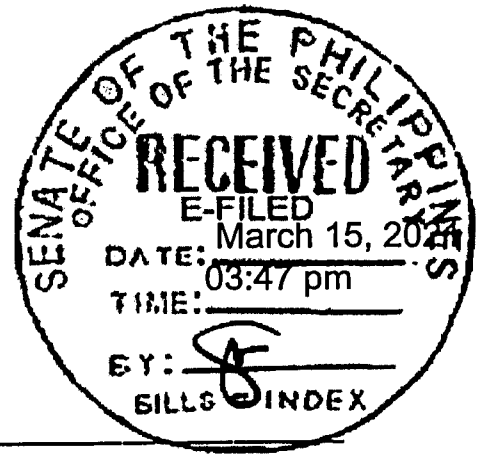


EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)



SENATE

COMMITTEE REPORT NO. 209

Submitted by the Committee on Public Services on March 15, 2021

Re: **House Bill No. 6255**

Recommending its approval with amendments.

Sponsor: **Senator Grace Poe**

MR. PRESIDENT:

The Committee on Public Services, to which was referred **House Bill No. 6255**, introduced by **Representatives Abueg-Zaldivar, Acosta and Alvarez (F.)**, entitled:

AN ACT
RENEWING FOR ANOTHER TWENTY-FIVE (25) YEARS THE FRANCHISE GRANTED TO ROMEO CABRESTANTE SERVANDO, PRESENTLY KNOWN AS ROLIN BROADCASTING ENTERPRISES, INC., UNDER REPUBLIC ACT NO. 8202, ENTITLED "AN ACT GRANTING ROMEO CABRESTANTE SERVANDO, A FRANCHISE TO CONSTRUCT, INSTALL, ESTABLISH, OPERATE AND MAINTAIN RADIO AND TELEVISION BROADCASTING STATIONS IN THE PROVINCE OF PALAWAN"

has considered the same and has the honor to report back to the Senate with the recommendation that it be approved with the following amendments:

1. On page 2, from lines 21 to 27, delete the second paragraph of Section 3, and replace it with the following paragraph:

"IN CASE OF ANY VIOLATION OF THE PROVISIONS OF THIS FRANCHISE, THE NTC SHALL HAVE THE AUTHORITY TO REVOKE OR SUSPEND, AFTER DUE PROCESS, THE PERMITS OR LICENSES IT ISSUED PURSUANT TO THE FRANCHISE. THE NTC MAY RECOMMEND TO CONGRESS THE REVOCATION OF THE FRANCHISE FOR ANY VIOLATION OF THE PROVISIONS OF THIS FRANCHISE."

Section 3 shall now read as follows:

"The grantee shall secure from the National Telecommunications Commission (NTC) the appropriate permits and licenses for the construction and operation of its stations or facilities and shall not use any frequency in the radio/television spectrum without authorization from the NTC. The NTC, however, shall not unreasonably withhold or delay the grant of any such authority.

IN CASE OF ANY VIOLATION OF THE PROVISIONS OF THIS FRANCHISE, THE NTC SHALL HAVE THE AUTHORITY TO REVOKE OR SUSPEND, AFTER DUE PROCESS, THE PERMITS OR LICENSES IT ISSUED PURSUANT TO THE FRANCHISE. THE NTC MAY RECOMMEND TO CONGRESS THE REVOCATION OF THE FRANCHISE FOR ANY VIOLATION OF THE PROVISIONS OF THIS FRANCHISE."

2. On page 3, between lines 24 and 25, insert a new paragraph to read as follows:

'PURSUANT TO REPUBLIC ACT NO. 8370, OTHERWISE KNOWN AS THE "CHILDREN'S TELEVISION ACT OF 1997", THE GRANTEE SHALL ALLOT A MINIMUM OF FIFTEEN PERCENT (15%) OF THE DAILY TOTAL AIR TIME OF EACH BROADCASTING NETWORK TO CHILD-FRIENDLY SHOWS WITHIN ITS REGULAR PROGRAMMING.'

3. On page 4, between lines 15 and 16, after Section 6, insert a new Section 7 to read as follows:

"SEC. 7. RENEWAL OR EXTENSION OF FRANCHISE. – THE GRANTEE SHALL APPLY FOR THE RENEWAL OR EXTENSION OF ITS FRANCHISE THREE (3) YEARS BEFORE ITS EXPIRATION WHICH SHALL BE RECKONED FROM FIFTEEN (15) DAYS AFTER THE PUBLICATION OF THE FRANCHISE IN THE OFFICIAL GAZETTE OR IN A NEWSPAPER OF GENERAL CIRCULATION."

Renumber the succeeding sections accordingly.

