

Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City

**EIGHTEENTH CONGRESS**  
First Regular Session

**HOUSE BILL NO. 6957**



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Introduced by Hon. ALFREDO A. GARBIN, JR.

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**EXPLANATORY NOTE**

This bill proposes to grant RUP BROADCASTING NETWORK a franchise to operate radio stations in Legazpi City, Albay, and in such other areas in the Philippines where frequencies are still available for radio broadcasting for educational, cultural and for commercial purposes.

As we all know, radio stations have served as important and critical sources of social, political, cultural and economic news and information for its listeners, not to mention providing decent and wholesome entertainment.

With the present Coronavirus 19 pandemic, our country needs more and better entertainment, education and information, which coupled with the rapid advances in technology will allow the applicant to serve the public interest.

The application presents itself as an additional broadcast station which may serve the public interest through world class broadcasting technologies.

In view of the foregoing, this bill is, therefore, earnestly recommended for immediate approval.



HON. ALFREDO A. GARBIN, JR.

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**AN ACT GRANTING RUP BROADCASTING NETWORK OPC A FRANCHISE TO CONSTRUCT, OPERATE AND MAINTAIN STATIONS FOR RADIO IN LEGAZPI CITY, ALBAY, AND IN OTHER AREAS IN THE PHILIPPINES WHERE FREQUENCIES ARE STILL AVAILABLE FOR RADIO BROADCASTING FOR EDUCATIONAL AND CULTURAL, AS WELL AS FOR COMMERCIAL PURPOSES"**

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

**SEC. 1. *Nature and Scope of Franchise.*** – Subject to the provisions of the Constitution and applicable laws, rules and regulations, there is hereby granted to RUP BROADCASTING NETWORK OPC, its successors or assigns and hereunder referred to as the grantee a franchise to construct, install, operate maintain for commercial purposes and in the public interest, radio broadcasting stations in Legazpi City, Albay and other areas in the Philippines where frequencies are still available for radio broadcasting, with the corresponding technological auxiliaries or facilities, special broadcast and other program and distribution services and relay stations, and to install radio communication facilities for the grantee's private use in its broadcast services.

**SEC. 2. *Manner of Operation of Stations 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 privilege to use its assigned wavelengths or frequencies and the quality of transmission or reception thereon as should maximize rendition of the grantee's services and/or the availability thereof.

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

**SEC. 4. *Responsibility to the Public.*** – The grantee shall provide, free of charge, adequate public service time which is reasonable and sufficient to enable the government, through its broadcasting stations or facilities, to reach the pertinent populations or portions thereof on important public issues and relay important public announcements and warnings concerning public emergencies and calamities, as necessity, urgency or law may require; provide at all times sound and balanced programming; promote public participation; assist in the functions of public information and education; conform to the



the residents in areas where any of its offices is located: Provided, further, That the grantee shall follow the applicable labor standards and allowance entitlement under existing labor laws, rules and regulations and similar issuances: Provided, finally, That the employment opportunities or jobs created shall be reflected in the General Information Sheet (GIS) to be submitted to Securities and Exchange Commission annually.

**SEC. 11. *Sale, Lease, Transfer, Usufruct, or Assignment of Franchise.*** – The grantee shall not sell, lease, transfer, grant the usufruct of, nor assign this franchise or the rights and privileges acquired thereunder to any person, firm, company, corporation, or other commercial or legal entity, nor merge with any other corporation or entity, nor shall the controlling interest of the grantee be transferred, whether as a whole or in parts, and whether simultaneously or contemporaneously, to any such person, firm, company, corporation or entity without the prior approval of the Congress of the Philippines: Provided, That 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 said transaction: Provided, further, That failure to report to Congress such change of ownership shall render the franchise ipso facto revoked: Provided, finally, That any person or entity to which this franchise is sold, transferred or assigned shall be subject to the same conditions, terms, restrictions, and limitations of this Act.

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

**SEC. 13. *Reportorial Requirement.*** – The grantee shall submit an annual report to the Congress of the Philippines, through the Committee on Legislative Franchises of the House of Representatives and the Committee on Public Services of the Senate, on its compliance with the terms and conditions of the franchise and on its operations on or before April 30 of every year during the term of its franchise. The reportorial compliance certificate issued by Congress shall be required before any application for permit or certificate is accepted by the NTC.

**SEC. 14. *Penalty Clause.*** – Failure of the grantee to submit the requisite annual report to Congress shall be penalized by a fine of five hundred pesos (P500.00) per working day of noncompliance. The fine shall be collected by the NTC from the delinquent franchise grantee separate from the reportorial penalties imposed by the NTC.

**SEC. 15. *Equality Clause.*** – Any advantage, favor, privilege, exemption, or immunity granted under existing franchises, or which may hereafter be granted for radio and/or television broadcasting, upon prior review and approval of Congress, shall become part of this franchise and shall be accorded immediately and unconditionally to the herein grantee. Provided, however, That the foregoing shall neither apply to nor affect the provisions of broadcasting franchises concerning territory covered by the franchise, the life span of the franchise, or the type of service authorized by the franchise:

Provided, further, That the foregoing shall not apply to sale, lease, transfer, or grant of usufruct of legislative franchise with prior congressional approval.

**SEC. 16. *General Broadcast Policy Law*** - The grantee shall comply with and be subject to the provisions of a general broadcast policy law, which the Congress may hereafter enact.

**SEC. 17. *Separability Clause***. - If any of the sections or provisions of this Act is held invalid, all other provisions not affected thereby shall remain valid.

**SEC. 18. *Repealability and Nonexclusivity Clause***. - This franchise shall be subject to amendment, alteration, or repeal by the Congress of the Philippines when the public interest so requires and shall not be interpreted as an exclusive grant of the privileges herein provided for.

**SEC. 19. *Repealing Clause***. - All laws, orders, issuances, rules and regulations or parts thereof inconsistent with this Act are hereby repealed, amended, or modified accordingly.

**SEC. 20. *Effectivity***. - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,