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Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
First Regular Session
HOUSE BILL NO. **4110**



Introduced by Representative Jerry P. Treñas

EXPLANATORY NOTE

Through the years, the Iloilo Baptist Church (IBC), a fundamental Baptist Church located at Lopez Jaena Street, Jaro, Iloilo City, Philippines, established by a missionary from the U.S.A., has been successful in its many ministries (conversion of souls, preaching, distributors of bibles/religious materials, and others) not only in the City and Province of Iloilo, but also in Antique, Kalibo, Capiz and many parts of Negros Island.

In order to expand its Ministries, Pastors and church members from the USA donated radio equipment and Broadcast facilities to the IBC. This prompted the officers and members of the Board of Trustees to establish a radio station within its Campus.

The frequency of the said radio station is 106.3FM and shall be known as the "Iloilo The Anchor Broadcasting Company". The main objective is to spread the Gospel especially to people located in remote areas to strengthen their faith and trust in God almighty.

This radio station shall be exclusively used for Church Ministry and shall not be used for commercial purposes. The operator and staff of the subject radio station shall all be Pastors of the Iloilo Baptist Church who shall render their services for free. Operation and maintenance of the Radio Station shall be supported by contributions and love gifts of church members and pastors.

In view of this, the approval of its franchise for a period of Twenty (25) years to render efficient and outstanding service to the public, is highly recommended.


JERRY P. TREÑAS

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 4110

Introduced by Honorable Jerry P. Treñas

**AN ACT GRANTING ILOILO BAPTIST CHURCH (PHILIPPINES)
TO CONSTRUCT, MAINTAIN AND OPERATE NON-COMMERCIAL
RADIO BROADCASTING STATIONS IN THE PHILIPPINES**

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

Section 1. *Nature and Scope of Franchise.* – Subject to the provisions of the constitution and applicable laws, rules and regulations, there is hereby granted to the Iloilo Baptist Church (Philippines), hereunder referred to as the Grantee, its successors or assigns, a franchise to construct, install, establish, operate and maintain for non-commercial purposes and in the public interest, radio broadcasting station in the Philippines, with the corresponding technological auxiliaries or facilities, special broadcast and other program and distribution services and relay station, and to install radio communication facilities of the grantee's private use in its broadcast services.

Section 2. *Manner of Operations of Station or Facilities.* – The stations or facilities of the Grantee shall be constructed and operated in a manner as will at most result only in the minimum interference on the wavelengths or frequencies of existing stations or other stations which may be established by law, without in any way diminishing its own right to use its selected wavelengths or frequencies and the quality of transmission or reception thereon as should maximize rendition of the grantee's services and/or availability thereof.

Section 3. *Prior Approval of the National Telecommunications Commission(NTC).* – The Grantee shall secure from the National Telecommunications Commission (NTC) the appropriate permits and licenses for its stations and shall not use any frequency in the radio/television spectrum without having been authorized by the Commission. The NTC, however, shall not unreasonably withhold or delay the grant of any such authority.

1 **Section 4. Responsibility to the Public.** – The Grantee shall provide adequate public
2 service time to enable the government through the said broadcasting stations, to reach
3 the population on important issues; provide at all times sound and balanced
4 programming; assist in the functions of public information and education; conform to
5 the ethics of honest enterprise; and not use its station and facilities for the
6 broadcasting of obscene and indecent language, speech, act or scene; or for the
7 dissemination of deliberately false information or willful misrepresentation, or to the
8 detriment of the public interest, or to incite, encourage or assist in subversive or
9 treasonable acts.

10
11 **Section 5. Right of Government.** – A special right is hereby reserved to the President
12 of the Philippines, in times of war, rebellion, public peril, calamity, emergency,
13 disaster or disturbance of peace and order, to temporarily take over and operate the
14 station or facilities of the Gantee, to temporarily suspend the operation of any station
15 or facility in the interest of public safety, security and public welfare, or to authorize
16 the temporary use and operation thereof by any agency of the government upon due
17 compensation to the Grantee, for the use of said station or facilities during the period
18 when they shall be so operated.

19
20 **Section 6. Term of Franchise.** – The franchise shall be for a term of twenty five (25)
21 years from the date of approval of this Act, unless sooner revoked or cancelled. In the
22 event the Grantee fails to operate continuously for two (2) years, this franchise shall
23 be deemed ipso facto revoked.

