

# Self-Regulation and the Philippine Broadcast Code

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*The new KBP Radio and Television Code is a product of many minds and years of painstaking debate, collaboration, consultation, and revision. This paper documents this process and more importantly, summarizes the major changes made in the Code.*

*The methods used for this paper include interviews with key KBP figures involved in the revision of the Codes, including the participation of this author, a member of the KBP Standards Authority who has been actively involved in the process of crafting the new codes since 2000. Several documents also served as key sources for analyzing the old and new codes, as well as in tracing the history of how and who crafted the broadcast codes as we know them today.*

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## **KBP and Self-Regulation**

**W**hen Martial Law was declared on September 21, 1972, the Media Advisory Council (MAC), which replaced the earlier Mass Media Council, and the Bureau of Standards for Mass Media were created by then President Ferdinand Marcos to put all media entities under government control and supervision.

Seven months later, on April 27, 1973, radio and television network owners decided to form the private organization *Kapisanan ng mga Brodkaster ng Pilipinas* (KBP), with the objective of professionalizing the broadcast industry by elevating the standards of mass media in the country. This was done through the setting of policies and standards that will regulate the activities of the broadcast media. Radio and TV owners, at that time, thought it best to join forces and together prove to government that they are capable of regulating their ranks, thus deflecting full government control over the industry.

In November 1974, by virtue of Presidential Decree (P.D.) 576, the MAC and the Bureau of Standards for Mass Media were abolished, paving the way for the creation of two regulatory councils - the Broadcast Media Council (BMC) and the Print Media Council. It is interesting to note what the P.D. 576 stipulates that has a bearing on the self-regulation function of the KBP as an umbrella organization of the broadcast industry.

The Presidential Decree states that:

“the various sectors of mass media have shown capability for self-regulation and internal discipline within their ranks and have demonstrated responsibility for maintaining standards for professional conduct and excellence... and the prevailing national situation has become appropriate for taking a further step towards removal of government participation in policy determination and news dissemination activities of mass media.” (P.D. 576; *More Than Meets the Eye*, 1989)

Thus, it became the policy of the State to allow mass media to operate without government intervention or supervision in policy and standard formulation. Thus the concept of self-regulation has its beginnings with this decree.

When Martial Law was lifted in January 1981, the Broadcast Media Council was abolished. The role of the BMC was given to KBP which ultimately formed its own enforcement body - the KBP Standards Authority – which formulated program and advertising standards that guide all member radio and television stations in the conduct of their activities.

KBP thereon has been in the forefront as the private organization functioning on the principle of self-regulation, policing its own ranks in professionalizing the broadcast industry.

### **The KBP Standards Authority (KBP-SA)**

The KBP Standards Authority (KBP-SA) Board has 13 members chosen by the KBP Board of Directors and confirmed by the KBP General Membership. The SA is tasked to primarily enforce the KBP Radio and Television Codes. Complaints brought to the KBP are heard

and resolved by the SA. The SA, aside from the adjudication of cases brought to KBP's attention, is also responsible for the accreditation of broadcasters, accreditation of advertising agencies, and in the collection of payments and dues of delinquent accounts.

As its enforcement arm, the KBP-SA is quasi-judicial in nature. The rules and regulations of the KBP as a self-regulating body are embodied in the Radio and Television Codes, which were initially a take-off from the rules and regulations set by the defunct Broadcast Media Council.

The first Broadcast Code of the Philippines was created in 1975, a year after the BMC was created. This document, formulated by industry owners and practitioners themselves, contained program, advertising, and technical standards. Trade policies were also outlined in the manual, as well as the purpose and organizational structure of the BMC.

When the KBP-SA was created in 1981, it started the task of compiling and debating on the policies left behind by the BMC. Thus, the first Radio and Television Codes of KBP, crafted by media owners and practitioners themselves, were presented to its general membership for approval during the 7<sup>th</sup> KBP Top-Level Management Conference in November 1981. To this date, the same Codes, with several changes through the years, have served as the guideposts of the broadcast industry in regulating its activities and practitioners.

