

DEPARTMENT ADMINISTRATIVE ORDER NO. _____
Series of 2026

Subject : **APPLICATION FOR THE MANDATORY DTI ADVERTISING AND SALES PROMOTION PERMIT**

WHEREAS, Section 9, Article XVI of the 1987 Constitution provides that the State shall protect consumers from trade malpractices and from substandard or hazardous products;

WHEREAS, Republic Act No. 7394 (RA7394), or the Consumer Act of the Philippines, declares that it is the policy of the State to protect the interests of the consumer, promote his general welfare, and establish standards of conduct for business and industry, and towards this end, the State shall implement measures to achieve the objective of protecting consumers against deceptive, unfair, and unconscionable sales acts and practices, among others;

WHEREAS, Article 108 of RA7394 states that the State shall protect the consumer from misleading advertisements and fraudulent sales promotion practices;

WHEREAS, Article 109 of RA7394 provides that the Department of Trade and Industry (DTI) shall enforce the provisions on Advertising and Sales Promotion, except with respect to food, drugs, cosmetics, devices and hazardous substances;

WHEREAS, Article 110 of RA7394 states that it shall be unlawful for any person to disseminate or to cause the dissemination of any false, deceptive or misleading advertisement by Philippine mail or in commerce by print, radio, television, outdoor advertisement or other medium for the purpose of inducing or which is likely to induce directly or indirectly the purchase of consumer products or services;

WHEREAS, Republic Act No. 11967 (RA11967), or the Internet Transactions Act of 2023, declares that it is the policy of the State to promote and maintain a robust electronic commerce (e-commerce) environment in the country by building trust between online merchants and online consumers, and towards this end, the State shall guarantee effective regulation of e-commerce to protect consumer rights, among others;

WHEREAS, Section 12 of RA11967 provides that the DTI shall exercise regulatory jurisdiction as to the use of internet for conducting e-commerce by e-marketplaces, online merchants, e-retailers, digital platforms, and third-party platforms, *Provided*, however, that the regulatory authority of the DTI shall be ancillary to any duly constituted regulatory jurisdiction granted to an agency by existing laws;

OFFICE OF THE SECRETARY

WHEREAS, Section 14 of RA11967 gives the DTI Secretary the power to issue a compliance order to require conformity with RA7394 or any other applicable trade and consumer protection issuances promulgated by the DTI;

NOW THEREFORE, foregoing premises considered, this Department Administrative Order (Order) is hereby issued for the guidance of all concerned.

RULE I GENERAL PROVISIONS

Section 1. Objective. This Order aims to strengthen the protection of consumers against false, deceptive, and misleading advertising practices by ensuring that concerned stakeholders comply with the provisions of RA7394, RA11967 and other applicable laws and regulations.

Section 2. Scope. This Order shall apply to all persons, natural or juridical, including e-marketplaces and digital platforms that facilitate advertising materials of products and services that are within the jurisdiction of the DTI under RA7394.

Section 3. Definition of Terms.

- a. **Advertisement Permit (AP)** – A permit granted for presenting, making available and communicating to the public, through any form of mass media, any fact, data or information about the attributes, features, quality or availability of consumer products, services or credit and shall not include non-promotional communication intended for informational purposes only;
- b. **Advertising** – The business of conceptualizing, presenting or making available to the public through any form of mass media, including website or webpage, fact, data or information about the attributes, features, quality or availability of consumer products, services or credit;
- c. **Sales Promotion** – Techniques intended for broad consumer participation which contain promises of gain such as prizes, in cash or in kind, as reward for the purchase of a product, security, service or winning in contest, game, tournament and other similar competitions which involve determination of winner/s and which utilize mass media or other widespread media of information. It also means techniques purely intended to increase the sales, patronage and/or goodwill of a product or service; and
- d. **Sales Promotion Permit (SPP)** – A permit granted for sales promotion campaign materials and schemes intended for broad consumer participation which contain promises of gain such as prizes, in cash or in kind, as reward for the purchase of covered product, or the winning in contest, game, tournament and other similar competitions for said product which involve determination of winner/s and which utilize mass media or other forms of communication to disseminate information on the same. It also includes materials that are intended to increase the sales,

patronage, and/or goodwill of said product; *Provided*, That these materials are accompanied by sales promotion campaigns.

