Republic of the Philippines
QUEZON CITY COUNCIL
Quezon City
20th City Council

PO20CC-211
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86th Regular Session

ORDINANCE NO. SP- 2843 *, S-2019*

AN ORDINANCE REQUIRING ALL MOVIE THEATERS TO PROVIDE THE QUEZON CITY GOVERNMENT FREE SCREEN TIME BEFORE THE START OF EVERY FILM FOR PURPOSES OF PROMOTING THE LANDMARKS AND TOURIST ATTRACTIONS IN THE CITY, DISASTER PREPARATION AND PREVENTION, AND FOR OTHER PUBLIC SERVICE INFORMATION.

Introduced by Councilors MARRA C. SUNTAY and KATE ABIGAEL GALANG-COSETENG
Co-Introduced by Councilors Lena Marie P. Juico, Elizabeth A. Delarmente, Victor V. Ferrer, Jr., Oliviere T. Belmonte, Alexis R. Herrera, Precious Hipolito Castelo, Voltaire Godofredo L. Liban III, Ramon P. Medalla, Ranulfo Z. Ludovica, Estrella C. Valmocina, Gian Carlo G. Sotto, Jose Mario Don S. De Leon, Franz S. Pumaren, Eufemio C. Lagumbay, Raquel S. Malañgen, Irene R. Belmonte, Ivy Xenia L. Lagman, Karl Edgar C. Castelo, Julienne Alyson Rae V. Medalla, Godofredo T. Liban II, Andres Jose G. Yllana, Jr., Allan Butch T. Francisco, Marivic Co-Pilar, Melencio "Bobby" T. Castelo, Jr., Rogelio "Roger" P. Juan, Diorella Maria G. Sotto, Donato C. Matias, Eric Z. Medina, Alfredo S. Roxas and Noe Lorenzo B. Dela Fuente III.

WHEREAS, the right of the people to information on matters of public concern is a revered right in the Bill of Rights of the 1987 Constitution (Section 7, Art. III);

WHEREAS, pursuant to Section 16 (General Welfare Clause) of Republic Act 7160, otherwise known as the Local Government Code of 1991, "Every local government unit shall exercise the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare";

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WHEREAS, visual media, especially cinemas, movie houses, and theaters, has a uniquely pervasive presence and great influence in the lives of Filipinos, as it is generally popular among the citizenry, regardless of age and social demographic;

WHEREAS, in order to help advance the City Government's efforts to promote its projects, programs, and policies, including disaster preparedness and prevention, as well as promoting the tourist attractions of the city, it is indubitably important to utilize effective mediums of communications such as screen time in cinemas, movie houses, and theaters;

WHEREAS, while cinemas, movie houses, and theaters are recognized as private enterprises, it is likewise recognized under the Constitution, particularly in Section 6, Article XII thereof, "that the use of property bears a social function (and) the right to own, establish, and operate economic enterprises is subject to the duty of the State to promote distributive justice and to intervene when the common good so demands";

WHEREAS, Republic Act No. 10121, otherwise known as The Philippine Disaster Risk Reduction and Management Act of 2010, shifted the focus from disaster response and recovery towards disaster risk reduction, preparedness, and mitigation. Airing an earthquake drill in all cinemas in Quezon City is a way towards disaster risk reduction, preparedness, and mitigation;

WHEREAS, the best way of preparation for calamity, tragedy, or disaster is through public awareness. By education, and laying all information on this matter to the public, this will serve as guidance so as to prevent death and injury to human lives, as well as damage to property;

WHEREAS, Republic Act No. 9593 or The Tourism Act of 2009 declares tourism as an indispensible element of the national economy and an industry of national interest and importance, as it is integral to the country's socioeconomic development efforts to improve the quality of the life of the Filipino people, as well as secure and promote our heritage, national identity and sense of unity;

WHEREAS, pursuant with the above policies, the Quezon City Government acknowledges the importance of tourism, culture and the arts as an engine of socio-economic growth and cultural affirmation to create investment, foreign exchange and employment, and to continue to mold an enhanced sense of national pride for all residents of Quezon City and all Filipinos in general;

WHEREAS, Quezon City is the home of many tourist attractions that showcase the culture and diversity of its people and locality, possessing the potential to become center for tourism not only in Metro Manila but throughout the country as well. Among the visited spots in the city include the Quezon City Memorial Circle, La Mesa Eco Park, Ninoy Aquino Parks and Wildlife Center, Eastwood City, Araneta Center, Maginhawa Art and Food Hub, and Quezon City China Town, among others;

WHEREAS, to effectively harness the social and economic benefits from these travel sites, it is mutually advantageous that private sector partnership, through our cinema owners and operators, be a part in promoting and highlighting these places in order to attract more visitors and tourist in our locality, as well as to let our residents fully realize the beauty of our city.

NOW, THEREFORE,

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

SECTION 1. TITLE - This Ordinance shall be known as the "Quezon City Cinema Public Information Ordinance."