In 1989, a revised Radio Code was published while the revised TV Code followed the next year. It was during this period that major revisions were made on the Codes. From very general statements of provisions, the revised Codes stipulated very detailed rules and guidelines. For example: in the 1981 Radio Code under the News Sections, it was silent on the length and schedule of newscast. However, in the 1989 version, it stipulated that a minimum of 45 minutes of news per day from 5:00 am to 10:00 pm must be aired Monday thru Saturday. Another example is in the section under Music. The 1981 Radio Code simply stated that "all stations shall actively promote the growth and development of Filipino music." In the 1989 Code, however, the provision clearly stipulated that "Radio stations are encouraged to promote Filipino music by scheduling Original Pilipino Music (OPMs) the way they see it best and fit to comply with the spirit of E.O. 255." (The E.O. stipulates the playing of four OPMs every clock hour).

## The KBP Radio and Television Codes

In 1993, the Radio and TV Codes were revised anew. These were basically the same documents that guide our practitioners today. Although they have undergone several revisions in the past, they have not been totally revised till now.

The idea of a more comprehensive and systematic review of the KBP Codes goes back to 1997 when then Board member Jose Escaner, Jr., head of the Radio Program Committee, initiated a survey among radio owners and practitioners asking them how the KBP Radio Code could be improved. (Velasco, 2006) At that time, the broadcast industry had changed significantly, affected in part by the change in technology and by globalization. The industry had to respond to the new environment and cope with the changes and subsequent issues/problems resulting from these changes.

Thus began the tedious process of revising the Codes.

In 1997, a survey questionnaire was distributed to 2,200 radio practitioners through the local KBP chapters, together with a Radio Code to serve as guideline for the respondents in evaluating the Code. The questions were broad and open-ended. This made it difficult for the respondents to answer the questionnaire completely. Only 17% (374) of the questionnaire was returned. The results of the survey were not fully analyzed but the research output served as basis for some of the revisions that followed in the succeeding years.

In 1999, some of the sections of the Codes were changed but generally, the 1993 versions were still in force, thus a “new” revised edition was printed. The noteworthy change in the 1999 edition is the abolition of the section on “Classification of Movie Trailers”. Prior to this revision, KBP was classifying the movie trailers into class “A” or Class “B”. This was deleted since a MOA between KBP and the Movie and Television Rating and Classification Board (MTRCB) was forged, leaving the job of classification to MTRCB.

In 2000, then Board member Maloli Manalastas pursued the revision of the KBP TV Code. This time, she formed sub-committees composed of television practitioners as well as academicians to review and formulate new policies that will improve the KBP Codes. The sub-

committees formed were: Entertainment, News, Commentaries and News Analysis, and Children's Program.

In 2002, a set of recommendations for the revision of the codes from these various sub-committees (both under the Radio Program Committee and TV Program Committee) was submitted to the KBP-SA and KBP Board for approval. The document was then given to a private consultant for final consolidation, editing and styling.

The consolidated document was then returned to the KBP in 2005 where a committee composed of KBP Executive Director Rey Hulog, KBP-SA Chair Dan Cura, and two other SA members reviewed the documents again. From this committee, the document was forwarded to the KBP-SA for the finalization of the penal provisions and a final look-see of the entire document. From this exercise, five more revised drafts were made until a final version was completed.

In August 2006, the KBP Board approved the final version and just last September 20, 2006, the KBP General Membership in their monthly general meeting ratified several major changes in the Codes. These included revisions in the section of News and Public Affairs, Crisis and Crisis Situations, Religious Programs, Music and Block timers. The details of these revisions are discussed in the following pages.

The whole manuscript was ratified by the general membership *in toto*, in November 2006 during the yearly Top Level Management Conference held in Tagaytay. The new Philippine Broadcast Code shall be printed and made available to the KBP members, as well as to the general public, in December 2007.

## **The Philippine Broadcast Code Today**

What makes the new code different from the old codes?

First, and the most obvious, the Radio Code and the TV Code were fused into one Code. Henceforth, this will be known as **The Philippine Broadcast Code**. The Code is focused primarily on Program Standards. The Advertising Standards, which in the past is in the same manual, will be a separate manual. Another Committee is looking into this at present.

Second, the Broadcasters' Code of Ethics or what will be known as the KBP Broadcasting Principles, was formulated as an introductory material to the Code. It should be noted that the old codes were basically program standards. Ethics are mentioned or inferred as part of the guidelines but was not formally articulated in the manner it has been formulated now. The Broadcasters' Code of Ethics is expressed using the first letters of the words - KBP BRODKASTER – and is in Filipino, with an English translation. The present chair of the KBP-SA Board, Mr. Dan Andrew Cura and this author, formulated this.