24
25 **Section 7. Acceptance and Compliance.** – this franchise shall become effective upon
26 acceptance in writing by the grantee. Upon giving such acceptance, the Grantee shall
27 exercise the privileges granted under this Act. Non-acceptance shall render the
28 franchise void.

29
30 **Section 8. Self-Regulation by and Undertaking of Grantee.** – The Grantee shall not
31 require any previous censorship of any speech, play, act or scene, or other matter to be
32 broadcast from its station. Provided, that the Grantee, during any broadcast, shall cut
33 off from the air the speech, play, act or scene, or other matter being broadcast if the
34 tendency thereof is to propose and/or incite reason, rebellion or sedition, or the
35 language used therein or the theme thereof is indecent or immoral; and willful failure
36 to do shall constitute a valid cause for the cancellation of this franchise.

37
38 **Section 9. Warranty in Favor of National and Local Governments.** – The Grantee
39 shall hold the national, provincial, city and municipal governments of the Philippines,
40 free from all claims, accounts, demands, or actions arising out of accidents or injuries,
41 whether to property or to persons, caused by the construction or operation of the
42 station of the Grantee.

43
44 **Section 10. Sale, Lease, Transfer, Usufruct, etc.** – The grantee shall not lease, transfer,
45 grant the usufruct of, sell nor assign this franchise or the rights and privilege acquired
46 thereunder to any person, firm, company, corporation or other commercial or legal
47 entity, nor merge with any other corporation or entity, nor shall the controlling
48 interest of the Grantee be transferred, to any such private person, firm, company,
49 corporation or entity without the prior approval of the Congress of the Philippines.

1 Any person or entity to which this franchise is sold, transferred or assigned shall be
2 subject to all the same conditions, terms, restriction and limitations of this Act.
3

4 **Section 11. Dispersal of Ownership.** – In accordance with the constitutional provision
5 to encourage public participation in public utilities, the grantee shall offer to Filipino
6 citizens at least thirty percent (30%) or a higher percentage that may hereafter be
7 provided by law of its outstanding capital stock in any securities exchange in the
8 Philippines within five (5) years from the commencement of its operations: Provided,
9 that in cases where public offer of shares is not applicable, establishment of
10 cooperatives and other methods of encouraging public participation by citizens and
11 corporations operating public utilities must be implemented. Noncompliance
12 therewith shall render the franchise *ipso facto* revoked.
13

14 **Section 12. General Broadcast Policy Act.** - The Grantee shall comply with general
15 broadcast policy law which Congress may have hereafter enact.
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17 **Section 13. Reportorial Requirement.** – The grantee shall submit an annual report to
18 the Congress of the Philippines, through the committee on Legislative Franchises of
19 the House of Representative and the committee on Public Services of the Senate, on
20 its compliance with the terms and conditions of the franchise and on its operations on
21 or before April 30 every year during the terms of its franchise. The reportorial
22 compliance certificate issued by Congress shall be required before any application for
23 permit or certificate is accepted by the NTC.
24

25 **Section 14. Penalty Clause.** – Failure to submit the annual report to Congress shall be
26 penalized with a fine of five hundred pesos (500.00) per working day of
27 noncompliance. The fine will be collected by the NTC from said delinquent franchise
28 grantee separate from the reportorial penalties imposed by the grantee.
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30 **Section 15. Equality Clause.** – Any advantage, favor, privilege, exemption, or
31 immunity granted under existing franchises, or which may hereafter be granted for
32 radio and/or television broadcasting, upon prior review and approval of Congress,
33 shall become part of this franchise and shall be accorded immediately and
34 unconditionally to the herein grantee: *Provided*, that the foregoing shall neither apply
35 to nor affect provisions of broadcasting franchises concerning territory covered by the
36 franchise, the life span of the franchise or the type of service authorized by the
37 franchise: *Provided, further*, That the foregoing shall not apply to the sale, lease,
38 transfer, grant of usufruct or assignment of legislative franchises with prior
39 congressional approval.
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41 **Section 16. Separability Clause.** - If any of the section or provision of this Act is held
42 invalid, all the other provisions not affected thereby shall remain valid.
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44 **Section 17. Repealability and Non-Exclusivity Clause.** This franchise shall be subject
45 to amendment, alteration or repeal by the Congress of the Philippines when the public
46 interest so requires and shall not be interpreted as an exclusive grant of the privileges
47 herein provided for.
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1 **Section 18. *Effectivity Clause.*** - This Act shall take effect fifteen (15) days after its
2 publication, in at least two (2) newspapers of general circulation in the Philippines.
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6 APPROVED.

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