RULE II ADVERTISING

Section 1. Advertising. Merchants and retailers are prohibited from disseminating or causing the dissemination of any false, deceptive or misleading advertisement of goods or services, which they sell or offer for sale either through brick-and-mortar stores or online or both, which is likely to directly or indirectly induce the consumers to purchase such goods or services.

Section 2. False, Deceptive or Misleading Advertisement. An advertisement shall be false, deceptive or misleading if it is not in conformity with the provisions of RA7394 or if it is misleading in a material aspect.

Section 3. Advertising Permit Requirement. An entity or its representative shall secure an AP from the DTI prior to disseminating to the public any kind of advertising material.

The AP shall serve as a mechanism for the DTI to ensure that advertisements are consistent with RA7394 or other relevant laws and regulations.

Furthermore, the AP shall serve as a permit for all advertising material prior its publication, display, and/or dissemination in any form in any applicable platform.

Section 4. Application for Advertising Permit (AP). AP applications shall be filed with the DTI at least thirty (30) working days prior to the dissemination of such advertising material. The DTI shall act upon all complete applications within the said period; *Provided, however*, that upon the issuance of a written deficiency notice, the processing period shall be deemed suspended from the date of such notice until the applicant submits the required corrections. Failure of the applicant to submit the complete corrections and or documents within the period prescribed by the DTI shall constitute a ground for the denial of the application.

The application for an AP shall be filed on a per advertising material, irrespective of the number of brands or models involved.

Section 5. Documentary Requirements. The application for an AP shall be supported by the following documentary requirements:

Presentation Materials	For television and cinema advertisements: <ul style="list-style-type: none">• Storyboards must be on a plain 8.5in x 11in or A4-sized white bond paper containing only six (6) frames per page. Visuals in the storyboard must be in full color. All elements must be clear and readable.
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- Storyboards must have adequate descriptions and camera directions, especially on potentially controversial or questionable visuals, such as, but not limited to:
 - Detailed video description in all frames, including supers and qualifiers, if any
 - Detailed audio in all frames, including music, SFX and incidental sounds, if any
 - Copy text shall be a minimum of 12-point Arial font size

For Taped TV Portion Buys

- Detailed frame-by-frame audio-video script must be submitted for review.
- The photo board of the pre-approved audio-video script must be submitted upon S2 application for easy reference.

For radio advertisements:

- Radio scripts must be on a plain 8.5in x 11in or A4-sized white bond paper using a minimum of 12-point Arial font size. Scripts must be properly labeled, i.e., Live DJ spiel, Jingle, etc.

For print or merchandising materials:

Compre or layout of print and merchandising materials must be in full color and printed on a plain 8.5in x 11in or A4-sized white bond paper or in its actual size. All elements must be clear and readable.

For Billboards and Similar Out-of-Home advertisements:

Static Ads

- OOH/Billboard compre or layout must be clear, in full color and printed on a plain 8.5in x 11in or A4-sized white bond paper. All elements must be clear and readable.
- The compre or layout must clearly specify the size of the material when displayed or installed.

Moving Ads (Electronic/LED)

- Storyboards must be on a plain 8.5in x 11in or A4-sized white bond paper containing only six (6) frames per page. Visuals in the storyboard must be in full color. All elements must be clear and readable.

