

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SIXTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 5226



Introduced by **REPS. FELICIANO BELMONTE, JR.,**
NEPTALI M. GONZALES II and MARCELINO R. TEODORO

EXPLANATORY NOTE

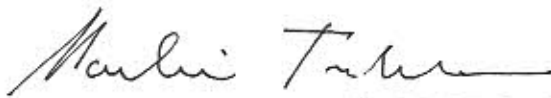
This bill seeks the renewal of the legislative franchise granted to CHRISTIAN ERA BROADCASTING SERVICE INTERNATIONAL, INCORPORATED or CEBSI, Inc. (formerly, Christian Era Broadcasting Service, Incorporated) under Republic Act No. 7618 which was approved on June 25, 1992.

The renewal or extension of its legislative franchise ensures the continuity of CEBSI, Inc.'s thrust of promoting values-oriented and inspiring programs in radio and television and as such, needs to be supported. CEBSI, Inc.'s operations benefit the public in terms of awareness, both in secular and non-secular information, which rejuvenate and uplift their morals and spiritual lives.

CEBSI, Inc., as one of forerunners in broadcasting religious programs in the country, has been faithful to its mandate in delivering useful information to the society it caters through its expanding broadcast coverage nationwide. Understanding its social obligation, CEBSI, Inc., in its almost twenty-five (25) years of public service, continuously pursues to produce religious yet wholesome programs that are parallel to Filipino's culture of religiosity, volunteerism, unity, and solidarity of the family. As a values-oriented broadcast entity, CEBSI, Inc., through its television and radio programs, encourages and inspires members of society to foster a Christian way of life and to become virtuous citizens of the nation. This altruistic endeavor has been proven to be helpful in invigorating the spirit of the Filipino people especially in this present time of calamities and economic crisis.

In line with the state policy of recognizing the vital role of communication and information in nation-building and in view of CEBSI, Inc.'s meritorious public service, a grant for an extension of another twenty-five (25) years of legislative franchise in favor of CEBSI, Inc. is warranted.

The passage, therefore, of this bill is earnestly sought.



REP. MARCELINO R. TEODORO

Representative

1st District, Marikina City



REP. NEPTALI M. GONZALES II

Representative

Lone District-Mandaluyong City



REP. FELICIANO BELMONTE, JR.

Representative

4th District, Quezon City

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SIXTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 5226

Introduced by **REPS. FELICIANO BELMONTE, JR.,**
NEPTALI M. GONZALES II and MARCELINO R. TEODORO

AN ACT
RENEWING THE FRANCHISE GRANTED TO CHRISTIAN ERA
BROADCASTING SERVICE INTERNATIONAL, INCORPORATED FOR
ANOTHER TWENTY-FIVE (25) YEARS, AMENDING FOR THE PURPOSE
REPUBLIC ACT NO. 7618

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

1 SECTION 1. Section 1 of Republic Act No. 7618 is amended to read as
2 follows:

3
4 “SECTION 1. *NATURE AND SCOPE OF FRANCHISE.* - SUBJECT TO
5 THE PROVISIONS OF THE 1987 PHILIPPINE CONSTITUTION AND
6 APPLICABLE LAWS, RULES, AND REGULATIONS, THE FRANCHISE
7 GRANTED TO CHRISTIAN ERA BROADCASTING SERVICE
8 INTERNATIONAL, INCORPORATED HEREUNDER REFERRED TO AS
9 GRANTEE, AND/OR ITS SUCESSORS AND ASSIGNS TO CONSTRUCT,
10 INSTALL, ESTABLISH, OPERATE AND MAINTAIN FOR RELIGIOUS,
11 NONCOMMERCIAL AND NONPROFIT PURPOSES AND IN THE PUBLIC
12 INTEREST, RADIO AND/OR TELEVISION BROADCASTING STATIONS IN
13 THE PHILIPPINES, WHERE FREQUENCIES AND/OR CHANNELS ARE STILL
14 AVAILABLE OR ARE ASSIGNED FOR RADIO AND/OR TELEVISION
15 BROADCASTING, INCLUDING DIGITAL, TELEVISION AND/OR RADIO
16 SYSTEMS, THROUGH MICROWAVE, SATELLITE, OR THE USE OF ANY
17 NEW TECHNOLOGIES IN TELEVISION AND RADIO SYSTEMS, WITH THE

1 CORRESPONDING TECHNOLOGICAL AUXILIARIES AND/OR FACILITIES,
2 SPECIAL BROADCAST, AND OTHER PROGRAM AND DISTRIBUTION
3 SERVICES AND RELAY STATIONS, IS HEREBY RENEWED FOR ANOTHER
4 TWENTY-FIVE (25) YEARS FROM JULY 1, 2017.”

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

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

21 SEC. 4. *Responsibility to the Public.* - The grantee shall provide
22 adequate public service time to enable the government, through the said
23 broadcasting stations or facilities, to reach the population on important
24 public issues; provide at all times sound and balanced programming; assist
25 in the functions of public information and education; conform to the ethics
26 of honest enterprise; and not use its stations and facilities for the
27 broadcasting of obscene and indecent language, speech, act or scene; or for
28 the dissemination of deliberately false information or willful
29 misrepresentation, to the detriment of the public interest, or to incite,
30 encourage, or assist in subversive or treasonable acts.

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

10 The radio spectrum is a finite resource that is part of the national
11 patrimony and the use thereof is a privilege conferred upon the grantee by
12 the State and may be withdrawn anytime after due process.

