

**IMPLEMENTING RULES AND REGULATIONS
OF REPUBLIC ACT NO. 8370 ALSO KNOWN AS
“CHILDREN’S TELEVISION ACT OF 1997”**

Pursuant to the authority of the National Council for Children’s Television under Sec. 10 of R.A. No. 8370, otherwise known as the “Children’s Television Act of 1997”, the following Rules and Regulations are hereby promulgated:

**CHAPTER I
DECLARATION OF POLICY**

Sec. 1. Declaration of Policy – The State recognizes the vital role of the youth in nation-building and shall promote and protect their physical, moral, emotional, spiritual, intellectual, mental, psychological, and social well-being by enhancing their overall development, taking into account sectoral needs and conditions in the development of educational, cultural and recreational policies and programs addressed to them.

Likewise, the State recognizes the importance and impact of broadcast media, particularly television programs, on the value formation and intellectual development of children and must take steps to support and protect children’s interests by providing television programs that reflect their needs, concerns, and interests without exploiting them.

The State recognizes broadcasting as a form of mass communication guaranteed by the Constitution, the exercise of which is impressed with public interest, and imposes upon the broadcast industry the social responsibility of ensuring that its activities serve the interest and welfare of the Filipino people.

**CHAPTER II
MEANING OF TERMS**

Sec. 2. Definition of Terms – The following terms shall mean:

- a) Children – refers to all persons below eighteen (18) years of age;
- b) Children’s Television – refers to programs and other materials broadcast on free-to-air television that are specifically designed for viewing by children;
- c) Child-friendly Programs – refers to programs not specifically designed for viewing by children but which serve to further their positive development and contain no elements that may result in physical, mental, and emotional harm to them. These include various formats and genres that appeal to children and that are made available for all ages from early childhood to adolescence;

- d) Child-Viewing Hours – refers to hours which are considered to be appropriate for children to watch television taking into account other activities which are necessary or desirable for their balanced development, as may be determined by the Council;
- e) Act – refers to the Republic Act No. 8370;
- f) Council – refers to the five (5) members representing the Academe; Broadcast Media; Child Development Specialists; Parents; and Child-Focused Non-Governmental Organizations (NGOs);
- g) Advisory Committee- refers to the seven (7) respective organizations that assist the Council in the formulation of national policies pertaining to children’s broadcast programs and in monitoring its implementation, namely:
 - 1. Movie and Television Review and Classification Board (MTRCB);
 - 2. Philippine Information Agency (PIA);
 - 3. Council for the Welfare of Children (CWC);
 - 4. Philippine Association of National Advertisers (PANA);
 - 5. Kapisanan ng mga Brodkaster ng Pilipinas (KBP);
 - 6. National Commission for Culture and the Arts (NCCA); and
 - 7. National Telecommunications Commission (NTC)
- h) Secretariat – refers to the Secretariat of the NCCT which is headed by an Executive Director with a Staff composed of not more than twenty (20) personnel; and
- i) Fund – refers to the National Endowment Fund for Children’s Television (NEFCTV).

CHAPTER III
THE NATIONAL COUNCIL FOR CHILDREN’S TELEVISION

Sec. 3. Composition – The Council shall be composed of five (5) members representing the following sectors:

- a. Academe;
- b. Broadcast Media;
- c. Child Development Specialists;
- d. Parents; and

e. Child-Focused Non-Governmental Organizations (NGOs) duly registered with the Securities and Exchange Commission (SEC) and with membership preferably in all cities and provinces throughout the country.

Sec. 4. Nomination Process for Council Members- Nominations for NCCT Council Members shall be made by their respective organizations and the Council for the Welfare of Children who shall agree on the nominees to be submitted to the Advisory Committee. The nominating organization shall be duly registered with the Securities and Exchange Commission (SEC) and with membership preferably in all cities and provinces throughout the country.

All nominations shall be subject to review and approval by the Advisory Committee whose recommendation of the short-listed nominees shall be submitted to the Office of the President of the Republic of the Philippines for appropriate appointment, furnishing a copy thereof the Secretary of the Department of Education.

Sec. 5. Appointment of Council Members – Members of the Council shall be appointed by the President of the Republic of the Philippines. Their appointments shall be based on their integrity and high degree of professionalism, and shall be a publicly-recognized authority in the promotion of children’s rights to responsible television programming. He/she must be physically fit, of sound health, and can devote his/her time to the performance of the mandated duties as NCCT Council Member.

