



Republic of the Philippines  
OFFICE OF THE PRESIDENT  
**OPTICAL MEDIA BOARD**

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**OFFICE OF THE CHAIRMAN AND CEO  
MEMORANDUM CIRCULAR NO. 2017-001**

**TO : ALL CONCERNED**

**RE : Regulation in the Utilization of Optical and Magnetic Media in all forms as regards Visual Aids or Ocular Assistance attached to Educational or otherwise Informative Paper-Based Media**

**WHEREAS**, the manufacture, importation, exportation, sale or distribution of Optical and Magnetic Media in all forms, as well as manufacturing equipment, accessories and appurtenances thereto (hereafter referred to as "Optical and Magnetic Media") include the utilization of the same;

**WHEREAS**, to effectively monitor the proper utilization of Optical and Magnetic Media, there is a need to regulate the manner and place of its use of the aforesaid Media, for compensation or otherwise;

**WHEREAS**, the unregulated use of Optical and Magnetic Media is detrimental to the national economy and public interest;

**WHEREAS**, as part of its regulatory functions, the Optical Media Board (OMB) requires the Registration and Licensing of Existing Establishment and Entities engaged in acts provided under the Implementing Rules and Regulation of Republic Act 9239, otherwise known as "Optical Media Act of 2003";

**WHEREAS**, while entities or individuals engaged in the business of books or otherwise informative paper-based media with attached optical or magnetic media are already covered by R.A. 9239 or the "Optical Media Act of 2003", there is yet no law which provides guidelines for their compliance with the licensing and registration requirements of the Optical Media Board;

**NOW**, therefore, pursuant to Board Resolution No. 17-08-03 and the powers and functions of the OMB under Section 10 (a) and (c) of RA 9239 relative to the formulation and granting and/or renewal of licenses, the following are hereby regulated:

Section 1. Registration Requirement; Utilization – Entities, Establishments and Individuals engaged in the sale, rental or otherwise utilize Optical and Magnetic Media for commercial purpose involving paper-based medium, as well, as manufacturing equipment and materials thereof, are required to register and acquire the necessary license and/or permit with the Registration and Licensing Division (hereinafter referred to as "RLD") of the Optical Media Board;

Section 2. Coverage – This Circular covers Entities, Establishments and individuals where Optical Media or Magnetic Media are utilized, for compensation or otherwise, through an agreement made in any form such as, but not limited to, sale, rental or any arrangement of analogous import.

Section 3. Paper-Based - For the purpose of this Circular, "Paper-Based" shall include but not limited to books, pamphlets, catalogues, monographs, and in proper cases, publications with attached Optical or Magnetic Media that is for sale, rental or otherwise.

Section 4. Validity – The license shall be effective and valid for a period of one (1) year from the date of issuance of the same by the RLD of the Optical Media Board.

Section 5. Fees – The applicant shall pay a one-time registration fee of Five Hundred Pesos (P500) and an annual license fee of Three Thousand Five Hundred Pesos (P3500) for each concerned establishment, its branch, extension, or otherwise stall used for the repository and/or storage of Optical and Magnetic Media, manufacturing equipment, accessories and appurtenances thereto.

Section 6. Commercial Purposes – For the purposes of this Circular, "Commercial Purposes" shall refer to all activities involving manufacture, importation, exportation, sale or distribution of Optical and Magnetic Media in all forms as well as manufacturing equipment, with intent to profit in reference to Sec. 3(f) of RA 9239.

Section 7. Penalty – Failure to comply with this Memorandum Circular shall be considered as a violation of Title II Sec. 10 (g) of Republic Act 9239 and Title IV Sec. 1 (a) of the Implementing Rules and Regulations of the same act, punishable by closure of establishment, confiscation of manufacturing equipment, parts, materials, or optical and magnetic media products and a penalty of not less than Three Hundred Thousand Pesos (P300,000.00) but not more than One Million Five Hundred Thousand Pesos (P1,500,000.00).

Section 8. Transitory Provisions – This Memorandum Circular shall apply prospectively without prejudice to pending applications in the RLD from the date of effectivity of this Memorandum Circular.

Section 9. Repeal – All orders, issuances, or parts thereof, which are inconsistent with the provisions of this Circular, are hereby repealed or modified accordingly.

Section 10. Severability – If any of the provisions of this Circular are declared invalid or unconstitutional, the other provisions not affected thereby shall remain valid and subsisting.

Section 11. Effectivity – This Circular shall take effect within (15) days from publication hereof.

  
**Atty. ANSELMO B. ADRIANO**  
Chairman and CEO