The KBP Brodkaster's Code of Ethics reads as follows:

**K** atotohanan (Truth) *ang pangunahing layunin ng brodkaster sa pamamahayag ng mga balita, pangyayari at kuro-kuro*

**B** ukas na Isipan (Open-mindedness) *ang taglay ng brodkaster sa mga nagtutunggaling kaisipan at pangangatwiran. Hindi siya dalidaling bumuhusga ayon sa sariling pananaw kundi pinag-aaralan muna ang iba't ibang paraan ng pagtanaw sa isyu.*

**P** ananagutan (Accountability) *sa madlang tagapakinig at manonood ang pasan ng brodkaster. Maingat at may pagpapahalaga siya sa bawat salitang binibigkas at imaheng ipinalalabas. Serbisyo Publiko ang pangunahin niyang layunin.*

**B** alanse (Balance) *sa pamamahayag at paglalathala ng balita, kuro-kuro, pananaw at talakayan sa himpapawid ang isang mahusay na brodkaster.*

**R** esponsible (Responsible) *ang brodkaster sa pangangalaga sa kanyang pangalan at sa pangalan ng KBP at ng industriya ng pamamahayag.*

**O** toridad sa Saligang Batas (Authority of the Constitution) *ang isinusulong ng brodkaster sa labat ng pagkakataon. Ipinagtatanggol, ipinaglalaman at pinangangalagaan niya ang Malayang Pamamahayag at karapatan ng madla humanap at tumanggap ng impormasyon.*

**D** angal at Kagandahang Asal (Dignity and Decorum) *ang taglay ng isang propesyonal na brodkaster sa salita, isip, gawa at pagkatao sa loob at labas ng himpilan.*

**K** atuwiran (Righteousness) *ang laging maaasahan sa tunay na brodkaster. Sa bawat pagkakataon ay pinaninindigan niya ang tama at inibahayag ang mali. May taglay siyang kabutihan, paggalang at kagandahang-loob.*

**A** laga at Pag-iingat (Careful and Prudent) *sa paggamit at pagpapahayag ng mga maselan at kritikal na impormasyon ang maaasahan sa magaling na brodkaster. Pinangangalagaan niya ang pinanggalingan ng impormasyon.*

**S** umusunod (Obedient) *ang brodkaster sa mga panuntunan at tuntunin na nakasaad sa Pambansang Broadcast Code ng KBP, gayundin sa lahat ng mga batas na may kinalaman sa pagbobrodkast.*

**T** apat (Trustworthiness) *ang brodkaster sa mga panuntunan at tuntunin na nakasaad sa Pambansang Broadcast Code ng KBP, gayundin sa lahat ng mga batas na may kinalaman sa pagbobrodkast.*

**E** pektibo (Effective) *ang brodkaster sa mga panuntunan at tuntunin na nakasaad sa Pambansang Broadcast Code ng KBP, gayundin sa lahat ng mga batas na may kinalaman sa pagbobrodkast.*

**R** espeto (Respect) *sa kapwa mamamahayag, mga mamamayan at mga institusyon ay taglay ng isang mabuting brodkaster. Iginagalang niya ang karapatang pantao ng lahat at ang prinsipyong nagpapalagay na walang sala ang isang tao hanggang hindi napatutunayang may sala.*

Third, new sections or sub-sections have been added to the new code. These revisions were made to 1) highlight the issue or topic; 2) introduce a topic/issue not covered in the past Codes at all; 3) revise/reword the provisions to adapt to the new environment. Such topics include:

1. coverage and reportage of crime and crisis situations, cases involving minors and persons with different mental and physical abilities,
2. respect for individual rights,
3. guidelines for political propaganda, religious programs, gambling and betting and music, and
4. the use of production aids.

For example, the drafters added provisions on how to handle sensitive issues such as terrorism, hostage taking, beheading, rebellion and the like, which in the past Codes were not explicitly or extensively covered since these issues were not then problematic concerns of station owners and broadcasters. KBP felt the need to articulate, through the Codes, parameters that will guide the coverage and reportage of such topics or news.

Thus, we have expanded the provisions under the News and Public Affairs Section. Entirely new provisions under the Crime and Crisis Situation sub-section were added. These include:

A.12.a The coverage of crime and crisis situations such as hostage taking or kidnapping shall not put lives in greater danger. Such coverage should be minimized and due discretion should be exercised so as not to hinder or obstruct efforts of authorities to resolve the situation.

