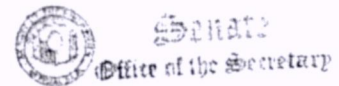


SEVENTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Third Regular Session)



'19 MAY 21 P5 :02

SENATE

RECEIVED

COMMITTEE REPORT NO. 663

Submitted by the Committee on Public Services on **MAY 21 2019**.

Re: House Bill no. 8632

Recommending the approval of HBN 8632 with amendments.

Sponsor: Senator Grace Poe

MR. PRESIDENT:


The Committee on Public Services to which was referred House Bill No. 8632 introduced by Representatives Nograles (K.A.), Nograles (J.J.), Tugna and Alvarez (F.), entitled:

**"AN ACT
RENEWING FOR ANOTHER TWENTY-FIVE (25) YEARS THE
FRANCHISE GRANTED TO RT BROADCAST SPECIALIST PHIL. INC.
UNDER REPUBLIC ACT NO. 8126, ENTITLED AN ACT GRANTING THE
R.T. BROADCAST SPECIALIST PHILIPPINES A FRANCHISE TO
CONSTRUCT, ESTABLISH, OPERATE AND MAINTAIN RADIO AND
TELEVISION BROADCASTING STATIONS IN MINDANAO"**

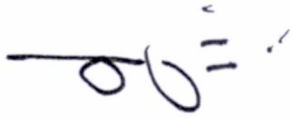
has considered the same and has the honor to report it back to the Senate with the recommendation that the attached H.B. No. 8632 be approved with the following amendments:

1. On page 5, lines 24 and 25, delete the phrase "whether as a whole or in part, and whether";
2. On the same page, line 27, after the word "Philippines" insert a period (.) and delete the phrase "and compliance with legal" and in lieu thereof insert new sentences which shall read as follows: "**CONGRESS SHALL BE INFORMED OF ANY SALE, LEASE, TRANSFER, GRANT OF USUFRUCT, OR ASSIGNMENT OF FRANCHISE OR THE RIGHTS AND PRIVILEGES ACQUIRED THEREUNDER, OR OF THE MERGER OR TRANSFER OF THE CONTROLLING INTEREST OF THE GRANTEE, WITHIN SIXTY (60) DAYS AFTER THE COMPLETION OF THE SAID TRANSACTION. FAILURE TO REPORT TO CONGRESS SUCH CHANGE OF OWNERSHIP SHALL RENDER THE FRANCHISE IPSO FACTO REVOKED.**"
3. On page 6, line 1, delete the phrase "requirements stipulated in other statutes: Provided, That"; and capitalize letter "a" in the word "any";
4. On page 7, line 12, before the word "Any", insert the phrase "**EXCEPT FOR TAXES AND CUSTOMS DUTIES,**".

RESPECTFULLY SUBMITTED



GRACE POE
Chairperson
Committee on Public Services



JOSEPH VICTOR G. EJERCITO
Vice-Chairperson
Committee on Public Services



FRANCIS "Chiz" G. ESCUDERO
Vice-Chairperson
Committee on Public Services


Members




LOREN B. LEGARDA



RICHARD J. GORDON



PANFILO M. LACSON



JOEL VILLANUEVA



RISA HONTIVEROS

ANTONIO "Sonny" F. TRILLANES IV

AQUILINO "Koko" PIMENTEL III

PAOLO BENIGNO "Bam" AQUINO IV

Ex-Officio Members



RALPH G. RECTO
Senate President Pro-Tempore



JUAN MIGUEL F. ZUBIRI
Majority Floor Leader



FRANKLIN M. DRILON
Minority Floor Leader

HON. VICENTE C. SOTTO III
Senate President

CONGRESS OF THE PHILIPPINES
SEVENTEENTH CONGRESS
Third Regular Session

}

HOUSE OF REPRESENTATIVES

H. No. 8632

BY REPRESENTATIVES NOGRALES (K.A.), NOGRALES (J.J.), TUGNA
AND ALVAREZ (F.), PER COMMITTEE REPORT NO. 943

AN ACT RENEWING FOR ANOTHER TWENTY-FIVE (25)
YEARS THE FRANCHISE GRANTED TO RT BROADCAST
SPECIALIST PHIL. INC. UNDER REPUBLIC ACT
NO. 8126, ENTITLED "AN ACT GRANTING THE R.T.
BROADCAST SPECIALIST PHILIPPINES A FRANCHISE
TO CONSTRUCT, ESTABLISH, OPERATE AND MAINTAIN
RADIO AND TELEVISION BROADCASTING STATIONS IN
MINDANAO"

