

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

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SENATE

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S.B. NO. 1015

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Introduced by Sen. Jinggoy Ejercito Estrada

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**EXPLANATORY NOTE**

Communication is a vital support system in the governance of any action. It has clearly been a part of every civilization in every state of development. In our country, the importance of communication is underscored in Section 24 of Article II of the 1987 Constitution: "The State recognizes the vital role of communication and information in nation building."

The importance of social communication through mass media channels and the new information and communication technologies (ICT) cannot be overemphasized – the very reason for the emergence and constant use of the phrase, "information is power". As a developing nation with the goal of achieving the status of an industrializing and agricultural self-sufficiency in Southeast Asia, we must view information and communication as the key empowering the masses of our people.

Yet, while this is so, a look into the Philippine National Development Plan (1999 – 2004), the blueprint of the country's development plans, reveal that in terms of communication policy and planning, the Philippine government seems to be limited to telecommunications and postal services.

This is so despite the framework set out by Section 24 of Article II of the 1997 Constitution which had been previously cited. On the whole, these past decades have seen a woeful lack of focus on our communications systems and resources with government centering most or its efforts on developing infrastructures limited to roads, bridges and postal services without realizing the vital role of communications and information dissemination in ensuring the success of its development objectives.

Although these concerns are important and necessary goals of the Philippines in the 21<sup>st</sup> century, Philippine communications must go beyond these. It must lead to the formation of a National Communication Policy that is wide in scope and breadth. The absence of this in the PNDP has led to the lack of enabling legislation on provisions relating to Philippine Communications.

Cognizant to this problem, this Joint Legislative-Executive Bill provides a more defined direction in communication policy and planning. It is hoped that through a Task Force on Philippine Communications, "the emergence of communication structures suitable to the needs of the nation" and responsive to the national goals may be

realized. The task force shall rationalize the policy and planning efforts, not only of government, but also the private sector to make them relevant to our times (as well as the years ahead). It is also envisioned that the Task Force will be able to identify existing gaps and disparities in the present system to that a more balanced social economic order can be realized.

In addition, a policy framework and for the institutionalization of the country's communication planning efforts shall address the need of having all communications and information-dissemination organizations, including mass media agencies, owners and workers to direct their united efforts with the nation's development and welfare as the primary objective.

The Philippine is now at the verge of becoming a so-called information society. Our nation is a part of the global village and as such should keep abreast with the peace of these external developments while adequately utilizing existing communications resources back home to our advantage and for the primary purpose of succeeding at a unified national objective.

We must realize that while we are guaranteed the freedom of information and communication under our laws, that as citizens of this Republic, we are likewise expected to take on the responsibility of using these freedoms responsibly and toward a direction aimed at benefiting this entire nation.

Through this Task Force, a framework will emerge allowing the transformation of present communication and information structures so that they can be made more responsive in creating balanced social and economic order that is supportive of the national goals.

In view of the foregoing, the immediate enactment of the bill is earnestly urged.

  
JINGGOY EJERCITO ESTRADA  
Senator

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04 JUN 30 2004

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AN ACT

CREATING A TASK FORCE ON COMMUNICATION TO REVIEW AND ASSESS THE  
STATE OF THE PHILIPPINE COMMUNICATIONS SYSTEM AND RECOMMEND  
POLICY, INSTITUTIONAL AND INFRASTRUCTURAL MEASURES TO ENSURE THE  
DEVELOPMENT OF THIS SECTOR AND APPROPRIATING FUNDS THEREFOR

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

SECTION 1. **Title.** – This Act shall be known as the “*Legislative Executive Task  
Force on Communication Act of 2004.*”

SECTION 2. **Declaration of Policy.** – It shall be the policy of the State:

- (a) To recognize the vital role of communication and information in nation building;
- (b) To ensure all citizens, the right to communicate as a basic human right, by promoting accessible and efficient telecommunications infrastructures that will enable individuals and organizations to communicate with one another;
- (c) To promote communication and information-sharing towards achieving social, economic, political, educational, and cultural development;
- (d) To promote viable competition in mass media, new electronic media and telecommunications industries, in order to ensure the industries responsiveness to the needs and interests of the consumers and subscribers and of the general public, and to discourage and prohibit monopolies in the industries as public interest requires;

- (e) To introduce legislative regulation and control in areas where necessary with a view to safeguard the rights of children, cultural minorities and other disadvantaged sectors;

**SECTION 3. *Creation and Composition of the Task Force.*** – A Legislative Executive Task Force on Communication will be jointly created by the Senate and the House of Representatives, together with the Executive Branch of Government, to be composed of members from the Senate, the House of Representatives, the Executive Branch, and the private sector who shall endeavor to have the various regions of the country represented.