A.12.b The station shall avoid inflicting undue shock and pain to the families and loved ones of victims, disasters, accidents, and other tragedies. The name of fatalities should be aired only when their next of kin have already been notified or the names released by the authorities.



A.12.c The identity of victims of crimes that are in progress shall not be announced until the situation has been resolved or the authorities have released their names.

A.12.d The coverage of crime shall not provide vital information, or offer comfort or support to the perpetrators.

Also under the News and Public Affairs Section, a totally new sub-section on *Issues Involving Minors* has been added. Some sample provisions are:

A.14.a The right to privacy of children must always be respected. Since undue publicity or wrong labeling can cause harm to them, children who are victims of abuse or are in conflict with the law shall not be identified. Any information that might cause them to be identified is prohibited.

A.14.b. Surprise or unplanned (“ambush”) interviews of children are prohibited.

A.14.d. Children should not be required, coerced, or bribed to recall and narrate traumatic experiences, demonstrate horrific acts, or describe them in graphic details.

Another entirely new section was added in the Code titled *Individual Rights*.

Some sample provisions are:

B.1 The right to privacy of individuals shall be respected. Broadcast journalists should not intrude into matters which are purely private or personal and have no bearing on the public interest.

B.2 Persons affected by tragedy or grief shall be treated with respect and discretion. Acts that intrude into their private grief shall be avoided.

B.6 The airing of any video or audio material covering any form of physical and/or verbal assault or abuse against persons arrested, detained, or held in custody for the commission of a crime is prohibited.

B.7 Persons accused of wrongdoing or put in a bad light by a news story must be given immediate opportunity to reply within the same program where the story was aired or any program of his choice.

A very interesting development in the new Code is in the section on Gambling and Betting. The old Codes explicitly rule that

“The coverage of horseracing, cockfighting, jai-alai, and all forms of gambling, legal or illegal, shall not be allowed.”

Also,

“The announcements of tips, results, and schedules of horseracing, jai-alai, cockfighting, small town lottery (popularly known as lotto), last two numbers of the winning sweepstakes draw, and all forms of gambling shall not be allowed.”

The new Code, however, has allowed the coverage of gambling programs under two conditions: government authorizes the gambling activity and the program is aired on a delayed telecast. The sections read:

S.1.a Programs which feature the coverage of lotteries conducted by authorized government agencies shall be allowed. However, such programs may be aired on a delayed basis only between 11:00 pm and 5:00 am.

S.1.1.b Programs which feature the coverage of horseracing, cockfighting, and jai-alai shall be allowed only if licensed or authorized by the government. However, such programs may be aired on a delayed basis only between 11:00 pm and 5:00 am.

S.4 The announcement of results and schedules of horseracing and cockfighting may be allowed only for those which have been authorized by law. However, the announcement of tips is prohibited.

New provisions too have been included in the section on Music. First: the provision on the playing of 4 OPM songs every clock hour has been deleted. Since the existing E.O. 255 already covers this policy, it was recommended and ratified by the general membership to delete it.

Second, the term OPM was defined in the new Code. An OPM may take the form of a Filipino artist singing a Filipino song or a foreign song. Or it can be a foreign artist singing a Filipino composition/song or singing with a Filipino artist.

Third: the new code is clear in prohibiting songs with lyrics that are vulgar, or promote substance abuse, Satanism, violence, sexual perversion or demean any sector or society. This was added since there are songs now that offend the sensibilities of listeners.

Fourth: The tabulation or ranking of recorded music, such as "Top 10 hits", "Top 40", etc. must be based on valid criteria and supported by evidence.

And lastly, the new code reiterated in direct terms that "*receiving bribes (payola) to promote a recording using the station's airtime or facilities is prohibited*".

Another major revision in the new Code is the change in the penalties and the provision of rules and guidelines for its implementation. KBP has been criticized that its penalty provisions did not have any bite such that stations were not deterred at all violating the provisions of the Code. Thus, the major change in this section of the Code.

As in the past, violations have been classified according to light, serious, and grave offenses. Two different sets of penalties have been developed for radio and television. Moreover, the monetary penalties

imposed are not only for the offending individual but the corresponding penalties are also imposed on the radio or TV network/station concerned. The past penal provisions stated that the penalties maybe for the individual offender *and/or* the station. This time, the new penalties included monetary penalties for the individual offender *and* the station.