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

1 SECTION 1. *Nature and Scope of Franchise.* - Subject to the
2 provisions of the Constitution and applicable laws, rules and
3 regulations, the franchise granted under Republic Act No. 8126, to
4 RT Broadcast Specialist Phil. Inc., hereunder referred to as the
5 grantee, its successors or assignees, to construct, install, establish,
6 operate and maintain for commercial purposes and in the public
7 interest, radio and/or television broadcasting stations, where
8 frequencies and/or channels are still available for radio and
9 television broadcasting, through microwave, satellite or whatever
10 means, including the use of any new technology in television and

1 concerning public emergencies and calamities, as necessity, urgency
2 or law may require; provide at all times sound and balanced
3 programming; promote public participation; assist in the functions
4 of public information and education; conform to the ethics of honest
5 enterprise; promote audience sensibility and empowerment
6 including closed captioning; and not use its stations or facilities for
7 the broadcasting of obscene or indecent language, speech, act, or
8 scene; or for the dissemination of deliberately false information or
9 willful misrepresentation, to the detriment of public interest; or to
10 incite, encourage or assist in subversive or treasonable acts.

11 Public service time referred herein shall be equivalent to a
12 maximum aggregate of ten percent (10%) of the paid commercials or
13 advertisements which shall be allocated based on need, to the
14 Executive and Legislative branches, the Judiciary, Constitutional
15 Commissions and international humanitarian organizations duly
16 recognized by statutes; *Provided*, That the NTC shall increase the
17 public service time in case of extreme emergency or calamity. The
18 NTC shall issue rules and regulations for this purpose, the
19 effectivity of which shall commence upon applicability with other
20 similarly situated broadcast network franchise holders.

21 *SEC. 5. Right of the Government.* - The radio spectrum is a
22 finite resource that is part of the national patrimony and the use
23 thereof is a privilege conferred upon the grantee by the State and
24 may be withdrawn any time after due process

25 A special right is hereby reserved to the President of the
26 Philippines, in times of war, rebellion, public peril, calamity,
27 emergency, disaster, or disturbance of peace and order: to

1 temporarily take over and operate the stations or facilities of the
2 grantee; to temporarily suspend the operation of any station or
3 facility in the interest of public safety, security and public welfare;
4 or to authorize the temporary use and operation thereof by any
5 agency of the government, upon due compensation to the grantee,
6 for the use of said stations or facilities during the period when these
7 shall be so operated.

8 SEC. 6. *Term of Franchise.* - This franchise shall be in effect
9 for a period of twenty-five (25) years from the effectivity of this Act,
10 unless sooner revoked and cancelled. This franchise shall be deemed
11 *ipso facto* revoked in the event the grantee fails to operate
12 continuously for two (2) years.

13 SEC. 7. *Renewal or Extension of Franchise.* - The grantee
14 shall apply for the renewal or extension of its franchise five (5)
15 years before its expiration date which shall be reckoned fifteen (15)
16 days after the publication of the franchise in the *Official Gazette* or
17 in a newspaper of general circulation.

18 SEC. 8. *Self-regulation by and Undertaking of the Grantee.* -
19 The grantee shall not require any previous censorship of any
20 speech, play, act, or scene, or other matter to be broadcast from its
21 stations; *Provided*, That the grantee, during any broadcast, shall cut
22 off from the air the speech, play, act, or scene, or other matter being
23 broadcast if the tendency thereof is to propose and/or incite treason,
24 rebellion or sedition; or the language used therein or the theme
25 thereof is indecent or immoral; *Provided, further*, That willful
26 failure to do so shall constitute a valid cause for the cancellation of
27 this franchise.