

REGISTRATION AND LICENSING OF EXHIBITORS/NON-THEATERS CATEGORY

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Section 6 of P.D. 1987 (an Act Creating the Videogram Regulatory Board) provides: [that] "No person, whether natural or juridical, may engage in the importation, exportation, production, reproduction, exhibition, showing, sale, lease or disposition of videograms unless such person is first registered with and permitted by the BOARD to operate as such. The registration with and the permit issued by the BOARD is a condition precedent for securing a business permit or license from the appropriate authorities.

In this connection, all bus companies, airlines, shipping lines, hotels, motels, karaoke bars, inns, pub houses and the like [who] which are, engaged in the act of public exhibition of any cinematographic art of work, performances or [event] events using videograms or any technical variation thereof as a medium, for promotional/entertainment purposes, shall register with and be licensed by the Videogram Regulatory Board as Exhibitor/Non-Theater Category.

There shall be a one-time registration fee for the said business establishments in each place of business and an annual license for each business classification.

Only videograms or any technical variation thereof, [provided] which are provided with a written consent to exhibit by the copyright owner, producer, or assignee, duly and classified by the BOARD, supported by a [VRB]

Videogram Regulatory Board Commercial Permit for Public Exhibition, may be publicly exhibited by the video exhibitors. Videograms approved by the Videogram Regulatory Board for home viewing, sale and/or rented out by videogram rental/retail outlets are prohibited for public exhibition.

The operator/owner of the above business establishments shall be criminally liable for the exhibition of videograms or any technical variation thereof whose film contents are immoral, indecent, obscene, or unjustifiably violent.

Section 9 of P.D. 1987 makes any person who violates any or all of the provisions of Sections 3, 6, 7, 8 and 10 of this Decree or the rules and regulations to be promulgated pursuant thereto either as principal, accomplice or accessory, shall, upon conviction, suffer a mandatory penalty of three (3) months, and one (1) day to one (1) year imprisonment plus a fine of not less than Fifty Thousand Pesos (P 50,000.00) but not more than One Hundred Thousand Pesos (100,00.00). Should the offense be committed by a juridical person, the Chairman, the President, the Secretary, Treasurer, or the partner responsible therefore, shall be the persons penalized.

Further, Article 201 of the Revised Penal Code states that: "The penalty of prison correctional in the minimum period, or a fine ranging from 200 to 2,000 or both shall be imposed upon:

2. x x x

3. Those who in theaters, fairs, cinematographs, or any other place open to public view, shall exhibit indecent or immoral plays, scenes, acts or shows'.

The Board or its duly authorized representatives shall conduct routine visitations and be allowed unhindered entry

into the business premises of all Public Exhibitors and into the individual transport units to inspect videograms or any technical variation thereof and to determine compliance with P.D. 1987, its implementing Rules and Regulations and Memorandum Circulars.

This Circular shall take effect after fifteen days from first publication in a newspaper of general circulation.

Adopted: 14 Sept. 1998

(SGD.) ENRIQUE M. MONTERO
Chairman and Chief Executive Officer

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