	<ul style="list-style-type: none"> • Storyboards must have adequate descriptions and camera directions, especially on potentially controversial or questionable visuals, such as, but not limited to: <ul style="list-style-type: none"> ○ Detailed video description in all frames, including supers and qualifiers, if any ○ Detailed audio in all frames, including music, SFX and incidental sounds, if any ○ Copy text shall be a minimum of 12-point Arial font size <p>For Internet, Mobile and Digital Advertisements:</p> <p><u>Static Advertisements</u></p> <ul style="list-style-type: none"> • Internet/Mobile/Digital Advertisements design must be clear, in full color and printed on a plain 8.5in x 11in or A4-sized white bond paper. All elements must be clear and readable. • The complete layout must clearly specify the size of the material when displayed or installed. <p><u>Video / Moving Advertisements</u></p> <ul style="list-style-type: none"> • Storyboards must be on a plain 8.5in x 11in or A4-sized white bond paper containing only 6 frames per page. Visuals in the storyboard must be in full color. All elements must be clear and readable. • Storyboards must have adequate descriptions and camera directions, especially on potentially controversial or questionable visuals, such as, but not limited to: <ul style="list-style-type: none"> ○ Detailed video description in all frames, including supers and qualifiers, if any ○ Detailed audio in all frames, including music, SFX and incidental sounds, if any ○ Copy text shall be a minimum of 12-point Arial font size
<p>Claim Support Documents</p>	<p>Make available information, materials or documents to facilitate the screening or review of your ad. The following examples should guide but are not an exclusive enumeration of acceptable support. Acceptability may depend on the claims of the material being screened and on the discretion of the Professional Screener or the Screening Panel.</p> <p>1. Own product performance without comparative claim</p> <p>Company-owned document duly signed by the relevant technical person or a high-ranking company official. Documents signed by persons directly involved in the development of advertising of the brand, product or service are not acceptable e.g., Brand Managers, Advertising Managers.</p>

	<p>2. Testimonial claim that does not relate to product performance</p> <p>Documents, affidavits, certifications of actual product or service use or preference by the person making the endorsement or testimonial.</p> <p>3. Testimonial claims which relate to own product performance</p> <p>Published researches, clinical studies and other data supporting the product's claimed benefits.</p> <p>4. All other claims</p> <p>Support documents from an acceptable and reliable independent third party or any other source deemed acceptable by the Professional Screener or Screening Panel.</p>
Other Claim Support Documents/Materials	<p><u>Product Packaging and Labels.</u> Submit a copy of product packaging or label as support and for reference purposes. Product samples should be submitted for screening application purposes, but it will be returned after the screening.</p> <p><u>Certificate of New Product Launch.</u> This is a client-issued document certifying the date when the product was launched and the areas the product is available.</p>

RULE III SALES PROMOTIONS

Section 1. Sales Promotion. Any person intending to conduct any form or scheme for any of the covered activities shall first file an application for an SPP with complete supporting documents before the proper office of the DTI at least thirty (30) working days before the commencement of such activity in accordance with existing sales promotion rules and regulations imposed by the DTI.

Section 2. Form and Contents of the Application. The application for a permit to conduct a sales promotion campaign shall be in the form required by the concerned office of the DTI, with reference to the requirements provided under the IRR of RA7394, and shall include the following:

- a. The consumer good, including its brand, classification, size, and/or kind, to be promoted;

- b. The specific platform/s where the sales promotion will be posted, displayed or published;
- c. The online sales promotion period;
- d. The mechanics and the criteria, if any, for participating in and winning the online sales promotion campaign;
- e. The deadline of submission of entries;
- f. Copy of the Certificate of Business Name Registration issued by the DTI, Certificate of Incorporation (or Partnership) issued by Securities and Exchange Commission (SEC) or copy of the Certificate of Registration issued by the Cooperative Development Authority (CDA);
- g. Copy of the business permit/license to engage in the business as applied with the Local Government Unit (LGU);
- h. Notarized and duly accomplished Application Form and Undertaking to Abide by the Terms and Conditions of the SPP;
- i. Control measures procedure in handling, collecting, safekeeping of entries, and ensuring fairness in determination of winners/verification of winning entries;
- j. Promotion particulars (Schedule of payment amortization for installment offers, raffle stub, entry form, coupon, score sheet, tally sheet, design of redemption and game paraphernalia, layout/screenshots of digital formats, including program/system description and terms of use);
- k. Agreement of participating outlets/promotion partners and sponsors (for joint sponsorship);
- l. Legal documents of high valued prizes/giveaways: As may be required such as for house and lot (title, blueprint, specifications, model, location plan, cost and area of the house and lot) or jewelry (certificate of appraisal signed by a legitimate appraiser);
- m. Media utilized:
 1. Radio Advertisement (Audio Script)
 2. Cinema Advertisement (Story Board)
 3. Web-Based Ads (Screenshots of Online Ads)
 4. Email-Based Ads (Email Transcript)
 5. Text-Based Ads (Text Transcript/Spiel)
 6. Poster (Layout of Artwork)
 7. Streamer (Layout of Artwork)
 8. Print Advertisement (Compre)
 9. Mailers (Compre)
 10. Flyers (Compre)

11. Others: _____

At least one advertising material shall contain: (1) the complete mechanics, (2) the promotion duration, (3) coverage, and (4) the clause "Per DTI (Office) Permit No. _____, Series of (Year)".

