



SENATE

S. No. 1654

PREPARED AND SUBMITTED JOINTLY BY THE COMMITTEES ON
PUBLIC INFORMATION AND MASS MEDIA; CIVIL SERVICE,
GOVERNMENT REORGANIZATION AND PROFESSIONAL
REGULATION; AND FINANCE WITH SENATORS GATCHALIAN
AND VILLANUEVA AS AUTHORS THEREOF

AN ACT ABOLISHING THE OPTICAL MEDIA BOARD
CREATED UNDER REPUBLIC ACT NO. 9239,
TRANSFERRING ITS POWERS AND FUNCTIONS
TO THE INTELLECTUAL PROPERTY OFFICE OF
THE PHILIPPINES, AND FOR OTHER PURPOSES

*Be it enacted by the Senate and House of Representatives of
the Philippines in Congress assembled:*

- 1 SECTION 1. *Abolition of the Optical Media Board.* –
2 The Optical Media Board (OMB) created under Republic
3 Act No. 9239 or the “Optical Media Act of 2003”, is hereby
4 abolished.

1 SEC. 2. *Transfer of Powers and Functions to IPOPHL.* –

2 All powers, functions, and responsibilities of the OMB
3 under Section 10 of Republic Act No. 9239 on:

4 (a) Licensing, regulation, and inspection of
5 establishments engaged in reproduction and distribution of
6 copyrighted works in physical media or their digital
7 equivalents, including visitorial powers;

8 (b) Enforcement of administrative and penal
9 provisions relating to unauthorized reproduction of
10 copyrighted works; and

11 (c) Database and registry maintenance on licensed
12 establishments and reproduction equipment

13 are hereby transferred to the Intellectual Property
14 Office of the Philippines (IPOPHL).

15 The IPOPHL may create a separate division under its
16 Bureau of Copyright and Related Rights to perform the
17 OMB functions so transferred.

1 SEC. 3. *Absorption of Affected Personnel, Separation,*
2 *and Retirement Benefits.* – The IPOPHL shall absorb the
3 employees of the Secretariat of the abolished OMB,
4 without diminution of their salaries and other benefits.
5 Employees who are separated from the service as a result
6 of the abolition of the OMB and its Secretariat shall
7 receive separation benefits under applicable laws and
8 regulations: *Provided,* That those who are qualified to
9 retire under existing laws shall be allowed to retire and
10 receive retirement benefits to which they may be entitled
11 under applicable laws, rules, and regulations.

12 SEC. 4. *Transfer of Properties and Resources to*
13 *IPOPHL.* – The IPOPHL shall be subrogated to all the
14 rights and assume all the obligations and liabilities, and
15 receive all records, property, assets, equipment, and funds
16 of the OMB, including unexpended appropriations or
17 allocations.

18 SEC. 5. *Appropriations.* – The funds necessary to
19 implement this Act shall be sourced from current

1 appropriations of the OMB. Thereafter, appropriations
2 shall be included in IPOPHL's annual budget.

3 SEC. 6. *Repealing Clause.* – Any law, presidential
4 decree or issuance, executive order, letter of instruction,
5 administrative order, proclamation, charter, rule or
6 regulation, or parts thereof contrary to or inconsistent with
7 the provisions of this Act is hereby repealed, modified, or
8 amended accordingly.

9 SEC. 7. *Separability Clause.* – If for any reason, any
10 section or provision of this Act is declared unconstitutional
11 or invalid, other sections or provisions which are not
12 affected thereby shall continue to be in full force and effect.

13 SEC. 8. *Effectivity.* – This Act shall take effect after
14 fifteen (15) days following its publication in the *Official*
15 *Gazette* or in two (2) newspapers of general circulation.

Approved,