

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

**FIFTEENTH CONGRESS**  
First Regular Session

**HOUSE BILL NO. 1886**

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**Introduced by REP. AMADO S. BAGATSING**

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**EXPLANATORY NOTE**

This bill seeks to grant TV Maria Foundation Philippines, Incorporated a franchise to construct, install, establish, operate and maintain broadcasting as well as communication stations using modern satellite and terrestrial facilities in the Philippines.

TV Maria Foundation Philippines, Incorporated, or simply known as TV Maria, is a non-profit, non-stock religious organization of the Catholic Bishops' Conference of the Philippines through the Archdiocese of Manila that is tasked to oversee the work of evangelization of the Catholic faith through television and internet broadcasting as well as other forms of modern communication facilities to reach its parishioners. It promotes not only the importance of communication and information in building a nation – an importance also acknowledged by the 1987 Philippine Constitution in Section 23, Article II – but also the importance of interweaving these with *Filipino Christian* values.

Though in operation for five years now, TV Maria is at present merely a content provider for a TV channel that is not yet accessible to everyone. Also, though television channels such as EWTN are currently airing Catholic programs in the Philippines, the country has yet to have a *Filipino Catholic television channel* to cater to its main target audience of Roman Catholic Filipinos, which comprise about 80.9% of the Filipino population.

The Church recognizes the importance of keeping up with the times to reach out to a greater number of people. And TV Maria will be its means to cater to a Filipino audience who are hungry for God's Word through television as well as through various alternatives such as the Internet and the cell phone.

In view of the foregoing, approval of this measure is earnestly sought.



**Amado S. Bagatsing**  
*Representative*  
5<sup>th</sup> District, Manila

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**AN ACT GRANTING TV MARIA FOUNDATION PHILIPPINES, INCORPORATED A  
FRANCHISE TO CONSTRUCT, INSTALL, ESTABLISH, OPERATE AND MAINTAIN  
BROADCAST AS WELL AS COMMUNICATION STATIONS USING MODERN SATELLITE  
AND TERRESTRIAL FACILITIES IN THE PHILIPPINES**

*Be it enacted by the Senate and the House of the 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 TV Maria Foundation Philippines, Inc. hereunder referred to as the grantee, its successor or assigns, a franchise to construct, install, establish, operate and maintain for religious purposes and in the public interest, television broadcasting stations in the Philippines, where frequencies and/or channels are still available for television broadcasting, through microwave, or other electromagnetic waves, satellite or whatever means, including the use of any new technologies in television broadcasting, with the corresponding technological auxiliaries and facilities, special broadcast and other program and distribution services and relay stations. Aside from television, the internet and cellular phones will also be utilized as means for fulfilling its other services – such as cyber education, open-access and interactive database, and easier networking between parishes and dioceses – all which are for evangelization purposes.

**Section 2. *Manner of Operation of Station of 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.*** The grantee shall secure from the National Telecommunications Commission (NTC), hereafter referred to as the Commission, a Certificate of Public Convenience and Necessity or the appropriate permits and licenses for the construction, installation and operation of its telecommunication systems/facilities. In issuing the certificate, the Commission shall have the power to impose such conditions relative to the construction, operation, maintenance, or service level of the telecommunications system. The Commission shall have the authority to regulate the construction and operation of its telecommunications systems. Such certificate shall state the areas covered and date the grantee shall commence the service. The Commission, however, shall not unreasonable withhold or delay the grant of any such authority, permits or licenses.

**Section 4. *Responsibility to the Public.*** The grantee shall provide adequate public service time to enable the government, through the said broadcasting stations or facilities, to reach the population on important public issues; provide at all times sound and balanced programming; assist in the functions of public information and education; conform to the ethics of honest

enterprise; and not use its stations and facilities for the broadcasting of obscene and indecent language, speech, act or scene; or for the dissemination of deliberately false information or willful misrepresentation, to the detriment of the public interest, or to incite, encourage or assist in subversive or treasonable acts.

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

**Section 6. *Term of Franchise.*** This franchise shall be for a term of twenty-five (25) years from the date of effectivity of this Act, unless sooner revoked or cancelled. This franchise shall be deemed ipso facto revoked in the event the grantee fails to comply with any of the following conditions:

- a) commence operations within one (1) year from the approval of its operating permits by the NTC;
- b) operate continuously for two (2) years; and
- c) commence operations within three (3) years from the effectivity of this Act.

**Section 7. *Acceptance and Compliance.*** Acceptance of this franchise shall be given in writing within sixty (60) days from the effectivity of this Act. Upon giving such acceptance, the grantee shall exercise the privileges granted under this Act. Non-acceptance shall render the franchise void.

**Section 8. *Bond.*** The grantee shall file a bond issued in favor of the National Telecommunications Commission, which shall determine the amount, to guarantee the compliance with the fulfillment of the conditions under which this franchise is granted. If, after five (5) years from the date of the approval of its permit by the Commission, the grantee shall have fulfilled the same, bond shall be cancelled by the Commission. Otherwise, the bond shall be forfeited in favor of the government and the franchise ipso facto shall be revoked.

**Section 9. *Self-Regulation by and Undertaking of Grantee.*** The grantee shall not require any previous censorship of any speech, play, act or scene, or other matter to be broadcast from its stations; Provided, That the grantee, during any broadcast, shall cut off from the air the speech, play, act, or scene or other matter being broadcast if the tendency thereof is to propose and/or incite treason, rebellion or sedition; or the language used therein or the theme thereof is indecent or immoral; and willful failure to do so shall constitute a valid cause for the cancellation of this franchise.

**Section 10. *Warranty in Favor of the National and Local Governments.*** The grantee shall hold the national, provincial, city and municipal governments of the Philippines harmless from all claims, accounts, demands or actions arising out of accidents or injuries, whether to property or to persons, caused by the construction or operation of the stations, transmitters, facilities and equipment of the grantee.

**Section 11. *Non-transferability of Franchise.*** The grantee shall not lease, transfer, grant the usufruct of, sell 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 to which this franchise is sold, transferred or assigned, shall be subject to the same conditions, terms, restrictions and limitations of this Act.

**Section 12. *Equality Clause.*** Any advantage, favor, privilege, exemption, or immunity granted under existing franchise, or which may hereafter be granted for radio and/or television broadcasting, shall ipso facto 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.

**Section 13. *General Broadcast Policy Law.*** The grantee shall comply with and be subject to the provisions of a general broadcast policy law, which Congress may hereafter enact.

**Section 14. *Reportorial Requirement.*** The grantee shall submit an annual report to the Congress of the Philippines on its compliance with the terms and conditions of the franchise and on its operations within sixty (60) days from the end of every year.

**Section 15. *Separability Clause.*** If any of the sections or provisions of this Act is held invalid, all other provisions not affected thereby shall remain valid.

**Section 16. *Repealability and Noexclusivity Clause.*** This franchise shall be subject to amendment, alteration, or repeal by the Congress of the Philippines when the interest of the public so requires and shall not be interpreted as an exclusive grant of the privileges herein provided for.

**Section 17. *Effectivity Clause.*** This Act shall take effect fifteen (15) days from the date of its publication, upon the initiative of the grantee, in at least two (2) papers of general circulation in the Philippines.

Approved.