation he has by law, the corresponding right. For the purpose of these Rules, however, the applicant who submits the motion picture, television program or publicity material to the Board for review and approval presumably has the necessary right to use and dispose of it for the reason applied for and, unless enjoined by appropriate authority, the motion picture, program or material and the permit, if issued, shall be released by the Board to him.

*SECTION 9. Form and Requirements of Application* - The application shall be in writing and in the form prescribed by the Board. It shall state, among other things, the kind of permit applied for, the name and address of the applicant, the title under which he holds the motion picture, television program or publicity material submitted, the film title, the nature of its content (whether comedy, action, romance, sex, commercial, etc.) a description of the quantity and physical characteristics of the film, program or material submitted. The application shall be under oath and 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 picture, television programs or material produced or imported;
- b) A sworn certification, in case of locally produced films by the film studio or laboratory, stating the exact number of film prints it has processed and their footage, and an undertaking not to process further copies without clearance by the Board;
- c) In case of applicants not previously registered with the Board for the business subject of the application, certified copies of the applicant's authority to conduct business in the Philippines such as its articles of incorporation and by-laws approved by the Securities and Exchange Commission in case of registered corporation, the articles of partnership and association registered with the appropriate government office in case of partnerships and similar associations, and