13 SEC. 6. *Term of Franchise.* - This franchise shall be in effect for a
14 period of twenty-five (25) years, beginning on July 1, 2017, unless sooner
15 cancelled. This franchise shall be deemed *ipso facto* revoked in the event the
16 grantee fails to operate continuously for two (2) years.

17
18 SEC. 7. *Acceptance and Compliance.* - Acceptance of this franchise shall
19 be given in writing to the Congress of the Philippines, through the
20 Committee on Legislative Franchises of the House of Representatives and
21 the Committee on Public Services of the Senate within sixty (60) days from
22 the effectivity of this Act. Upon giving such acceptance, the grantee shall
23 exercise the privileges granted under this Act. Non-acceptance shall render
24 the franchise void.

25 SEC. 8. *Self-Regulation by and Undertaking of Grantee.* - The grantee
26 shall not require any previous censorship of any speech, play, act or scene,
27 or other matter to be broadcast from its stations: *Provided*, That the grantee,
28 during any broadcast, shall cut off from the air the speech, play, act or
29 scene, or other matter being broadcast if the tendency thereof is to propose
30 and/or incite treason, rebellion or sedition; or the language used therein or
31 the theme thereof is indecent or immoral: *Provided, further* that, willful

1 failure to do so shall constitute a valid cause for the cancellation of this
2 franchise.

3 SEC. 9. *Warranty in Favor of National and Local Governments.* - The
4 grantee shall hold the national, provincial, city and municipal governments
5 of the Philippines harmless from all claims, accounts, demands or actions
6 arising out of accidents or injuries, whether to property or to persons,
7 caused by the construction or operation of the stations of the grantee.

8 SEC. 10. *Sale, Lease, Transfer, Usufruct, or Assignment of Franchise.* -
9 The grantee shall not lease, transfer, grant the usufruct of, sell nor assign
10 this franchise or the rights and privilege acquired thereunder to any person,
11 firm, company, corporation or other commercial or legal entity, nor merge
12 with any other corporation or entity, nor shall the controlling interest of the
13 grantee be transferred, whether as a whole or in parts and whether
14 simultaneously or contemporaneously, to any such person, firm, company,
15 corporation or entity without the prior approval of the Congress of the
16 Philippines: *Provided*, That Congress shall be informed of any lease,
17 transfer, granting the usufruct of, sale or assignment of franchise or the
18 rights or privileges acquired within sixty (60) days after the completion of
19 said transaction: *Provided, further*, That failure to report to Congress such
20 change of ownership shall render the franchise *ipso facto* revoked: *Provided*,
21 *finally*, That any person or entity to which this franchise is sold, transferred
22 or assigned, shall be subject to the same conditions, terms, restrictions and
23 limitations of this Act.

24 SEC. 11. *General Broadcast Policy Law.* - The grantee shall comply
25 with and be subject to the provisions of a general broadcast policy law,
26 which Congress may hereafter enact.

27
28 SEC. 12. *Parity Clause.* - Any advantage, favor, privilege, exemption,
29 or immunity granted under existing franchise, or which may hereafter be
30 granted for radio and/or television broadcasting, upon prior review and

1 approval of Congress, shall become part of this franchise and shall be
2 accorded immediately and unconditionally to the herein grantee: *Provided*,
3 *however*, That the foregoing shall neither apply to nor affect provisions of
4 broadcasting franchises concerning territory covered by the franchise, the
5 life span of the franchise or the type of service authorized by the franchise:
6 *Provided further*, That the foregoing shall not apply to sale, lease, transfer,
7 grant of usufruct or assignment of legislative franchise with prior
8 congressional approval.

9
10 SEC. 13. *Reportorial Requirement.* – The grantee shall submit an
11 annual report to the Congress of the Philippines, through the Committee on
12 Legislative Franchises of the House of Representatives and the Committee
13 on Public Services of the Senate, on its compliance with the terms and
14 conditions of the franchise and on its operations on or before April 30 of the
15 succeeding year.

16
17 SEC. 14. *Penalty Clause* – Any grantee who fails to submit the Annual
18 Report to Congress will be fined Five Hundred Pesos (P500.00) per working
19 day of non-compliance. Said fine will be collected by the NTC from said
20 delinquent franchise grantee separate from the reportorial penalties imposed
21 by NTC. The collected funds shall accrue to the monitoring fund of the NTC
22 in line with its supervisory and regulatory functions. The reportorial
23 compliance certificate issued by Congress shall be required before any
24 application for permit or certificate is accepted by NTC.

25
26 SEC. 15. *Separability Clause.* - If any of the sections or provisions of
27 this Act is held invalid, all other provisions not affected thereby shall remain
28 valid.

29
30 SEC. 16. *Repealability and Non-exclusivity Clause.* – This franchise
31 shall be subject to amendment, alteration, or repeal by the Congress of the
32 Philippines when the public interest so requires and shall not be interpreted
33 as an exclusive grant of the privileges herein provided for.

1 SEC. 17. *Publication.* This Act shall be published, through the
2 initiative of the Grantee, fifteen (15) days after this Act is signed by the
3 President of the Philippines or has lapsed into law.
4

SEC. 18 *Effectivity Clause.* – This Act shall take effect after its
publication in at least two (2) newspapers of general circulation in the
Philippines.

Approved,

5
6
7