Sec. 6. Terms of Council Members – The Members of the Council shall have a term of three (3) years. The first appointees shall have the following terms:

- a. two (2) members for three (3) years;
- b. the other two (2) members for two (2) years; and
- c. the remaining member for one (1) year.

They shall serve and continue to hold office until their successors shall have been appointed and qualified. Should a member fail to complete his/her term, the successor shall be appointed by the President for the unexpired portion of the term.

The ranks, emoluments, and allowances of the Council members shall be in accordance with the Department of Budget and Management existing rules, Salary Standardization Law, and other applicable laws.

Sec. 7. Chairperson – The Chairperson of the Council shall be elected by the members from among themselves.

Sec. 8. Functions – The Council shall have the following functions:

- a. To formulate and recommend plans, policies, and priorities for government and private sector (i.e. broadcasters, producers, advertisers) action towards the development of high quality locally-produced children’s television programs to meet the developmental and informational needs of children;
- b. To promote and encourage the production and broadcasting of developmentally-appropriate children’s television programs through the administration of a National Endowment Fund for Children’s Television and other necessary mechanisms as it may determine;
- c. To monitor, review, and classify children’s television programs and advertisements aired during child-viewing hours, in order to take appropriate action, such as disseminating information to the public and bringing results to the attention of concerned agencies for appropriate action;

To attain this function, the Council shall:

- i. come up with its standards for children’s television programs;
 - ii. deputize representatives who will conduct the monitoring of children’s television programs and advertisements;
 - iii. monitor television stations/networks with free-to-air TV, through the MTRCB, to furnish it with recordings of children’s television programs and advertisements; and
 - iv. provide the results of the review and monitoring of children’s television programs and advertisements based on the existing rules of the R.A. No. 10173 also known as Data Privacy Act of 2012.
- d. To formulate, together with the television broadcast industry, a set of standards for television programs shown during child-viewing hours and work closely with the industry for the adoption and implementation of said standards;
 - e. To conduct research for policy formulation and program development and disseminate results to broadcasters, advertisers, parents, and educators on issues related to television and Filipino children;
 - f. To promote media education focusing on television literacy with free-to-air television within the formal school system and other non-formal means, in cooperation with both public and private organizations;

- g. To monitor the implementation of the Act and its IRR and other existing government policies and regulations pertaining to children's broadcast programs.

To enforce this function, the Council may require the television stations/networks to submit reports or data on their children's television and child-friendly programs;

- h. To recommend to and require the appropriate government agencies and self-regulatory bodies concerned to impose the appropriate sanctions for violations of the Act, its IRR, and pertinent government policies and regulations based on their respective mandates/charters;
- i. To recommend to Congress appropriate legislative measures to grant incentives for independent producers and broadcasters to encourage the production of quality local children's television programs;
- j. To act and investigate motu proprio or on reports of other government agencies or offices or public complaints of violations of the Act, its IRR, and pertinent government policies and regulations, in accordance with its own procedures, with the goal of protecting children from negative and harmful influences;
- k. To cause or initiate the prosecution of violators of the Act; and
- l. To perform all acts necessary or incidental to attain the objectives of the Act;
- m. To perform the following functions:
 - i. to organize the Council Secretariat;
 - ii. to establish committees as may be necessary;
 - iii. to determine the staffing pattern of the Council Secretariat and the qualifications, duties, responsibilities, functions and compensation of the positions therein it created, subject to the National Compensation and Classification Plan and other existing civil service rules and regulations;
 - iv. to submit a Comprehensive Media Program on television literacy for Children to Congress;
 - v. to prescribe an appropriate set of criteria for evaluating programs with the end of establishing a Television Violence Rating Code;
 - vi. to administer the National Endowment Fund for Children's Television;
 - vii. to accept grants, contributions or donations from private corporations and international donors for same fund;

viii. to submit the annual proposed budget of the NCCT to the DBM; and

ix. to enact rules consistent with the Act and its IRR.

Sec. 9. Supervision – The NCCT, under the Executive Order No. 203, is transferred to the Department of Education as an attached agency, for the purposes of administrative supervision.

Sec. 10. Meetings – Regular meetings of the Council shall be held quarterly or more often, as the Council may decide. Special meetings of the Council shall be called anytime by any of its members.

Sec. 11. Quorum – Majority of the Members of the Council shall constitute a quorum.