All other advertisement materials with incomplete mechanics shall indicate: (1) "See/visit _____ for complete details", (2) the promotion duration, and (3) "Per DTI (Office) Permit No. _____, Series of (Year)" all at the bottom right of the page.

n. For discount type of promotions:

LIST OF ITEMS ON SALE: Item brand, model, size in metric, regular price, discount scheme, % of discount.

o. For premium/raffle/redemption/game/contest type of promotions:

TOTAL AMOUNT OF PRIZES/PROJECTED COST OF PREMIUM/SAVINGS: List of prizes/premium with specifications, allocated quantity/projected quantity and their market value, total amount of prizes/premium

Section 3. Approval/Disapproval of Application. The application shall be acted upon immediately by the concerned office, and unless an objection or denial is received within fifteen (15) working days from filing of the application, the same shall be deemed approved and the promotion campaign or activity may be conducted; *Provided*, That any sales promotion campaign using medical prescriptions or any part thereof or attachment thereto for raffles or a promise of reward shall not be allowed, nor a permit be issued thereof.

Section 4. Permit. The issued SPP shall be valid only for the approved promotional period and can be amended subject to the terms and conditions stated therein.

Section 5. Validity Period. A Sales Promotion Campaign shall have a duration no longer than one (1) year and may be extended for a maximum of six (6) additional months, subject to DTI approval. Exceptions to this Section are price reductions, which shall not exceed ninety (90) days for the total promotion period including the extension period.

RULE IV PROCESSING

Section 1. Online Processing. All applications shall be filed in the DTI One Portal.

Section 2. Documentary Requirements. The application for an SPP and an AP shall be supported by documentary requirements listed in Annexes A and B, respectively:

Section 3. Fees for Sales Promotion Permit. Upon approval of the application for an SPP, the applicant shall remit the prescribed fees to the DTI. The fees for the conduct of sales promotion schemes and the use of associated materials shall be as follows:

- a. Documentary Stamp Tax (PhP 30.00), payable to the DTI; and
- b. Based on geographical area (Table A) or the amount of prizes and premium items (Table B), whichever is higher.

**Table A
Based on Geographical Area**

PARTICULARS	FEE (in PhP)
Nationwide, NCR only, or in several regions including Metro Manila	1,000.00
More than one region excluding Metro Manila	750.00
Several provinces/cities/municipalities within a single region	500.00
Single province/city/municipality	250.00
Amendment Fee for extension and major changes, if any	300.00
Amendment fee for change in date and venue, if any	100.00

**Table B
Based on Amount of Prizes and Premium Items**

AMOUNT OF PRIZES	FEE (in PhP)
Up to PhP50,000.00	250.00
PhP50,001.00 – PhP150,000.00	500.00
PhP150,001 – PhP300,000.00	1,000.00
PhP300,001.00 – PhP500,000.00	2,000.00
PhP500,001.00 – PhP1,000,000.00	3,000.00
Above PhP1,000,000.00	5,000.00
Amendment Fee for extension and major changes, if any	300.00
Amendment fee for change in date and venue, if any	100.00

Section 4. Fees for Advertising Permit. Upon submission of the application for an AP, the applicant shall remit the prescribed fees to the DTI:

PARTICULARS	LENGTH	FEE (in PhP)	
Moving Advertisements	End Tags	975.00	
	1. TV Advertisements such as but not limited to OBBs/CBBs/End Tags/ Portion Buy/s	5s – 30s	1,860.00
		31s – 60s	3,575.00
	2. Digital Videos such as but not limited to GIFs, etc.)	Above 1 min. but not more than 5 min.	5,365.00
	3. E-Out-of-Home Moving Advertisement	Above 5 min.	9,295.00
4. Cinema			