Highlights of the revised Penal Provisions are in Table 1.

*Comparative classification of provisions per penalty categories.*

It is interesting to note that the classification of the codes' section/provision under each penalty category is distinctly different from the old compared to the new classification. News and Public affairs, commentaries, religious programming, and political broadcasts were classified in the old code under Light Offense. In the new code, these program standards are classified under the Grave Offense category. This may be attributed to the fact that when the old codes were crafted, the country was under the martial rule regime, thus these programs were considered "safe" in terms of content and delivery. Moreover, news and public affairs programs were not considered prime time program content in the past compared to what these have become at present.

Another interesting category in the old codes is the classification of drama programming for radio under the Grave Offense category. Again, the broadcast environment during the 70s and 80s has given premium time for drama programs for radio. Unlike today, radio drama is no longer considered primetime broadcast material. Even in the provinces, where radio drama dominates primetime programming, it is now a diminishing program breed.

The penalties under the new code now may range, for radio violations, from a low of P5,000 and reprimand for the offending individual and P10,000 and censure for the station to a high of P30,000 and revocation of accreditation for the individual and P60,000 for the station plus perpetual ban of the program and 120-day suspension of membership privileges.

For television, on the other hand, the lowest monetary penalty is P10,000 and reprimand for the individual while for the station, the monetary penalty is P20,000 and censure, while the highest possible

Table 1. Comparative classification of provisions per penalty categories

OLD CODES		NEW CODE	
Penalty	Provision/Section	Penalty	Provision/Section
<b>Grave Offense</b>	Sex and Violence (Radio/TV)	<b>Grave Offense</b>	Sex and Violence
	Drama Programming (Radio)		Children's Program
	Children's Program (Radio/TV)		Gambling and Lotteries
	General Program Standards (Radio/TV)		General Provisions
	Gambling and Lotteries (Under Advertising Standard in Radio, but under both Advertising Standards and Program Standards for TV)		News and Public Affairs
	Showing of Movies and Movie Trailers (TV)		Political Broadcasts
	Superstition and Occult (TV)		Religious Programs
			Public Complaints
			Music
			Medical and Legal Advise
<b>Serious Offense</b>	Music (Radio)	<b>Serious Offense</b>	Music
	Medical and Legal Advise (Radio)		Medical and Legal Advise
	<i>For TV -- None for Program Standards, only for Advertising Standards</i>		News and Public Affairs
			Political Broadcasts
			Personal Calls or Messages
			Public Complaints
<b>Light Offense</b>	News and Public Affairs (Radio/TV)	<b>Light Offense</b>	Personal Calls and Messages
	Commentaries (TV)		Fund Raising
	Political Broadcasts (Radio/TV)		
	Personal Calls and Messages		
	Appeals (Radio)		
	Public Complaints (Radio)		
	Quiz Shows (Radio)		
	Contests, Public Participation Programs and Promotions (TV)		
	Fundraising (Radio/TV)		
	Religion and Religious Programming (Radio/TV)		
	Use of Crawls (TV)		

