



Republic of the Philippines  
**QUEZON CITY COUNCIL**  
Quezon City  
16<sup>th</sup> City Council  
36<sup>th</sup> Regular Session

ORDINANCE NO. SP- **1563** S-2005  
(PO2005-111)

AN ORDINANCE REQUIRING RETAILERS, WHOLESALERS, DISTRIBUTORS AND LESSORS OF COMPACT DISC (CD), VIDEO COMPACT DISC (VCD), VIDEO HOME SYSTEM (VHS), DIGITAL VERSATILE DISC (DVD) AND OTHER ENTERTAINMENT MEDIA TO SUBMIT LIST OF THEIR SUPPLIERS AND SIMILAR ESTABLISHMENTS AND THE VOLUME PROCURED FROM EACH FOR THE PURPOSE OF CURBING PIRACY, PROVIDING PENALTY FOR VIOLATIONS THEREOF, AND FOR OTHER PURPOSES.

Introduced by Councilors RESTITUTO B. MALAÑGEN, ERIC Z. MEDINA, ANTONIO E. INTON, JR., JORGE B. BANAL, JR., EDCEL B. LAGMAN, JR., ALMA F. MONTILLA, JANET M. MALAYA, BAYANI V. HIPOL and DANTE M. DE GUZMAN.

Co-Introduced by Councilors Elizabeth A. Delarmente, Winston "Winnie" T. Castelo, Ramon P. Medalla, Voltaire Godofredo L. Liban III and Wencerom Benedict C. Lagumbay.

WHEREAS, the proliferation and circulation of pirated entertainment media have greatly prejudiced producer, artist and legitimate manufacturer and have already affected the viability of entertainment industry;

WHEREAS, although videogram or entertainment media containing movie or cinematographic art is being regulated by the national government, yet the proliferation of pirated items has not been checked;

WHEREAS, despite the popularity of the compact disc (CD) as medium of recorder music, the same is still not regulated and, as a result thereof, the circulation of pirated compact disc has now reached an alarming proportion to the detriment of the recording artist, producer, legitimate manufacturers, distributors and retailers;

*[Handwritten signatures and initials]*

WHEREAS, pirated entertainment media are being sold and rented out not only by hawkers and vendors in stalls and sidewalks but even by duly registered video and music stores;

WHEREAS, to curb piracy it is necessary to identify the source of pirated entertainment media and this can be achieved by requiring the establishment distributing them to report all their sources so as to identify and prosecute those engaged in this illegal act.

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF QUEZON CITY IN REGULAR SESSION ASSEMBLED:

SECTION 1. For the purpose of this Ordinance, the following shall mean:

1. Distribution - shall refer to act or business of commercial exploitation and disposition of entertainment media rights whether from local or foreign owners. Distribution includes the act of importation of entertainment media in whatever format.
2. Entertainment Media - shall refer to videograms, phonographs, interactive entertainment software, optical disc, recorder in any format containing audio, and/or video signal of any motion picture or cinematographic art or work, performance, event, literary or other works. For the purpose of this Ordinance entertainment media containing musical works shall include music videos or karaoke, recorded in any form, with or without visual images.
3. Lessor - shall mean establishment engaged in the business of renting out entertainment media to all public, whether members or not.
4. Report - shall mean the list of sources and the volume of entertainment media procured or obtained from each establishment and to be submitted by the same covered by this Ordinance.

*[Handwritten signatures and initials]*

5. Piracy - shall refer to the illegal or unauthorized importation, exportation, reproduction, manufacture, sale, transmission, or exhibition of copyrighted works.

SECTION 2. All persons, establishments or entities engaged in the selling, whether retail or wholesale, distribution and renting out of Compact Disc (CD), Video Compact Disc (VCD), Video Home System (VHS), Digital Versatile Disc (DVD) and other entertainment media shall submit:

- a. A list of the establishments, whether local or foreign, from whom they have procured entertainment media which they shall sell, lease, or distribute.
- b. The volume of such entertainment media procured from each establishment.

SECTION 3. The report mentioned in the immediately preceding section shall be submitted quarterly on the first twenty (20) days of the month following each quarter.

SECTION 4. All establishments covered by this Ordinance shall allow the duly authorized employees of Quezon City to inspect their relevant books and records during business hours and for the purpose of determining compliance herewith.

SECTION 5. Any person who fails to submit their report required in this Ordinance or submits a false report shall be penalized as follows:

First Offense - confiscation of all pirated Compact Disc (CD), Video Compact Disc (VCD), Video Home System (VHS), and Digital Versatile Disc (DVD) plus a fine of Three Thousand Pesos (P3,000.00) or imprisonment of three (3) days but not more than five (5) days, and cancellation or non-renewal of Business Permit.

In case the violator is a corporation, the officers and employees responsible or who had participated in the act or omission shall be held liable therefore.

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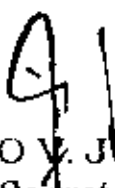
SECTION 6. The business permit of all establishments covered by this Ordinance shall be renewed only upon showing that such establishments have complied with the report required under this Ordinance.

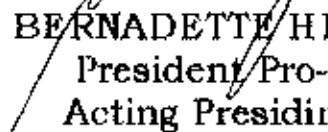
SECTION 7. The failure of any business establishment covered by this Ordinance to submit the report herein required or to allow the inspection of its records when so required shall be an additional ground for the revocation of its business permit and the closure of the establishment.

SECTION 8. This Ordinance shall take effect after fifteen (15) days following the completion of its publication in a newspaper of general circulation.

ENACTED: August 16, 2005.

ATTESTED:

  
EUGENIO V. JURILLA  
City Secretary

  
BERNADETTE HERRERA-DY  
President Pro-Tempore  
Acting Presiding Officer

APPROVED: SEP 21 2005

FELICIANO R. BELMONTE, JR.  
City Mayor

**CERTIFICATION**

*This is to certify that this Ordinance which was APPROVED on Second Reading on August 16, 2005, was finally PASSED on Third/Final Reading by the City Council on August 23, 2005.*

  
EUGENIO V. JURILLA  
City Secretary