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SENATE

RECEIVED BY: 

Senate Bill No. 1082

Introduced by **SENATOR JOSEPH VICTOR G. EJERCITO**

EXPLANATORY NOTE

Throughout history, music has helped define a country's identity. From the kulintang, the kundiman to what is called the Manila Sound, music has inspired countless of Filipinos to love, live and embrace life.

But online piracy and limited airplay has hurt the growth of the local music industry. Figures released by the Philippine Association of the Record Industry showed that sales of physical audio and video dropped from P2,154,764 in 2000 to P699,360 in 2010.

Although music ring tones and digital copies created a new revenue source, the cost of producing and promoting a new song remains high for record labels. Promoting a new song is difficult in an environment that gives more radio time to foreign songs.

The issue of airplay is nothing new. In 1987, President Corazon C. Aquino issued Executive Order 255 to give original Pilipino music more airtime. The directive requires radio stations to play at least four original Pilipino musical compositions in every clock hour of a program with a musical format.

Any franchise holder or radio station operator violating the EO will be fined P100. The National Telecommunications Commission may also suspend or cancel the Certificate of Registration and Authority to operate of any radio station in the event of repeated violations.

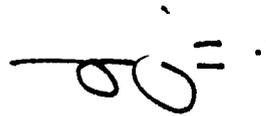
More than 20 years after the directive was signed, airplay remains a concern. In August of last year, President Benigno S. Aquino III ordered the National Telecommunications Commission to enforce the measure. The order

was issued during the Organisyon ng Pilipinong Mangaawit's oath taking ceremonies.

There is a need to review the EO in light of advancements in technology and program formats.

A country will never be able to develop its own identity by singing songs of another.

The immediate approval of this bill is earnestly sought.

A handwritten signature in black ink, appearing to read 'JOE EJERCITO', with a horizontal line extending to the left.

JOSEPH VICTOR G. EJERCITO
Senator

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**AN ACT REQUIRING RADIO STATIONS TO BROADCAST A
MINIMUM OF THREE ORIGINAL FILIPINO MUSIC COMPOSITIONS
EVERY HOUR AND FOR OTHER PURPOSES**

1 **SECTION 1.** Short Title - This Act shall be known as the "*OPM Radio*
2 *Airplay Act of 2016.*"
3

4 **SECTION 2.** *Declaration of Policy* - It is the policy of the State to foster
5 the preservation, enrichment, and dynamic evolution of a Filipino national
6 culture based on the principle of unity in diversity in a climate of free artistic
7 and intellectual expression. Further, the State shall support, conserve and
8 promote the country's historical and cultural heritage and resources, as well
9 as artistic creations.
10

11 **SECTION 3.** *Definition* - For the purposes of this Act, these terms are
12 defined as follows:
13

14 *Original Pilipino Music* - means any musical composition created by a Filipino,
15 whether the lyrics is in Filipino, English or in any other language or dialect.
16

17 *Cover Version or Cover Song* - refers to a new performance or recording of a
18 previously recorded, commercially released song or popular song.
19

20 *Radio music format* - refers to a program wherein the main broadcast content is
21 music.
22

23 **SECTION 4.** *Fines and Penalties* - Any franchise holder or radio station
24 operator that fails to observe or violates any provision of this Act shall be
25 fined the amount of P1,000 for every violation. The National
26 Telecommunications Commission, after due hearing, may suspend or cancel
27 the Certificate of Registration and Authority to operate of any radio station in
28 the event of repeated violations.

1
2 **SECTION 5. Coverage** - Radio stations are required to play at least
3 three (3) OPM songs per hour, or its equivalent per day of operation. The total
4 number is computed by the number of hours a radio station operates minus
5 the time allocated for radio talk shows. This only applies to programs with a
6 radio music format.

7
8 **SECTION 6. Repealing Clause** - Any law, presidential decree, issuance,
9 executive order, letter of instruction, administrative order and regulation
10 contrary to or inconsistent with the provisions of this Act is hereby repealed,
11 modified or amended accordingly.

12
13 **SECTION 7 . Separability Clause** - If any provision of this Act is held
14 invalid or unconstitutional, the other provisions not affected hereby shall
15 remain valid and subsisting.

16
17 **SECTION 8. Implementation.** The National Telecommunications
18 Communications shall issue such rules and regulations as may be necessary
19 to carry out the purpose of this Act.

20
21 **SECTION 9. Effectivity.** This Act shall take effect fifteen (15) days after
22 its publication in the Official Gazette and two (2) newspapers with a
23 nationwide circulation.

Approved,