

Republic of the Philippines  
Congress of the Philippines  
Senate

Manila City

Eighteenth Congress

First Regular Session



RESOLUTION No. 40

RESOLUTION EXPRESSING THE SENSE OF THE SENATE THAT ABS-CBN CORPORATION, ITS SUBSIDIARIES AND/OR AFFILIATES, ABS-CBN CONVERGENCE, INC., SKY CABLE CORPORATION AND AMCARA BROADCASTING NETWORK, INC., SHOULD CONTINUE TO OPERATE PENDING FINAL DETERMINATION OF THE RENEWAL OF ITS FRANCHISE BY THE 18<sup>TH</sup> CONGRESS

WHEREAS, Republic Act No. 7966 granted ABS-CBN Broadcasting Corporation a franchise to “construct, install, operate and maintain, for commercial purposes and in the public interest, television and radio broadcasting stations in and throughout the Philippines, through microwave, satellite,

or whatever means including the use of any new technologies in television and radio systems, with the corresponding technological auxiliaries or facilities, special broadcast and other broadcast distribution services and relay stations” for a term of twenty-five (25) years from the effectivity of this Act, or until 4 May 2020;

WHEREAS, various bills seeking to renew the franchise of ABS-CBN Corporation remain pending in Congress;

WHEREAS, the Department of Justice has opined that: “The grant of a franchise is an exercise of sovereign power and under our Constitution that power is vested in the Congress. By necessary implication, such power of Congress also includes the power to prescribe the rights of the franchisee-applicant pending final determination of the renewal of its franchise by the Congress. It is therefore respectfully submitted that the Congress, by a resolution, may authorize the National Telecommunications Commission (NTC) to issue a provisional authority, subject to such terms and conditions as the NTC may deem fit, to ABS-CBN and other entities similarly situated, authorizing them to continue operating subject to the Congress’s eventual disposition of the renewal applications”;

WHEREAS, the nonrenewal of ABS-CBN’s franchise will result in the loss of thousands of jobs as the network has over 11,000 employees including its artists, independent contractors, content creators who are spread out in ABS-CBN’s information and entertainment group of companies;

WHEREAS, there have been numerous instances where franchise holders – GMA Network, Catholic Bishops’ Conference of the Philippines (CBCP), Associated Broadcasting Company (TV5), among others – were allowed to operate under the terms of their existing franchise even after its lapse and pending its renewal and that in the case of CBCP, it was allowed to operate for a period of almost two years from the lapse of its franchise in 2017 until its renewal in 2019;

WHEREAS, there is an urgent need to devise government interventions to ensure that ABS-CBN will continue its operations pending Congress' deliberations of the network's franchise renewal: Now, therefore, be it

*Resolved, as it is hereby resolved,* To express the sense of the Senate that ABS-CBN Corporation, its subsidiaries and/or affiliates, ABS-CBN Convergence, Inc., Sky Cable Corporation and AMCARA Broadcasting Network, Inc., should be allowed to operate under the terms of its existing franchise pending final determination of the renewal of its franchise by the 18th Congress and for the National Telecommunications Commission (NTC) to issue ABS-CBN Corporation the appropriate provisional authority.

Adopted,



VICENTE C. SOTTO III

*President of the Senate*

This Resolution was adopted by the Senate on March 4, 2020.



MYRA MARIE D. VILLARICA

*Secretary of the Senate*

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