



SINCE 1964

OUTDOOR ADVERTISING ASSOCIATION OF THE PHILIPPINES

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OFFICIAL POSITION OF OAAP Re: MMDA Resolutions Nos. 10-2014 and 11-2014

The Metro Manila Council comprised of Metro Manila Mayors, has recently signed the following Metropolitan Manila Development Authority ("MMDA") Resolutions:

- a. MMDA Resolution No. 14-10, Series of 2014, which is the resolution adopted by the Metro Manila Council fully supporting the Makati City Billboard and Signage Ordinance and encouraging the local government units in Metro Manila to adopt the same, to be known as the "Makati Model".
- b. MMDA Resolution No. 14-11, Series of 2014, which is the resolution authorizing the MMDA and the MMDA Billboard Office to adopt the Makati Model in relation to disaster situations.

Of particular note is MMDA Resolution No. 14-10, Series of 2014, since the local government units of Metro Manila are encouraged to adopt the Makati Model through their respective ordinances. In effect, most of Metro Manila will observe the same limitations imposed by the local government of Makati City on billboards, particularly with the requirement for size, height, distance, and setback, among others.

Pursuant to *Republic Act No. 7160*, otherwise known as *the Local Government Code*, before local government units in Metro Manila can adopt the Makati Model, they **must** first pass an ordinance within their respective jurisdictions. This necessarily requires the conduct of public hearings and consensus among all the stakeholders concerned. The procedure for enacting an ordinance takes a considerable amount of time.

It is, therefore, the humble position of the OAAP that the above MMDA Resolutions are not self-executory in nature. The MMDA Resolutions signed by the Metro Manila Council can be considered as mere agreements in principle only and do not translate to an actual enforceable ordinance or local law.

Furthermore, it is important to stress that the MMDA has **no** power to act adversely against any billboard structures, as of the moment, considering the Injunction issued against the MMDA by the Regional Trial Court of Makati City, Branch 58, in the case entitled "*Summit Publishing, Inc. et al. v. Francis Tolentino, MMDA and DPWH*" docketed as SCA Case No. 12-1157.

Nevertheless, the OAAP exists as a self-regulating body to promote growth and advancement of the industry under the ideals of legal and ethical practice and, as such, has a solemn commitment to obey the rule of law. Needless to state, the OAAP shall comply with all ordinances compliant, consistent and adhering to our existing Philippine laws and the *1987 Philippine Constitution*.

It is important to remind all the industry stakeholders that the rights of the advertisers and billboard owners revolve around the Bill of Rights enshrined in *Article III of the 1987 Philippine Constitution*. This involves right to property, right to form associations, to protect the interest of members of a particular industry, and the right of freedom of expression. The OAAP, as one of the vanguards of the outdoor advertising industry, will remain faithful and steadfast to defend the industry rights and adhere to the accepted and recognized principles of the rule of law.

By: OUTDOOR ADVERTISING ASSOCIATION OF THE PHILIPPINES (OAAP)

**Cc: PHILIPPINE ASSOCIATION OF NATIONAL ADVERTISERS (PANA)
MEDIA SPECIALISTS ASSOCIATION OF THE PHILIPPINES (MSAP)
ASSOCIATION OF ACCREDITED ADVERTISING AGENCIES-PHILS. (4As)**