Table 2. Comparative schedule of penalties for radio

LIGHT OFFENSE	OLD CODES (RADIO)		NEW CODE (RADIO)	
	Individual	Station	Individual	Station
1st	P1,000 and/or written reprimand to the individual employee/ block timer/announcer	Censure for the station	P5,000 and reprimand	P10,000 and reprimand
2nd	P3,000 and/or three (3) months suspension of individual employee/ blocktimer/announcer	Three (3) months suspension of privileges for the station	P10,000 and 15-day on-air suspension	P20,000 and 15-day suspension of program
3rd	P5,000 and/or six (6) months suspension of individual employee/ blocktimer/announcer	Six (6) months suspension of privileges for the station	P15,000 and 30-day on-air suspension	P30,000 and 30-day suspension of program
4th	Cancellation or revocation of accreditation of individual employee/ blocktimer/announcer	Recommendation for expulsion from KBP membership and recommendation to the National Telecommunications Commission (NTC) for the cancellation of permit to operate the station	P20,000 and revocation of accreditation	P40,000 plus perpetual ban of the program and 60-day suspension of membership privileges
SERIOUS OFFENSE	OLD CODES (RADIO)		NEW CODE (RADIO)	
	Individual	Station	Individual	Station
1st	P2,000 and/or written reprimand o the individual employee/ blocktimer/announcer	Censure for the station	P10,000 and reprimand	P20,000 and reprimand
2nd	P4,000 and/or six (6) months suspension of individual employee/ blocktimer/announcer	Six (6) months suspension of privileges for the station	P15,000 and 30-day on-air suspension	P30,000 and 30-day suspension of program
3rd	P8,000 and/or twelve (12) months suspension of individual employee/ blocktimer/announcer	Twelve (12) months suspension of privileges f or the station	P20,000 and 60-day on-air suspension	P40,000 and 60-day suspension of program
4th	Cancellation or revocation of accreditation of individual employee/ blocktimer/announcer	Recommendation for expulsion from KBP membership and recommendation to the National Telecommunications Commission (NTC) for the cancellation of permit to operate the station	P25,000 and revocation of accreditation	P50,000 plus perpetual ban of the program a nd 90-day suspension of membership privileges
GRAVE OFFENSE	OLD CODES (RADIO)		NEW CODE (RADIO)	
	Individual	Station	Individual	Station
1st	P3,000 and/or written reprimand to the individual employee/ blocktimer/announcer	Censure for the station	P15,000 and reprimand	P30,000 and reprimand
2nd	P5,000 and/or twelve (12) months suspension of individual employee/ blocktimer/announcer	Twelve (12) months suspension of privileges for the station	P20,000 and 60-day on-air suspension	P40,000 and 60-day suspension of program
3rd	P10,000 and/or twenty-four (24) months suspension of individual employee/ blocktimer/announcer	Twenty-four (24) months suspension of privileges for the station	P25,000 and 90-day on-air suspension	P50,000 and 90-day suspension of program
4th	Cancellation or revocation of accreditation of individual employee/ blocktimer/announcer	Recommendation for expulsion from KBP membership and recommendation to the National Telecommunications Commission (NTC) for the cancellation of permit to operate the station	P30,000 and revocation of accreditation	P60,000 plus perpetual ban of the program a nd 120-day suspension of membership privileges

Table 3. Comparative schedule of penalties for television

LIGHT OFFENSE	OLD CODES (TV)		NEW CODE (TV)	
	Individual	Station	Individual	Station
1st	P3,000 and/or written reprimand to the individual employee/ block timer/announcer	Censure for the station	P10,000 and reprimand	P20,000 and reprimand
2nd	P5,000 and/or three (3) months suspension of individual employee/ blocktimer/announcer	Three (3) months suspension of privileges for the station	P15,000 and 15-day on-air suspension	P30,000 and 15-day suspension of program
3rd	P10,000 and/or six (6) months suspension of individual employee/ blocktimer/announcer	Six (6) months suspension of privileges for the station	P20,000 and 30-day on-air suspension	P40,000 and 30-day suspension of program
4th	Cancellation or revocation of accreditation of individual employee/ blocktimer/announcer	Recommendation for expulsion from KBP membership and recommendation to the National Telecommunications Commission (NTC) for the cancellation of permit to operate the station	P25,000 and revocation of accreditation	P50,000 plus perpetual ban of the program and 60-day suspension of membership privileges
SERIOUS OFFENSE	OLD CODES (TV)		NEW CODE (TV)	
	Individual	Station	Individual	Station
1st	P5,000 and/or written reprimand to the individual employee/ blocktimer/announcer	Censure for the station	P15,000 and reprimand	P30,000 and reprimand
2nd	P8,000 and/or six (6) months suspension of individual employee/ blocktimer/announcer	Six (6) months suspension of privileges for the station	P20,000 and 30-day on-air suspension	P40,000 and 30-day suspension of program
3rd	P15,000 and/or twelve (12) months suspension of individual employee/ blocktimer/announcer	Twelve (12) months suspension of privileges for the station	P25,000 and 60-day on-air suspension	P50,000 and 60-day suspension of program
4th	Cancellation or revocation of accreditation of individual employee/ blocktimer/announcer	Recommendation for expulsion from KBP membership and recommendation to the National Telecommunications Commission (NTC) for the cancellation of permit to operate the station	P30,000 and revocation of accreditation	P60,000 plus perpetual ban of the program and 120-day suspension of membership privileges
GRAVE OFFENSE	OLD CODES (TV)		NEW CODE (TV)	
	Individual	Station	Individual	Station
1st	P7,000 and/or written reprimand to the individual employee/ blocktimer/announcer	Censure for the station	P20,000 and reprimand	P40,000 and reprimand
2nd	P10,000 and/or twelve (12) months suspension of individual employee/ blocktimer/announcer	Twelve (12) months suspension of privileges for the station	P25,000 and 30-day on-air suspension	P50,000 and 60-day suspension of program
3rd	P20,000 and/or twenty-four (24) months suspension of individual employee/ blocktimer/announcer	Twenty-four (24) months suspension of privileges for the station	P30,000 and 60-day on-air suspension	P60,000 and 90-day suspension of program
4th	Cancellation or revocation of accreditation of individual employee/ blocktimer/announcer	Recommendation for expulsion from KBP membership and recommendation to the National Telecommunications Commission (NTC) for the cancellation of permit to operate the station	P35,000 and revocation of accreditation	P70,000 plus perpetual ban of the program and 150-day suspension of membership privileges