5. Collateral Moving Advertisements		
Audio Advertisements Radio Ads such as but not limited to live or recorded AOB/DJ spiel	5s – 30s	975.00
	31s – 60s	1,860.00
	Above 1 min. but not more than 5 min.	2,720.00
	Above 5 min.	4,650.00
Static Advertisements		
1. Digital Static Advertisements, such as but not limited to Display Ads/Banner Ads/Search Ads/ Electronic Direct Mail, Native Advertisements, Sponsored or Paid Blog Posts	All sizes	975.00
2. Print Advertisements		
3. Out-of-Home Static Advertisements		
4. Collateral Static Advertisements		
Amendments		300.00
Documentary Stamp Tax (DST)		30.00

Section 5. Other Fees. Additional web administration and/or payment gateway fees may be charged by the Development Bank of the Philippines–Data Center Inc., as the technical service provider or partner responsible for the development and maintenance of the One DTI Portal, for each application.

Transportation and other necessary expenses of the DTI representative who shall witness, verify and/or certify as to certain aspects of the sales promotion, as required by law and this Order shall also be borne by the sponsor/s of the promotion.

RULE V AMENDMENT AND CANCELLATION OF PERMIT

Section 1. Amendment of Permit. In case of amendment on the issued permit, the applicant shall inform DTI in writing at least fifteen (15) calendar days prior to the intended date of airing, publication, display or posting. No alteration, substitution or modification shall be permitted without prior approval from the DTI. Changes may include, but shall not be limited to the following:

- a. Any extension or delay in the dates of the starting, termination and determination or selection of winners;
- b. The venue of preliminary and final draws, auditions and try-outs;
- c. Duration, mechanics, procedures or terms and conditions of the sales promotion campaigns; and

- d. Qualifications required of the participants, criteria in the determination and selection of winners.

Section 2. Cancellation Before Publication. An approved AP or SPP may be discontinued or cancelled by the sponsor/s motu proprio; *Provided*, That no information, dissemination and advertising of the same has been made yet. In such a case, a written notice shall be sent to the DTI prior to such voluntary cancellation.

Section 3. Cancellation after Publication but Before Commencement of the Promotion Period. If any announcement, information dissemination or advertising of the sales promotion campaign has already been made but the promotion period has not yet commenced, discontinuance or cancellation may only be implemented upon prior written notification to the DTI. Furthermore, such discontinuance or cancellation must be immediately disseminated in the same manner, frequency and medium as the original announcement, publication or advertisement prior to the intended commencement of the promotion.

Section 4. Grounds for Cancellation or Suspension of Ongoing Promotion or Advertisement. Cancellation or discontinuance or suspension of any ongoing sales promotion or advertising campaign shall not be allowed except upon approval from the DTI. The DTI may allow such cancellation on any of the following grounds:

- a. A final judgment on insolvency of the sponsor/s from a court of proper jurisdiction; or
- b. The occurrence of any fortuitous event that will make it impossible for all the sponsors to continue to deliver the products or services which has to be purchased or leased or paid for in order for one to participate in the promotion; *Provided*, however, that those who had already won in the promotion before approval of its cancellation is granted shall be paid their prizes.

RULE VI FINAL PROVISIONS

Section 1. Mandatory Permit Requirement. No advertisement or promotional material for covered products shall be published, aired, displayed or disseminated in any medium, form or platform without the issued AP or SPP number from the DTI.

Section 2. Repeal. All orders, issuances or parts thereof that are inconsistent with this Order are hereby repealed or amended accordingly.

Section 3. Separability. Should any provision of this Order or any part thereof be declared invalid, the other provisions shall remain in force and effect to the extent that they are separable from the invalid ones.

Section 4. Effectivity. This Order shall take effect immediately after its publication in the Official Gazette or in two (2) newspapers of general circulation, a copy of which

shall be submitted to the University of the Philippines' Office of National Administrative Registrar (ONAR).

Issued this _____ in the City of Makati, Philippines.

APPROVED BY

MA. CRISTINA A. ROQUE
Secretary

RECOMMENDED BY

ATTY. M. MARCUS N. VALDEZ II
Assistant Secretary and Supervising Head
E-Commerce Bureau (ECB)

ATTY. REGINO D. MALLARI, JR.
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