

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



SENATE
Office of the Secretary

'19 FEB -4 P5 :18

SENATE

COMMITTEE REPORT NO. 636

RECEIVED

Submitted by the Committee on Public Services on **FEB - 4 2019**.

Re: House Bill no. 8269

Recommending the approval of HBN 8269 with amendments.

Sponsor: Senator Grace Poe

MR. PRESIDENT:

The Committee on Public Services to which was referred House Bill No. 8269 introduced by Representatives Aggabao, Alvarez (F.) and Maceda, entitled:

"AN ACT

**RENEWING FOR ANOTHER TWENTY-FIVE (25) YEARS THE
FRANCHISE GRANTED TO PHILIPPINE RADIO CORPORATION
UNDER REPUBLIC ACT NO. 8032, ENTITLED "AN ACT GRANTING THE
PHILIPPINE RADIO CORPORATION A FRANCHISE TO CONSTRUCT,
INSTALL, ESTABLISH, OPERATE AND MAINTAIN COMMERCIAL
RADIO STATIONS IN THE PHILIPPINES"**

has considered the same and has the honor to report it back to the Senate with the recommendation that the attached H.B. No. 8269 be approved with the following amendments:

1. On page 5, lines 13 and 14, delete the phrase "whether as a whole or in part, and whether";

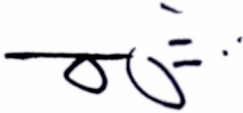
2. On the same page, lines 16 and 17, after the word "Philippines" insert a period (.) and delete the phrase "and compliance with legal requirements stipulated in other statutes: Provided, That" and in lieu thereof insert new sentences which shall read as follows: **"CONGRESS SHALL BE INFORMED OF ANY 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."**; also on line 17 capitalize letter "a" in the word "any";
3. On page 6, line 19, 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



PANFILO M. LACSON

RICHARD J. GORDON

JOEL VILLANUEVA



RISA HONTIVEROS

ANTONIO "Sonny" F. TRILLANES IV



AQUILINO "Koko" PIMENTEL III

PAOLO BENIGNO "Bam" AQUINO IV

Ex-Officio Members



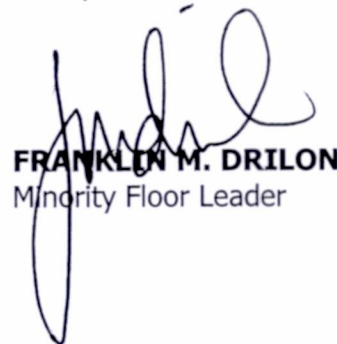
RALPH G. RECTO

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. 8269

BY REPRESENTATIVES AGGABAO, ALVAREZ (F.) AND MACEDA, PER
COMMITTEE REPORT NO. 874

AN ACT RENEWING FOR ANOTHER TWENTY-FIVE (25)
YEARS THE FRANCHISE GRANTED TO PHILIPPINE
RADIO CORPORATION UNDER REPUBLIC ACT NO.
8032, ENTITLED "AN ACT GRANTING THE PHILIPPINE
RADIO CORPORATION A FRANCHISE TO CONSTRUCT,
INSTALL, ESTABLISH, OPERATE AND MAINTAIN
COMMERCIAL RADIO STATIONS IN THE PHILIPPINES"

*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. 8032 to
4 Philippine Radio Corporation, hereunder referred to as the grantee,
5 its successors or assignees, to construct, install, establish, operate,
6 and maintain for commercial purposes and in the public interest,
7 radio broadcasting stations, through microwave, satellite or
8 whatever means, as well as the use of any new technology in radio
9 systems, with the corresponding technological auxiliaries and

1 facilities, special broadcast and other program and distribution
2 services and relay stations in the Philippines, is hereby renewed for
3 another twenty-five (25) years from the effectivity of this Act.

4 SEC. 2. *Manner of Operation of Stations or Facilities.* - The
5 stations or facilities of the grantee shall be constructed and
6 operated in a manner as will, at most, result only in the minimum
7 interference on the wavelengths or frequencies of existing stations
8 or other stations which may be established by law, without in any
9 way diminishing its own privilege to use its assigned wavelengths
10 or frequencies and the quality of transmission or reception thereon
11 as should maximize rendition of the grantee's services and/or the
12 availability thereof.

13 SEC. 3. *Prior Approval of the National Telecommunications*
14 *Commission.* - The grantee shall secure from the National
15 Telecommunications Commission (NTC) the appropriate permits
16 and licenses for the construction and operation of its stations or
17 facilities and shall not use any frequency in the radio/television
18 spectrum without authorization from the NTC. The NTC, however,
19 shall not unreasonably withhold or delay the grant of any such
20 authority.

21 SEC. 4. *Responsibility to the Public.* - The grantee shall
22 provide, free of charge, adequate public service time which is
23 reasonable and sufficient to enable the government, through the
24 broadcasting stations or facilities of the grantee, to reach the
25 pertinent populations or portions thereof, on important public issues
26 and relay important public announcements and warnings
27 concerning public emergencies and calamities, as necessity,
28 urgency, or law may require; provide at all times sound and
29 balanced programming; promote public participation; assist in the

1 functions of public information and education; conform to the ethics
2 of honest enterprise; promote audience sensibility and
3 empowerment including closed captioning; and not use its stations
4 or facilities for the broadcasting of obscene or indecent language,
5 speech, act, or scene; or for the dissemination of deliberately false
6 information or willful misrepresentation, to the detriment of the
7 public interest; or to incite, encourage, or assist in subversive or
8 treasonable acts.

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

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

23 A special right is hereby reserved to the President of the
24 Philippines, in times of war, rebellion, public peril, calamity,
25 emergency, disaster, or disturbance of peace and order: to
26 temporarily take over and operate the stations or facilities of the
27 grantee; to temporarily suspend the operation of any station or
28 facility in the interest of public safety, security and public welfare;
29 or to authorize the temporary use and operation thereof by any