SECTION 2. DEFINITION OF TERMS -

(1) Cinema Owner or Operator – shall mean any person, natural or juridical, who is a proprietor of a movie theater, or manages, runs, or operates the same regularly within the territorial jurisdiction of Quezon City, for commercial activity, profit, or otherwise.

(2) Free Screen Time - shall mean the time the audiovisual presentation from the Quezon City Tourism Department and/or Public Affairs and Information Service Office (PAISO) is required to be shown freely in the movie house before the start of a film, which shall be not more than forty-five (45) seconds.

(3) Audiovisual Presentation – shall mean the recorded video produced by the Quezon City Tourism Department and/or Public Affairs and Information Service Office, using both sight and sound component, which promotes the various tourist attractions in Quezon City or announces any local public service information of the Quezon City Government.

(4) Disaster Preparedness - the knowledge and capacities developed by the city government, professional response and recovery organizations, communities and individuals to effectively anticipate, respond to, and recover from, the impacts of likely, imminent or current hazard events or conditions. Preparedness action is carried out within the context of disaster risk reduction and management and aims to build the capacities needed to efficiently manage all types of emergencies and achieve orderly transitions from response to sustained recovery. Preparedness is based on a sound analysis of disaster risk and good linkages with early warning systems, and includes such activities as contingency planning, stockpiling of equipment and supplies, the development of arrangements for coordination, evacuation and public information, and associated training and field exercises.

(5) Disaster Prevention - the outright avoidance of adverse impacts of hazards and related disasters. It expresses the concept and intention to completely avoid potential adverse impacts through action taken in advance that ensure human survival and preservation of property.

(6) Public Service Information – any information disseminated to the public from the city government in connection with its governmental function.

SECTION 3. FREE SCREEN TIME ALLOTMENT – All cinema owners or operators located in Quezon City are hereby required to allot free screen time before the start of every film for the Quezon City Government to promote its landmarks and tourist attractions, to instill preparation and prevention for calamities and disasters, and to announce other public service information. The allocated screen time shall be not more than forty-five (45) seconds.

SECTION 4. PRODUCTION OF AUDIOVISUAL PRESENTATION – Subject to the content to be produced, the Quezon City Tourism Department (QCTD), Disaster Risk Reduction Management Office (DRRMO), and/or Public Affairs and Information Service Office (PAISO) shall produce an audiovisual presentation with a maximum runtime of forty-five (45) seconds to be played prior to a film, and shall replace it regularly. The content that will be produced may feature the business, commercial undertaking, or project of the enterprise or company the cinema owner or operator represents, but in no case shall it promote or advertise their competitor.

The audiovisual content produced must comply with the guidelines set forth by the Movie and Television Review and Classification Board (MTRCB) and other existing laws, and shall be subject to review by the cinema owner or operator that will play the same. However, no content shall be rejected upon review if the same has complied with all the guidelines of the MTRCB and the preceding paragraph. Otherwise, the same shall be a violation of Section 6 of this ordinance.

SECTION 5. AUTHORITY TO THE CITY MAYOR – The City Mayor is hereby authorized to enter into a contract or agreement, containing reasonable terms and conditions, with any cinema owner or operator to effectively accomplish the purpose of this Ordinance.

SECTION 6. VIOLATION AND PENALTY – Willful failure of the cinema owner or operator to run the audiovisual presentation under this Ordinance shall be punished with a fine of Five Thousand Pesos (Php5,000.00) for each film showing day that the same was not shown.

SECTION 7. APPROPRIATION AND IMPLEMENTING AGENCY - The budget for producing the audiovisual presentation under Section 4 shall be taken from the approved budget of the Quezon City Tourism Department and/or Public Affairs and Information Service Office (PAISO). The said department and/or office also shall be tasked primarily to implement the provisions of this Ordinance.

SECTION 8. REPEALING CLAUSE – All Ordinances, issuances, rules and regulations inconsistent with the provisions of this Code are hereby repealed, amended, rescinded and/or modified accordingly.

SECTION 9. SEPARABILITY CLAUSE – If, for any reason, any provision, section or any part hereof is declared invalid or unconstitutional by a competent court, other provisions hereof not affected thereby, shall remain in full force and effect.

SECTION 10. EFFECTIVITY – This Ordinance shall take effect Fifteen Days (15) Days after its publication in a newspaper of general circulation.

ENACTED: March 4, 2019.

MA. JOSEFINA G. BELMONTE
City Vice Mayor
Presiding Officer

ATTESTED:

Atty. JOHN THOMAS S. ALFEROS III
City Government Dept. Head III

APPROVED: 08 MAY 2019

HERBERT M. BAUTISTA
City Mayor

CERTIFICATION

This is to certify that this Ordinance was APPROVED by the City Council on Second Reading on March 4, 2019 and was PASSED on Third/Final Reading on March 11, 2019.

Atty. JOHN THOMAS S. ALFEROS III
City Government Dept. Head III