REVISED RULES ON NON-VIDEO PUBLICITY MATERIALS

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Adopted: 14 July 2015
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WHEREAS, Section 3(b) of Presidential Decree No. 1986 empowers the Board to screen, review and examine all publicity materials, such as advertisements, trailers, plugs and stills, whether such publicity materials be for theatrical or non- theatrical distribution, for television broadcast or for general viewing, imported or produced in the Philippines, and in the latter case, whether they be for local viewing or for export;

WHEREAS, due to the changing technique, style, form and tools now being used in promoting motion pictures and television programs, there is a need to systematize the process of review and classification of NON-VIDEO publicity materials.

NOW, THEREFORE, pursuant to the Board's power to promulgate such rules and regulations as are necessary for the implementation of P.D. No. 1986, and the accomplishment of its purposes and objectives, the Board hereby resolves, as follows:

Section 1. Scope – These Rules shall govern the public exhibition of non-video publicity materials as defined hereunder.

Section 2. Definition of Non-Video Publicity Material – As used in these Rules, the term "non-video publicity material" shall refer to the following types of materials:

- Layouts, such as those for print publication, posters, billboards, streamers, banners, flyers, leaflets, pins and buttons, CD/DVD wrap or cover, stickers or vehicle wraps;

- Two-dimensional standees, cut-outs or mock-ups;

- Three-dimensional mock-ups;

- Still Photos; or,

- Such other design, artwork, illustration, visuals or graphics or materials;

which may be employed to generate public interest in a motion picture, television or cable television program, or Optical Media material, which may or may not consist of scenes taken from a motion picture, television or cable television program, or Optical Media material.

Section 3. Audience Suitability of Non-Video Publicity Material – All non- video publicity materials must be suitable for all audiences and must strictly conform to the GENERAL AUDIENCE ("G") classification or rating.

Section 4. Application for Permit to Exhibit Non-Video Publicity Material – All applications for permit to exhibit non-video publicity materials must be in the officially -prescribed form, and must be completely filled out with accurate information. Any inaccurate or misleading information in the application shall be sufficient cause for the non-issuance or revocation of a Permit to Exhibit and shall result in the forfeiture of any and all fees paid by the applicant in connection with the application, without prejudice to such other legal action that the Board may take

as warranted by the circumstances.

Section 5. Separate Application Form for Each Type of Non-Video Publicity Material – An applicant shall submit one application form for each type of non- video publicity material enumerated in Section 2 hereof. An applicant may not incorporate two or more types of non-video publicity material in one application form.

Section 6. Separate Application Form for Each Design, Artwork, Illustration, Visuals or Graphics – An applicant shall submit one application form for each design, artwork, illustration, visuals or graphics subject to the provisions of Section 7 hereof.

Section 7. Layouts Intended for Print Publication – Layouts intended for print publication must be submitted together with the proposed catchlines, headers, footers or teasers already integrated into the artwork. Up to a maximum of three layouts may be included in one (1) application form provided that there is no variation in the design, artwork, illustration, visuals or graphics other than the placement of catchlines, headers, footers or teasers. Additional submissions beyond the limit of three (3) shall be applied for, and charged, separately.

Catchlines, headers, footers or teasers incorporated in a layout previously issued a valid Permit to Exhibit by the Board, that only announce the opening date or the status of the showing of a motion picture, television or cable television program, or Optical Media material (e.g. “Opens Today”, “Opens Tomorrow”, “Coming Soon”, “2[nd]/3[rd]/4[th] Day, etc.) need not be submitted for further review and classification, and shall not be subject to any additional fees. However, catchlines, headers, footers or teasers that present a claim, assertion or declaration (e.g. “2[nd]/3[rd]/4[th] Box Office Hit Day”, Academy/Festival Award Winning Film”, etc.) are required to be cleared with the Board prior to their publication by furnishing the Board, through a letter addressed to the Chief of the Review and Classification Division, in which the applicant must inform the Board that there is no change in the previously approved design, artwork, illustration, visuals or graphics other than the addition of the said claim, assertion or declaration, attaching therewith a printed copy of the material sought to be published, and a copy of the original Permit to Exhibit Non-Video Publicity Material.

Section 8. Classification Layout in Print Publications – A non-video publicity material intended for print publication (i.e. newspaper or magazine advertisements), shall contain a statement of the classification of the motion picture, television or cable television program, or Optical Media material, which it intends to promote, by incorporating the following applicable classification layout:

(See Image (NAR) VOL. 26 NO. 3/ JULY - SEPTEMBER 2015 page 417)

In case the Permit to Exhibit Non-Video Publicity Material is being applied for ahead of the motion picture, television or cable television program, or Optical Media material, which it intends to promote, whereby the main material is yet to be reviewed and classified by the Board, the non-video publicity material shall contain a statement that the motion picture, television or cable television program, or Optical Media material, as the case may be, is yet to be rated by the MTRCB; provided that, once the Board has reviewed and classified the main material, and the corresponding Permit To Exhibit has been issued therefor, the non-video publicity material should already contain the applicable classification layout.