4. On page 5, lines 7 to 17, delete the entire Section and replace it with a new Section 10 to read as follows:

"SEC. 10. COMMITMENT TO PROVIDE AND PROMOTE THE CREATION OF EMPLOYMENT OPPORTUNITIES. – THE GRANTEE SHALL CREATE EMPLOYMENT OPPORTUNITIES AS WELL AS ACCEPT ON-THE-JOB TRAINEES IN THEIR RADIO AND TELEVISION STATION OPERATIONS: PROVIDED, THAT PRIORITY SHALL BE ACCORDED TO THE RESIDENTS OF THE PLACE WHERE THEIR PRINCIPAL OFFICE IS LOCATED: PROVIDED FURTHER, THAT THE GRANTEE SHALL ENSURE THAT THAT AT LEAST SIXTY PERCENT (60%) OF ITS EMPLOYEES ARE REGULAR EMPLOYEES AND IN NO CASE SHALL THE PERCENTAGE OF CONTRACTUAL EMPLOYEES, JOB

ORDERS, CASUAL EMPLOYEES, AND INDEPENDENT CONTRACTORS COMBINED, EXCEED FORTY PERCENT (40%) OF ITS TOTAL WORKFORCE: PROVIDED, FINALLY, THAT THE GRANTEE SHALL FOLLOW THE APPLICABLE LABOR STANDARDS AND ALLOWANCE ENTITLEMENT UNDER EXISTING LABOR LAWS, RULES AND REGULATIONS AND SIMILAR ISSUANCES

THE EMPLOYMENT OPPORTUNITIES OR JOBS CREATED SHALL BE REFLECTED IN THE GENERAL INFORMATION SHEET (GIS) TO BE SUBMITTED TO THE SECURITIES AND EXCHANGE COMMISSION (SEC) ANNUALLY. IN ADDITION, THE GRANTEE SHALL INCLUDE IN ITS ANNUAL REPORT TO CONGRESS THE NUMBER OF TRAINEES AND WORKERS WHOSE EMPLOYMENT STATUS ARE MADE REGULAR, AND APPEND THE APPROPRIATE CERTIFICATE FROM THE DEPARTMENT OF LABOR AND EMPLOYMENT ATTESTING THAT IT HAS COMPLIED WITH THE EMPLOYMENT REQUIREMENT UNDER THIS SECTION."

5. On Page 6, line 11, after the word 'from', delete the phrase 'the commencement of its operations' and replace it with the phrase '**THE EFFECTIVITY OF THIS ACT**'.

The Section shall now read as follows:

"In accordance with the constitutional provision to encourage public participation in public utilities, the grantee shall offer to Filipino citizens at least thirty percent (30%) or a higher percentage that may hereafter be provided by law of its outstanding capital stock, in any securities exchange in the Philippines within five (5) years from **THE EFFECTIVITY OF THIS ACT**: *Provided*, That in cases where public offer of shares is not applicable, the grantee shall apply other methods of encouraging public participation by citizens and corporations operating public utilities as allowed by law. Noncompliance therewith shall render the franchise *ipso facto* revoked."

Respectfully submitted,


SEN. GRACE POE
Chairperson

Vice-Chairpersons:



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SEN. PANFILO M. LACSON



SEN. WIN GATCHALIAN

SEN. EMMANUEL "MANNY" D. PACQUIAO

Members:



SEN. MARIA LOURDES NANCY S. BINAY



SEN. CHRISTOPHER BONG GO

SEN. FRANCIS "TOL" N. TOLENTINO



SEN. JOEL VILLANUEVA



SEN. MANUEL "LITO" M. LAPID

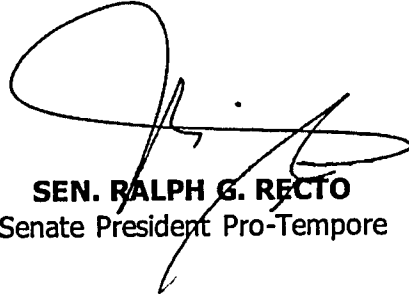


SEN. RICHARD J. GORDON

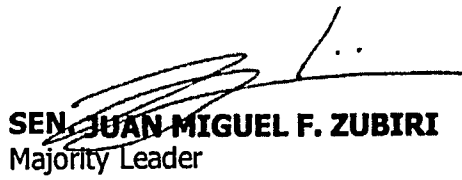
SEN. FRANCIS "KIKO" N. PANGILINAN

SEN. RISA HONTIVEROS

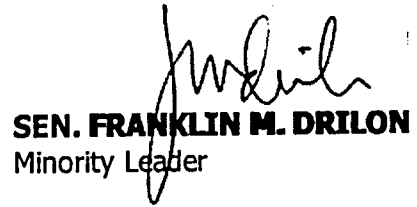
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Senate President Pro-Tempore



SEN. JUAN MIGUEL F. ZUBIRI
Majority Leader



SEN. FRANKLIN M. DRILON
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