



Republic of the Philippines
QUEZON CITY COUNCIL
Quezon City
17th City Council

PO2009-45

PO2009-48

65th Regular Session

ORDINANCE NO. SP-**1952**S-2009

AN ORDINANCE PROHIBITING THE ILLEGAL USE OF AUDIOVISUAL RECORDING DEVICES FOR THE UNAUTHORIZED RECORDING OF CINEMATOGRAPHIC FILMS AND OTHER AUDIOVISUAL WORKS IN ALL CINEMAS WITHIN THE TERRITORIAL JURISDICTION OF QUEZON CITY, PROVIDING PENALTIES FOR VIOLATION THEREOF, AND FOR OTHER PURPOSES.

Introduced by Councilors DIORELLA MARIA G. SOTTO and ANTONIO E. INTON, JR.

Co-Introduced by Councilors Francisco A. Calalay, Jr., Dorothy A. Delarmente, Victor V. Ferrer, Jr., Winston "Winnie" T. Castelo, Ramon P. Medalla, Voltaire Godofredo L. Liban III, Eden "Candy" A. Medina, Aiko S. Melendez, Jorge B. Banal, Jr., Franz S. Pumaren, Wencerom Benedict C. Lagumbay, Jaime F. Borres, Jesus Manuel C. Suntay, Edcel B. Lagman and Concepcion S. Malañgen.

WHEREAS, a big percentage of the proliferation of pirated films come from illegal audiovisual recording or flicker piracy inside the cinemas;

WHEREAS, despite the concerted efforts to eradicate piracy by concerned government agencies such as the Motion Pictures Anti Piracy Council (MPAPC) and the Optical Media Board (OMB), the creation, distribution, sale of illegally recorded movies still persist;

WHEREAS, to further secure the intellectual property rights of the owner by addressing the problem of illegal audiovisual recording piracy, a legislative measure must be enacted which unequivocally prohibits and penalizes such acts.

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF QUEZON CITY IN
REGULAR SESSION ASSEMBLED:

SECTION 1. TITLE – *This Ordinance shall be entitled “The Quezon City Anti Flicker Piracy Ordinance”*

SECTION 2. DECLARATION OF POLICY – *It is the policy of the State to protect and secure the exclusive rights of film makers, copyright owners and artists to their intellectual property and creations, particularly when beneficial to the people.*

SECTION 3. DEFINITION OF TERMS – *The following shall be construed and defined as follows:*

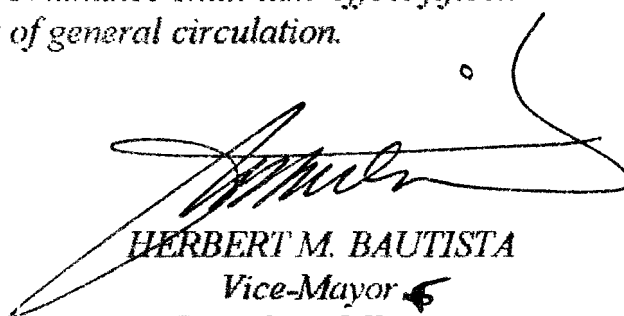
- a) *Flicker Piracy – is the act of recording, capturing an audiovisual work or videos of cinematographic film inside cinemas without the consent or authorization of the copyright owner or exclusive license thereof.*
- b) *Audiovisual Recording Devise – includes digital or analogue photographic or video camera, cell phones or any other technology or device capable of recording or transmitting of a cinematograph film or other audiovisual work, regardless if the primary purpose of the device is just audiovisual recording.*
- c) *Cinemas – all exhibitions, places in malls for viewing of all cinematographic films, audiovisual works within the territorial jurisdiction of Quezon City.*
- d) *Audio-visual work – consists of a series of related images intended to be shown by the use of machines or devices such as projectors, viewers, or electronic equipment, together with accompanying sounds, if any.*
- e) *Mall Authorities – shall include monitoring agents, production checkers, security guards, cinema ushers and usherettes of the cinemas concerned.*

SECTION 4. PROHIBITED ACTS – Any unauthorized person carrying audiovisual recording devices and capturing images or videos of the viewed cinematographic film or audiovisual works whether personal or commercial retail purposes caught by mall authorities shall be met with the corresponding penalties as provided in Section 5 of this Ordinance.

SECTION 5. PENALTIES – Any person committing any of the prohibited acts as provided under Section 4 shall suffer a fine of Five Thousand Pesos (P5,000.00) or an imprisonment of six (6) months to one (1) year, or both at the discretion of the court.

SECTION 6. EFFECTIVITY – This Ordinance shall take effect fifteen (15) days after publication in a newspaper of general circulation.

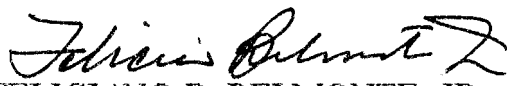
ENACTED: August 3, 2009


HERBERT M. BAUTISTA
Vice-Mayor
Presiding Officer

ATTESTED:

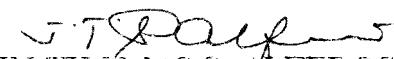

JOHN THOMAS S. ALFEROS, III
Asst. City Secretary

APPROVED: Oct. 6, 2009


FELICIANO R. BELMONTE, JR.
City Mayor

CERTIFICATION

This is to certify that this Ordinance was APPROVED by the City Council on Second Reading on August 3, 2009 and was finally PASSED on Third/Final Reading on August 10, 2009.


JOHN THOMAS S. ALFEROS, III
Asst. City Secretary