**SECTION 4. *Purpose and Objectives.*** – The Task Force shall be an ad hoc study body that will undertake a national review and assessment of the total Philippine communication system with the objectives of:

- a) Identifying the country's communications and information service needs;
- b) Reviewing existing laws, directives, policy statements, legislative proposals, and other documents on communications; and
- c) Recommending an action plan leading to the formulation of a comprehensive National Communication Policy.

**SECTION 5. *Duties and Functions.*** – To carry out its objectives, the Task Force will have the following duties and functions:

- a) Review and assess the total Philippine Communication system;
- b) Report its findings on the following concerns:
  - (i) goals, and objectives of Philippine communications;
  - (ii) sectoral targets;
  - (iii) governance and management;
  - (iv) communication development programs;
  - (v) financing;
  - (vi) distribution of telecommunication services across the regions and provinces;
  - (vii) quality of services provided by operators;
  - (viii) interconnection among all government offices and their linkage to the top office of the national government;

- (ix) Training benefits and development of persons involved in communications;
- (x) Status of Philippine communication system in regional and global scenario;
- (xi) Conduct and utilization of communication researches by government and NGO.

SECTION 6. **Powers.** – For exercising the foregoing duties and functions, the Task Force shall:

- a) prescribe and adopt the guidelines that will govern the national review and assessment ;
- b) approve the work plan for the conduct of the national review and assessment;
- c) recommend an action plan addressing the problems and needs articulated in the report of its findings;
- d) holding hearings, receive testimonies, reports, and expert advice on the status of communications in the Philippines, and on available remedies to identified problems;
- e) create technical secretariat to be headed by an executive director to provide necessary technical, management and staff services;
- f) report on its findings and make recommendations on actions which can be taken up either by the legislative or executive branches of government or the private sector concerned with communications and information development in the country;
- g) secure from any department, bureau, office of instrumentality of the government or the private sector such assistance as may be needed, including technical information; preparation and production of reports; and the submission of recommendations, or plans as it may require;
- h) hire and appoint such employees and personnel whether temporary, contractual, or on consultancy, subject to applicable rules;
- i) summons by subpoena duces tecum to produce before it such records, reports or other documents as may be necessary in the performance of its functions; and,
- j) generally to exercise all the powers necessary to attain the purposes for which it is created.

SECTION 7. **Membership and Election of Officers.** – The Task Force will be composed of the following:

- a) Three members from the Philippine Senate
- b) Three members from the House of Representatives
- c) The Secretary of the Department of Transportation and Communication
- d) The Commissioner of the National Telecommunications Commission
- e) The Secretary of the Presidential Press Office
- f) The Secretary of the Department of Trade and Industry
- g) The Secretary of Department of Interior and Local Government
- h) President of the League of Provinces
- i) Three members from the Mass Media Sector
- j) Three members from NGO, cultural communities, and business sector
- k) Two members at large to be appointed by the President of the Philippines.

The members of the Task Force will elect from among themselves a Chairperson and a Co-Chairperson and may establish standing committees from among its members and use resource persons from the public and private sectors as may be needed. The members of the Task Force shall receive no remuneration, but traveling and other necessary expenses shall be allowed.

SECTION 8. **Target period.** - The Task Force shall accomplish its mandate within twenty-four (24) months from its organization.

SECTION 9. **Appropriations.** – In order to carry out the objectives of this Resolution, the initial amount of fifteen million pesos (P15,000,000.00) shall be charged against the current appropriations of the Senate and House of Representatives under the Fiscal Year 1999 General Appropriations Act. Thereafter such amount as may be necessary for its continued operation shall be included in the Fiscal Year 2000 General Appropriations Act.

SECTION 10. **Repealing Clause.** – All laws, executive orders, rules and regulations or parts thereof which are consistent with the provision of this act are hereby repealed or modified accordingly.

SECTION 11. **Effectivity.** – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in any two (2) national newspapers of general circulation.

Approved,