

[NTC MEMORANDUM CIRCULAR NO. 01-03-2006, March 03, 2006]

PROGRAM STANDARDS FOR RADIO AND TV BROADCAST AND CABLE TV STATIONS

WHEREAS, the National Telecommunications Commission (NTC) is the government agency vested with the authority to formulate and implement policies, plans, programs, rules and regulations in the establishment, maintenance, and operation of broadcast facilities, systems and services throughout the country;

WHEREAS, the NTC recognizes that the freedom and independence of the broadcast media is essential to the broad protection accorded to our fundamental civil rights to freedom of speech and the right to true and accurate information, and must thus be safeguarded for the proper performance of its role in a democratic society;

WHEREAS, the NTC reiterates its recognition of the Kapisanan ng mga Brodkaster sa Pilipinas (KBP), as the self-regulatory body for the broadcast media in the Philippines, as it had under the 1984 Instrument of Understanding, 1991 Memorandum of Agreement and the 1999 Memorandum of Understanding, as well as the NTC's continued adoption of its program standards in the KBP Radio and Television Codes which KBP has developed and institutionalized, as it did since the issuance of NTC Memorandum Circular 3-4-85;

WHEREAS, NTC is not herein issuing a new set of guidelines since existing KBP program standards, and this Commission's Memorandum Circular No. 11-12-85 and Memorandum Circular No. 22-89, which are likewise part of KBP program standards, constitute sufficient and widely-accepted benchmarks by the broadcasting industry, and remain to be an appropriate and relevant set of standards to govern and ensure responsible radio and television broadcasting, as well as cablecasting, in order to protect the public interest in times of normalcy and even during times of armed conflict, public peril, calamity, or other national emergency;

WHEREAS, the NTC supports KBP's strict injunction for broadcast stations not to allow their facilities to be used for advocating the overthrow of government by force or violence, and to not allow the broadcast of materials which tend to propose/incite treason, rebellion, sedition, or pose a clear and present danger to the State;

WHEREAS, the KBP shares the government's concern that the coverage of troop movements are highly sensitive in nature for reasons of national defense and national security implications, and should thus exclude information that may identify the location of the troops or provide/show identifiable land marks, give troop estimates, identify troop personnel, or their destination or direction;

WHEREAS, the supervision of the broadcast and cable TV industries by government or through self-regulation by the broadcast and cable industry themselves calls for the thoughtful and reasonable discretion, and fealty at all times to the observance of due process;

WHEREAS, not only is it the government and broadcast media's responsibility to know, but it is equally the right of the general public to be informed of the accepted program standards;

WHEREFORE, pursuant to the powers vested upon the NTC, for the reference and guidance of radio and television broadcasting stations and cable TV stations, and for the information of the general public, the NTC hereby adopts the existing program standards of KBP as set forth in the KBP Radio and Television Codes and in other relevant KBP circulars, including those contained in KBP Circular 06-016 dated 27 February 2006, and hereby reiterates and adopts all the provisions of Memorandum Circular No. 11-12-85 and Memorandum Circulars No. 22-89.

All broadcast media and cable TV entities must conform to the abovementioned guidelines.

Pursuant to the Memorandum of Agreement dated 24 September 1991 among the Department of Transportation and Communications, the National Telecommunications Commission and the KBP, it is hereby reiterated that all complaints against any KBP member directly filed before the DOTC or the NTC for violations of broadcast laws, NTC rules and regulations, and KBP Radio and Television codes and relevant circulars, shall be immediately remanded to the KBP Standard Authority for consideration and adjudication. While all complaints against any other broadcast entity, upon due notice and hearing, shall be immediately acted upon by NTC.

Any circular, memorandum or order previously issued or parts thereof inconsistent herewith are deemed amended, revised or repealed.

This Circular shall take effect fifteen (15) days after publication in a newspaper of general circulation.

Adopted: 3 March 2006

(SGD.) RONALDO OLIVAR SOLIS
Commissioner

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Deputy Commissioner

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