

AN ORDINANCE PROHIBITING AND PENALIZING THE PRINTING, PUBLICATION, SALE, DISTRIBUTION AND EXHIBITION OF OBSCENE AND PORNOGRAPHIC ACTS AND MATERIALS AND THE PRODUCTION, RENTAL, PUBLIC SHOWING AND VIEWING OF INDECENT AND IMMORAL MOVIES, TELEVISION SHOWS, MUSIC RECORDS, VIDEO AND VHS TAPES, LASER DISCS, THEATRICAL OR STAGE AND OTHER LIVE PERFORMANCES, EXCEPT THOSE REVIEWED BY THE MOVIE, TELEVISION REVIEW AND CLASSIFICATION BOARD (MTRCB).

Be it ordained by the City Council of Manila, THAT:

**SECTION 1. Title:** This ordinance shall be known as the ANTI-OBSCENITY AND PORNOGRAPHY ordinance of the City of Manila.

**SEC. 2. Definition of Terms:** As used in this ordinance, the terms:

- A. **Obscene** shall refer to any material or act that is indecent, erotic, lewd or offensive, or contrary to morals, good customs or religious beliefs, principles or doctrines, or to any material or act that tends to corrupt or deprive the human mind, or is calculated to excite impure imagination or arouse prurient interest, or is unfit to be seen or heard, or which violates the proprieties of language or behavior, regardless of the motive of the printer, publisher, seller, distributor, performer or author of such act or material, such as but not limited to:
1. Printing, showing, depicting or describing sexual acts;
  2. Printing, showing, depicting or describing children in sexual acts;
  3. Printing, showing, depicting or describing completely nude human bodies; and
  4. Printing, showing, depicting or describing the human sexual organs or the female breasts.
- B. **Pornographic or pornography** shall refer to such objects or subjects of photography, movies, music records, video and VHS tapes, laser discs, billboards, television, magazines, newspapers, tabloids, comics and live shows calculated to excite or stimulate sexual drive or impure imagination, regardless of the motive of the author thereof, such as, but not limited to the following:
1. Performing live sexual acts in whatever form;
  2. Those other than live performances showing, depicting or describing sexual acts;
  3. Those showing, depicting or describing children in sex acts;
  4. Those showing, depicting, or describing completely nude human body, or showing, depicting or describing the human sexual organs or the female breasts.
- C. **Materials** shall refer to magazines, newspapers, tabloids, comics, writings, photographs, drawings, paintings, billboards, decals, movies, music records, video and VHS tapes, laser discs, and similar matters.

**SEC. 3. Prohibited Acts** The printing, publishing, distribution, circulation, sale and exhibition of obscene and pornographic acts and materials and the production, public showing and viewing of video and VHS tapes, laser discs, theatrical or stage and other live performances and private showing for public consumption, whether for free or for a fee, of pornographic pictures as herein defined are hereby prohibited within the City of Manila and accordingly penalized as provided herein.

**SEC. 4. Penalty Clause:** Any person violating this ordinance shall be punished as follows:

1. For the printing, publishing, distribution or circulation of obscene or pornographic materials; the production or showing of obscene movies, television shows, stage and other live performances; for producing or renting obscene video and VHS tapes, laser discs, for viewing obscene movies, television shows, video and VHS tapes, and laser discs or stage and other live performances; and for performing obscene act on stage and other live performances - imprisonment of one (1) year or fine of five thousand (P5,000.00) pesos, or both, at the discretion of the court.
2. For the selling of obscene or pornographic materials - imprisonment of not less than six (6) months nor more than one (1) year or a fine of not less than one thousand (P1,000.00) pesos, nor more than three thousand (P3,000.00) pesos.

Provided, that in case the offender is a juridical person, the President and the members of the board of directors, shall be held criminally liable; Provided, further, that in case of conviction, all pertinent permits and licenses issued by the City Government to the offender shall automatically be revoked and the obscene or pornographic materials shall be confiscated in favor of the City Government for destruction; Provided, furthermore, that in case the offender is a minor and unemancipated and unable to pay the fine, his parents or guardian shall be liable to pay such fine; Provided finally, that this ordinance shall not apply to materials printed, distributed, exhibited, sold, filmed, rented, viewed or produced by reason of or in connection with or in furtherance of science and scientific research and medical or medically related art, profession, and for educational purposes.

**SEC. 5. Repealing Clause:** All ordinances, rules and regulations or parts thereof in conflict or inconsistent with the provisions of this ordinance are hereby repealed, amended or modified accordingly.


**SEC. 6. Separability Clause:** If any provision of this ordinance is declared void, the provisions not affected thereby shall remain in full force and effect.


**SEC. 7. Effectivity:** This ordinance shall take effect thirty (30) days after publication in a newspaper of general circulation in the City of Manila.

Enacted by the City Council of Manila at its regular session today, January 28, 1993.


Approved by His Honor, the Mayor on *February 19, 1993.*

APPROVED:

  
ALFREDO S. LIM  
Mayor  
City of Manila

  
JOSE L. ATIENZA, JR.  
Vice Mayor and Presiding Officer  
City Council, Manila

ATTESTED:

  
RAFAELITO M. GARAYBLAS  
Secretary to the Mayor

  
EMMANUEL R. SISON  
Secretary to the City Council

*V. P. O. J. M.*