sanction is P35,000 and revocation of accreditation for the individual and P70,000 for the station plus perpetual ban of the program and 150-day suspension of membership privileges.

## Conclusion

The KBP Program Standards as defined in the Radio and Television Codes were crafted to professionalize and raise the standards of the broadcasting industry in the country. The KBP codes had their beginnings in the first Broadcast Code of the Philippines as formulated by the Broadcast Media Council, a government agency created to oversee the broadcast industry. From this government-initiated code, the present KBP Codes have undergone several revisions in response to the ever-changing environment of the industry – affected not only by the fast and dynamic changes in technology but more significantly, by the volatile socio-political scenario in the country.

Critics have often chided KBP as an “all-boys club” formed as the private counterpart of the defunct government Media Advisory Council to protect broadcast owners’ interests against government intervention and control. This may have some truth to it, but in fairness to KBP, it has taken upon itself the responsibility to police its ranks and to be vigilant in assuring that its members toe the line of ethical broadcasting, especially with Presidential Decree 576 that allows the broadcasting industry to function under the concept of self-regulation. With this great responsibility is the acknowledged recognition of the freedom to shape and define the industry according to standards that will benefit not only the broadcast owners and practitioners themselves, but also and more importantly, the public who consumes broadcast media as part of their daily life.

It is in this light that the Philippine Broadcast Code as revised and ratified this year by the KBP general membership was crafted. Many of the provisions have set program standards in very definite and clear terms to guide practitioners in the conduct of their roles as carriers and shapers of values, opinions, popular culture, and world views, among others. The program codes also aim to professionalize and upgrade the practice of broadcasting in the country through provisions that set the tone for the ethical conduct of the profession.



It can therefore be said that the Philippine Broadcast Code as formulated by KBP is its best weapon to assert its freedom to articulate policies and formulate rules that media owners and practitioners themselves believe and accept as reasonable and appropriate to guide the management and operation of the industry without curtailing their basic right of expression.

With regard to the process of revising the Code, several conclusions can be made based on the actual experience of the author. The first observation is the piecemeal approach in reviewing the Code. New provisions are added as a reactive response to an issue or crisis situation that affects the industry, (i.e., beheading, hostage-taking, and rebellion coverage of such news). Lawyer Rudolf Jularbal, one of the KBP Board members actively involved in the code's revision, rationalizes that the seemingly piece meal approach is not a function of the reluctance or the nonchalant attitude of the officers to change the Code but rather the revisions are needed only for those that need modification or improvement; "why fix it when it is not broken?" he asked.

Another noteworthy observation is the very long process involved in the revision. It took almost 10 years to completely overhaul the code due to the participatory and consultative nature of the association. Every major provision revised underwent several consultations and debate among the practitioners themselves, as well as other interest groups, before the provision is passed to the KBP Board and the General membership for approval. This is the function of democracy in action.

Moreover, the speed and quality of the codes' revision is dependent on who is on the Board or the Committee in charge of the codes' revision. Since membership in the association and the board/committees is voluntary, the members cannot be expected to give full-time attention to the association. This has consequences to the KBP Secretariat; it is overburdened in scheduling meetings, following-up, and coordinating among committee members for the revision to progress, on top of the other functions they have to perform for the association.

## **Recommendations**

Since the codes include issues affecting several sectors of society and not only practitioners, it is recommended that other stakeholders