



Republic of the Philippines
OFFICE OF THE PRESIDENT
OPTICAL MEDIA BOARD

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**OFFICE OF THE CHAIRMAN AND CEO
MEMORANDUM CIRCULAR NO. 2016-007**

TO : ALL CONCERNED

RE : REGULATION OF ACCESSORIES, ADD-ONS, AND SUPPLEMENTS OF OPTICAL AND MAGNETIC MEDIA

WHEREAS, the Optical Media Board (hereinafter referred to as "OMB") seeks to monitor and regulate the production of accessories attached to Optical and Magnetic Media which provides information or augments the same;

WHEREAS, the unregulated proliferation of accessories, add-ons, and supplements of Optical and Magnetic Media is detrimental to national economy and public interest;

WHEREAS, the End Product of Optical and Magnetic Media in all forms for its importation, acquisition, sale or distribution usually include labels and casings to indicate its contents and purpose as well as for the physical protection and proper safekeeping of Optical and Magnetic Media;

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

NOW, therefore, pursuant to Board Resolution No. 16-06-07 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 promulgated:

ACCESSORIES

Section 1. Registration Requirement. - Entities engaged in the importation, exportation, acquisition, sale and distribution of accessories, add-ons, and supplements of Optical and Magnetic Media, are required to register and acquire the necessary Licenses and Permits with the Registration and Licensing Division (hereinafter referred to as "RLD") of the Optical Media Board;

Section 2. Covered Acts and Materials. - This Circular covers and includes, but is not necessarily limited to, the importation, exportation, acquisition, sale and distribution of accessories, add-ons, and supplements of Optical and Magnetic Media, such as:

1. Plastic CD Casings;
2. CD Sleeves;
3. Aluminum, Tin or metallic CD Casings;
4. CD Spools;
5. CD Albums; and
6. CD Trays/Shelves.

Section 3. Accessories - For the purposes of this Circular, "Accessories" shall refer to a subordinate of supplementary item that contributes to the effect, result, or purpose of Optical and Magnetic Media in all forms in reference to the provisions of RA 9239.

Section 4. End Product - For the purposes of this Circular, "End Product" shall refer to a subordinate of supplementary item that contributes to the effect, result, or purpose of Optical and Magnetic Media in all forms.

Section 5. Fees – Applicants shall pay a one-time Registration Fee FIVE HUNDRED PESOS (Php 500.00); an annual license fee of TWO THOUSAND PESOS (Php 2,000.00) as Retailer; TWO THOUSAND FIVE HUNDRED PESOS (Php 2,500.00) as Dealer; THREE THOUSAND FIVE HUNDRED PESOS (Php 3,500.00) as DISTRIBUTOR; TEN THOUSAND PESOS (Php 10,000.00) as Importer; TEN THOUSAND PESOS (10,000.00) as Exporter; and FIVE HUNDRED PESOS (Php 500.00) per Import or Export Permit which will be on a per waybill basis.

Section 6. Penalty – Failure to comply with this Memorandum Circular shall be considered as a violation of Title IV Sec. 1 (c) of the Implementing Rules and Regulations of RA 9239, punishable by 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 7. 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 8. Repeal – All orders, issuances, or parts thereof, which are inconsistent with the provisions of this Circular, are hereby repealed or modified accordingly.

Section 9. Severability – If any provisions of this Circular is declared invalid or unconstitutional, the other provisions not affected thereby shall remain valid and subsisting.

Section 10. Effectivity – This Circular shall take effect within fifteen (15) days from publication hereof.


Atty. Anselmo B. Adriano
Chairman and CEO