CHAPTER IV THE ADVISORY COMMITTEE

Sec. 12. Composition – The Members of the Advisory Committee shall be:

- a. The Executive Director of the Council for the Welfare of Children (CWC) ;
- b. The Chairperson or Executive Director of the National Commission for Culture and the Arts (NCCA);
- c. The President of the Kapisanan ng mga Brodkaster ng Pilipinas (KBP);
- d. The President or Executive Director of the Philippine Association of National Advertisers (PANA);
- e. The Press Undersecretary/OIC of the Philippine Information Agency (PIA);
- f. The Chairperson of the Movie and Television Review and Classification Board (MTRCB); and
- g. A representative of the National Telecommunications Commission (NTC).

Sec. 13. Functions – The Advisory Committee shall have the following functions:

- a. Assist the Council in the formulation of national policies pertaining to children’s broadcast programs and in the monitoring of the implementation of said policies;
- b. Be consulted by the concerned organizations and the CWC in their nominations for Council Members; and

- c. Be consulted by the Council in the preparation of a Comprehensive Media Program for Children and prescription for a Television Violence Rating Code for submission to Congress.

Sec. 14. Representative During Meetings – Whenever any member of the Advisory Committee is unable to attend, he / she shall designate a representative to attend on his behalf.

Sec. 15. Meeting with the Council - The Advisory Committee shall meet with the Council at least once every quarter of the year.

CHAPTER V THE COUNCIL SECRETARIAT

Sec. 16. Composition – The Council shall organize a Secretariat which shall be headed by an Executive Director with a Staff composed of not more than twenty (20) personnel as may be determined by the Council. The Council shall determine the Secretariat’s staffing pattern, determine the qualifications, duties, responsibilities, and functions as well as compensation for the positions to be created by the Council subject to the National Compensation and Classification Plan and other existing Civil Service rules and regulations.

Sec. 17. Appointment of Executive Director and Staff – The President of the Republic of the Philippines shall appoint the Executive Director while the Secretariat members shall be appointed by the Executive Director.

Sec. 17. A) Selection Process for Executive Director- The Selection Committee members for the Executive Director position shall consist of two (2) Council members and three (3) Advisory Committee members. The said committee shall elect a Chairperson from among themselves. The nominees for the Executive Director position shall be ranked based on the interview and shall be endorsed by the Secretary of the Department of Education (DepEd) to the Office of the President of the Republic of the Philippines; for the appointment of the President.

Sec. 17. B) Screening and Selection of NCCT Staff- The Recruitment, Selection, and Placement of NCCT staff shall be in accordance with the CSC-approved Agency Merit Selection Plan (MSP). In the absence of said MSP, the Omnibus Rules on Appointments and Other Human Resource Actions (ORA OHRA) shall apply.

Sec. 18. Functions of the Council Secretariat – The Council Secretariat shall have the following functions:

- a. Execute the programs and policies proposed by the Council;
- b. Conduct meetings, prepare communications, and keep records of the Council and the Committee;

- c. Safeguard the property of the NCCT;
- d. Undertake the proper coordination with other government agencies/offices and the private sector;
- e. Prepare the annual budget of the NCCT and other required reports/plans and data; and
- f. Perform acts as may be required by the Council and the Committee.

Sec. 19. Functions of the Executive Director – The Executive Director shall have the following functions:

- a. Oversee and manage day-to-day operations of the Secretariat;
- b. Recommend to the Council the Secretariat’s staffing pattern and the qualifications, duties/responsibilities/functions, and compensation for the positions created by the former;
- c. Enter into any contract and other instruments as may be authorized by the Council; and
- d. Perform other functions and duties as may be assigned from time to time by the Council.

CHAPTER VI THE COMPREHENSIVE MEDIA PROGRAM FOR CHILDREN

Sec. 20. Submission of Comprehensive Media Program for Children – Within one (1) year from the effectivity of the Act, the Council, in consultation with the Advisory Committee, shall submit to Congress a Comprehensive Media Program, with the end in view of the following:

- a. To formulate policies on media programs that affect children directly or indirectly; and,
- b. To recommend plans and priorities for the government towards the promotion, development, production, and broadcasting on free-to-air television, of developmentally-appropriate media programs for children.

CHAPTER VII THE TELEVISION VIOLENCE RATING CODE

Sec. 21. Prescription for a Television Violence Rating Code – The Council shall prescribe an appropriate set of criteria for evaluating programs that takes into consideration the sensibilities of children with the end in view of establishing a Television Violence Rating Code.

