

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

7 SEP 1996

SENATE  
S. No. 1502

RECEIVED BY: *[Signature]*

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

Former President Fidel V. Ramos issued Executive Order No. 293 on 15 January 1996 placing Channels 4, 9, and 13 under the direct supervision and control of the Office of the Press Secretary. Channel 4 is the official government television station while Channels 9 and 13 are sequestered television companies. E.O. No. 293 allegedly aims to streamline the organizational and functional operations of agencies attached to the Office of the Press Secretary.

Exposed to the light of day, however, E.O. No. 293 is nothing less than a violation of constitutional mandate that no law shall be passed abridging the freedoms of speech, of expression, or of the press. This mandate means that in a free society, one's beliefs should be shaped by his mind and his conscience rather than coerced by the State.

This bill seeks the passage of a Free Communications Act to prevent similar attempts by government, national and local, as well as by government-owned-or-controlled corporations to control or influence not only television but also radio, newspaper, and other media of mass communication in the future. Radio, television, and newspapers are the traditional media of mass communication by which the freedoms of speech.\*

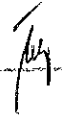
*Miriam Defensor Santiago*  
MIRIAM DEFENSOR SANTIAGO  
*[Signature]*

\* This bill was originally filed during the Thirteenth Congress, First Regular Session.

FOURTEENTH CONGRESS OF THE REPUBLIC )  
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7 SEP 20 2011

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AN ACT

PROVIDING FOR FREE COMMUNICATION BY PROHIBITING CENSORSHIP  
IN ALL FORMS OF MEDIA THAT INTERFERES WITH THE RIGHTS OF FREE SPEECH,  
FREE PRESS, AND FREE EXPRESSION

*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  
of 2007.”

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.* – For the purposes of this Act, the term:

(A) “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.

(B) “Radio” or “Radio communications” is given a broad meaning to include television,  
cable television, and other media of mass communication.

(C) “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.

(D) “Media of mass communication” includes television, radio, cable television, and  
other services the licensed facilities of which may be substantially devoted toward

1 providing programming or other information services within the editorial control of  
2 the licensee.

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

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

15 (B) The prohibition mentioned in paragraph (A) shall extend to newspapers or private or  
16 commercial broadcast stations that are receiving financial support from the national government,  
17 any local government, or any government-owned-or-controlled corporation.

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

24 SECTION 5. *Prohibition on Censorship.* – The national government or any of its  
25 departments, agencies, officials, or employees, any local government-owned-or-controlled  
26 corporation shall have no power of censorship over newspaper or private or commercial  
27 broadcast station, and no regulation or condition shall be promulgated or fixed by them that shall

1 interfere with the rights of free speech, free press, and free expression by means of newspaper  
2 reports, radio communications, or signals.

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

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

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

11 Approved,