

THIRTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)

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SENATE
S.B. No. **1664**

RECEIVED BY: _____

Introduced by Senator Miriam Defensor Santiago

THE FREE COMMUNICATIONS ACT

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

SECTION 1. *Short Title.* – This Act shall be known as the “Free Communications Act.”

SECTION 2. *Declaration of State Policy.* – It is hereby declared state policy to permit private or commercial broadcast stations, newspapers and other media mass communication to develop with the widest journalistic freedom consistent with their public obligations.

SECTION 3. *Definition of Terms.* –

(1) The term “private or commercial broadcast station” means a radio or television station which (i) disseminates radio communications or signals intended to be received by the public, directly or by the intermediary or relay stations; and (ii) are owned and operated by private individuals, foundations, corporations, or associations.

(2) The term “radio” or “radio communications” is given a broad meaning to include television, cable television, and other media of mass communication.

(3) The term “newspaper” means a privately-owned publication appearing at regular, or almost regular, short intervals of time, as daily or weekly, appearing usually in sheet form containing reports of happenings intended for the information of the general public.

(4) The term “media of mass communication” includes television, radio, cable television, and other services the licensed facilities of which may be substantially devoted toward providing programming or other information services within the editorial control of the licensee.

(5) The term "financial support" means the total value of cash and fair market value of property and services received as gifts, grants, bequests, donations, or other contributions for the construction or operation of private or commercial broadcast stations, or for the production, acquisition, distribution, or dissemination of television or radio programs, and related activities, from the national government, any local government, or any government-owned-or-controlled corporation.

SECTION 4. *Prohibited Acts.* - (1) No department, agency, officer, or employee of the national government, any local government, or any government-owned-or-controlled corporation shall exercise any direct supervision or editorial control over the content or distribution of newspaper reports or radio communications or signals that are disseminated by newspapers or private or commercial broadcast stations by means of radio, television, and other media of mass communication.

(2) The prohibition mentioned in subsection (a) shall extend to newspapers or private or commercial broadcast stations that are receiving financial support from the national government, any local government, or any government-owned-or-controlled corporation.

(3) No department, agency, officer, or employee of the national government, any local government, or any government-owned-or-controlled corporation shall exercise any direct supervision or editorial control over the content or distribution of newspaper reports or radio communications or signals on newspapers or private or commercial broadcast stations that have been sequestered by the national government or in which the national government or local government or government-owned-or-controlled corporation holds ownership interest.

SECTION 5. *Prohibition or Censorship.* - The national government or any of its departments, agencies, officials, or employees, any local government-owned-or-controlled corporation shall have no power of censorship over newspaper or private or commercial broadcast station, and no regulation or condition shall be promulgated or fixed by them that shall interfere with the rights of free speech, free press, and free expression by means of newspaper reports, radio communications, or signals.

SECTION 6. *Separability Clause.* - If any provision or part thereof, is held invalid or unconstitutional, the remainder of the law of the provision not otherwise affected shall remain valid and subsisting.

SECTION 7. *Repealing Clause.* - Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to, or inconsistent with, the provisions of this Act is hereby repealed, modified or amended accordingly.

SECTION 8. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved,