



17 September 2014

**OMAG STATEMENT ON
MMDA RESOLUTIONS NOS. 14-10 AND 14-11, series of 2014**

The Outdoor Media Advocacy Group (OMAG) is concerned about the recent resolutions issued by the Metropolitan Manila Development Authority (MMDA), specifically MMDA Resolutions Nos. 14-10 and 14-11, both series of 2014.

MMDA Resolution No. 14-10 enunciates the Metro Manila Council's support for the Makati City Billboard and Signage Ordinance (the "Makati Ordinance"), encourages the councils of other local government units of Metro Manila to adopt the salient features of the said Makati Ordinance, and advises the LGUs that the MMDA may be deputized or asked assistance to implement the billboard ordinances.

On the other hand, MMDA Resolution No. 14-11 authorizes the MMDA and the MMDA Billboard Office to adopt the Makati Ordinance in relation to disaster preparedness and further authorizes the Chairman of the MMDA to issue Memorandum Circulars in furtherance of the resolution.

As far as MMDA Resolution No. 14-10 is concerned, even from the wording thereof, the adoption of the Makati Ordinance is not automatic as each LGU's council should still take the appropriate steps to adopt and promulgate its own ordinance. As many of us are aware, it took the Makati City council more than one (1) year to craft and finalize the Makati Ordinance, taking into consideration several factors, including the different zones/areas in the City of Makati. As such, we believe that substantial time, study, attention and public consultation and discussion shall still be devoted by each LGU's council or "sanggunian" should they opt to adopt the Makati Ordinance.

On the issue of MMDA Resolution No. 14-11, OMAG is deeply disappointed with the MMDA's actions. Firstly, when it approached and alarmed the PANA and other client/agency associations instead of giving the notices to the owners of the outdoor structures themselves. The matter of the outdoor advertising inventory list is not for our clients, but it is our concern as suppliers. OMAG fails to understand the motives behind the MMDA's actions. As owners of the structures, our members should, to the mind of the MMDA, be in a better position to provide them with the information they need. We, therefore, advise the PANA, the 4As, MSAP and other client/agency associations to refer the MMDA to us, your OOH supplier, for this matter, instead of dealing directly with the MMDA yourselves.

Secondly, and this might be reason why the MMDA approached our clients and not us directly, the MMDA is fully aware that on 25 October 2013, Branch 58 of the Regional Trial Court of Makati City granted OMAG's application for preliminary injunction against the MMDA restraining the MMDA from:

- "(1) confiscating, rolling down and/or demolishing or otherwise dismantling the billboards of Petitioners and all other entities similarly engaged in the business of outdoor media advertising on the basis of non-compliance with the Memorandum Circulars Nos. 10, 11, 12 and 13, **MMDA Regulation 04-004** and the MOA between the DPWH and the MMDA;
- (2) further denying all applications for billboard clearances and permits on the basis of the **aforementioned circulars, regulations and the MOA**; and
- (3) universally implementing and enforcing the aforementioned MOA between the DPWH and the MMDA and the MMDA Memorandum Circulars **and other issuances regarding billboards by the MMDA and other government agencies.**" (emphasis ours)

OMAG filed the abovementioned case to question whether the MMDA has the power and authority to promulgate laws, rules and regulations affecting billboards and the outdoor advertising industry. The grant of the injunction seriously put in question the authority of the MMDA to promulgate rules and regulations that would govern the outdoor advertising industry, and that while the case was filed by the OMAG members, the injunction also benefitted and protected all other outdoor media companies from the MMDA.

OMAG is concerned that the adoption of MMDA Resolution No. 14-11 was meant to circumvent the lawful orders of Branch 58 of the Makati RTC and undermine the authority of the said court. If this is so, then OMAG is prepared to question the said resolution at the appropriate forum.

THE OUTDOOR MEDIA ADVOCACY GROUP