Section 9. Submission of Digital Copy of the Non-Video Publicity Material – All applications for Permit to Exhibit Non-Video Publicity Material must be accompanied by a clear digital copy or reproduction of the material being applied for in such color and proportion as the actual non-video publicity material, except that the size or dimension may be smaller than the actual non-video publicity material so as not to exceed the allowable file size prescribed hereunder. The digital copy or reproduction must be in JPEG format with a file size not exceeding twenty (20) megabytes, and submitted either by way of electronic mail labeled with the Title of the Non-Video

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Publicity Material and Layout Number, as they exactly appear in the application form, and addressed to nv.publicitymat@gmail.com. Alternatively, the applicant may submit the digital copy or reproduction through a storage device (i.e. CD/DVD or flash drive).

Section 10. Schedule for Review and Classification – An application for Permit to Exhibit Non-Video Publicity Material shall be scheduled for review and classification on the next business day.

Section 11. Permit to Exhibit Non-Video Publicity Material – No non-video publicity material shall be allowed public exhibition unless a corresponding permit to exhibit therefor has been duly issued by the Board. The Permit to Exhibit shall contain the signature of approval of the Chairman of the Board, and must bear the dry seal of the Movie and Television Review and Classification Board ("MTRCB") and a printed facsimile of the approved non-video publicity material. Upon approval of the application, the corresponding Permit to Exhibit Non-Video Publicity Material shall be released and, at the same time, uploaded to the website of the MTRCB, specifically at www.mtrcb.gov.ph.

Section 12. Procedure for Review and Appeal – The review and classification of all non-video publicity materials, as well as appeals for denials thereof, shall follow the same processes, procedures, rules and regulations governing the review and classification of motion pictures, pursuant to Chapters VI and VII of the 2004 Implementing Rules and Regulations of P.D. 1986.

Section 13. Obligation of the Exhibitor of a Non-Video Publicity Material – Any exhibitor of a non-video publicity material, such as theaters, television networks, publications, advertisers, or any other establishment or entity, whether public or private, which allow the exhibition of non-video publicity materials in its premises or through its facility, shall, before the exhibition thereof, verify the fact that said non-video publicity material has been passed upon by the Board and issued a corresponding Permit to Exhibit, by visiting the MTRCB's website where all approved non-publicity materials are uploaded. In the alternative, an exhibitor may request for a certified true copy of the Permit to Exhibit Non-Video Publicity Material from the distributor thereof and the latter shall be obliged to comply with said request.

The distributor and exhibitor of a non-video publicity material which was not passed upon, or which was disallowed public exhibition, by the Board shall be liable under Section 13 of this Circular.

Section 14. Sanctions – Any violation of this Circular by the distributor of the non-video publicity material shall result in the automatic cancellation of the Permit to Exhibit of the motion picture, television or cable television program, or Optical Media material, which the non-video publicity material intends to promote, without prejudice to such other remedies and penalties provided for under the law.

The exhibition of non-video publicity materials which has no Permit to Exhibit by theaters, television networks, publications, advertisers, or any other establishment or entity, whether public or private, which allow the exhibition of non-video publicity materials in its premises or through its facility, shall be penalized with a fine of Ten Thousand (P10,000.00) Pesos per non-video publicity material, without prejudice to such other remedies and penalties provided for under the law.

Section 15. Repealing Clause – Any and all previous circulars, rules, and regulations, and guidelines of the Board pertaining to non-video publicity materials are hereby repealed, amended and/or modified accordingly insofar as they may be inconsistent with this Circular.

Section 16. Separability – If any provision of this Circular is declared invalid or unconstitutional, other provisions not affected thereby shall remain in full force and effect.

Section 17. Effectivity – This Circular shall take effect after fifteen (15) days following its publication in a newspaper of general circulation and filing with the Office of the National Administrative Register at the University of the Philippines Law Center, as required under the Administrative Code of 1987.

APPROVED by the Movie and Television Review and Classification Board in Quezon City.

Recommending Approval:

(SGD) RICARDO M. SALOMON, JR.
Co-Chairperson, Hearing and Adjudication Committee

Approved by Authority of the Board:

(SGD) EUGENIO H. VILLAREAL
Chairperson

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