CHAPTER VIII
THE CHARTER OF CHILDREN’S TELEVISION

Sec. 22. The Charter of Children’s Television – For the above Comprehensive Media Program for Children and Television Violence Rating Code, the Council may consider internationally-accepted programs of action for children’s television. More particularly, it shall be guided by the following standards herein known as “The Charter of Children’s Television”:

- a. Children should have high quality programs, which are made specifically for them and which do not exploit them. These programs, in addition to being entertaining, should allow children to develop physically, mentally, emotionally, morally, and socially to their fullest potential;
- b. Children should hear, see, and express themselves and their culture, languages, and life experiences through television programs, which affirm their sense of self, community, and place;
- c. Children’s programs should promote an awareness and appreciation of other cultures in parallel with the child’s own cultural background;
- d. Children’s programs should be wide-ranging in genre and content, but should not include gratuitous scenes of violence and sex;
- e. Children’s programs should be aired during regular time slots when children are available to view and distributed through widely accessible media or technologies;
- f. Sufficient funds must be made available to make these programs conform to the highest possible standards; and
- g. Government, production, distribution, and funding organizations should recognize both the importance and vulnerability of indigenous children’s television and the steps to support and protect it.

CHAPTER IX
AIRTIME FOR EDUCATIONAL CHILDREN’S PROGRAMS

Sec. 23. Allotment of Airtime for Educational Children’s Programs – A minimum of fifteen percent (15 %) of the daily total air time of each broadcasting network shall be allotted for child-friendly programs within the regular programming of all networks, as part of the network’s responsibility of serving the public. This shall serve as a condition for the grant of a Broadcast Certificate of Public Convenience and Necessity (CPCN)/ Provisional Authority

(PA)/franchise/license or for the renewal of any thereof with the National Telecommunications Commission (NTC).

CHAPTER X

THE NATIONAL ENDOWMENT FUND FOR CHILDREN'S TELEVISION

Sec. 24. Creation of the National Endowment Fund for Children's Television (NEFCTV) – The National Endowment Fund for Children's Television (NEFCTV) is created to promote high standards of indigenous program development in children's television and media specifically intended for children. Specifically, it shall develop and produce high quality television programs that are culturally-relevant and developmentally-appropriate for children and to help develop media programs that contribute to Filipino children's awareness and appreciation for their cultural identity, national heritage, and social issues that will in turn help them grow to be productive and nationalistic citizens.

Sec. 25. Sources of the Fund – The Fund shall come from the grants, contributions or donations from private corporations and international donors, provided that such grants, contributions or donations shall be exempted from donor's tax; provided, further, that such grants, contributions or donations shall be used strictly for the Fund.

The amounts of thirty million pesos (P30,000,000) from the income of the lotto operations of the Philippine Charity Sweepstakes Office (PCSO) and another thirty million pesos (P30,000,000) from the gross income of the Philippine Gaming Corporation (PAGCOR) shall form part of the Fund.

Sec. 26. Administration of the Fund – The Council shall administer the Fund.

Sec. 27. Access to the Fund – The Council shall provide access to the Fund through grants for qualified producers and organizations that the Council has screened and deemed capable of producing high quality children's television programs. It shall prioritize independent producers and organizations or institutions, including youth organizations, which do not have access to the resources of a national network but have a certified broadcast partnership with television networks or independent producers.

Copyright for programs and products to be developed with assistance from the Fund will be jointly owned by the Council and the producers.

CHAPTER XI

APPROPRIATIONS

Sec. 28. Appropriations – The Council, in coordination with the Secretariat, shall submit to the Department of Budget and Management (DBM) its proposed annual budget for inclusion in the General Appropriations Act (GAA).

**CHAPTER XIII
OTHER PROVISIONS**


Sec. 29. Separability Clause – If any provision of the Act is declared unconstitutional, the same shall not affect the validity and effectivity of the other provisions thereof.

Sec. 30. Repealing Clause – All laws, decrees, executive orders, presidential proclamations, rules and regulations or parts thereof contrary to or inconsistent with the provisions of the Act are repealed or modified accordingly.

Sec. 31. Effectivity Clause – This Implementing Rules and Regulations (IRR) shall take effect fifteen (15) days after its publication in the Official Gazette, in two (2) newspapers of general circulation, and in the Office of the National Administrative Register (ONAR) of the University of the Philippines Law Center.

Amended on March 02, 2021:

NATIONAL COUNCIL FOR CHILDREN’S TELEVISION (NCCT)


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