

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

16th Congress
Second Regular Session

House Bill No. **5369**



Introduced by HON. MA. VICTORIA R. SY-ALVARADO

EXPLANATORY NOTE

This bill seeks to declare January 23 of every year as a special non-working holiday in the whole province of Bulacan as it marks the commemoration of the anniversary of the inauguration of the First Philippine Republic which took place at the historic Barasoain Church in Malolos, Bulacan on January 23, 1899.

Our beliefs and aspirations as a nation united in the pursuit for life, liberty, and enjoyment of the benefits of our democracy is encapsulated by our rich and noble history. It is but fitting and proper that the people of the province of Bulacan be given full opportunity to celebrate and participate in the occasion with appropriate ceremonies.

Approval therefore is earnestly sought.


MA. VICTORIA R. SY-ALVARADO

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

16th Congress
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H.B. NO. 5369

Introduced by **HONORABLE MA. VICTORIA R. SY-ALVARADO**

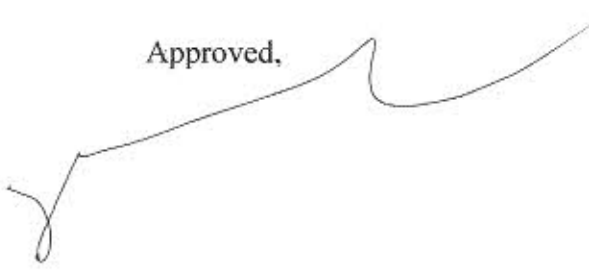
AN ACT
DECLARING JANUARY 23 OF EACH YEAR AS A SPECIAL NON-WORKING
HOLIDAY FOR THE WHOLE PROVINCE OF BULACAN

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

SECTION 1. January 23 of every year is hereby declared as a special non-working holiday in the whole province of Bulacan.

SEC. 2. This Act shall take effect fifteen (15) days from its publication in any newspaper of general circulation.

Approved,



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SIXTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 5370



Introduced by **REP. JOSEPH GILBERT F. VIOLAGO**

EXPLANATORY NOTE

The Rinconada Broadcasting Corporation was incorporated and registered at the Securities and Exchange Commission on March 2, 1987 with the primary purpose of establishing a radio broadcasting network throughout the Philippines, to the extent that it may be authorized by law.

On September 28, 1991, Rinconada Broadcasting Corporation was granted a legislative franchise by Republic Act. No. 7158 to construct, install, operate and maintain for commercial purposes radio broadcasting stations and television stations in the Philippines. However, the twenty-five year legislative franchise of this broadcasting company is expiring in 2016, hence there is an urgent need to seek a legislative authorization for its continued operations.

This bill therefore seeks to renew the legislative franchise to enable to continue its commitment to public service and to its unfailing practice of disseminating timely, truthful and precise information to the Filipino people.

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

A handwritten signature in black ink, appearing to be "J. Violago".

REP. JOSEPH GILBERT F. VIOLAGO
2nd District, Nueva Ecija

SIXTEENTH CONGRESS
Second Regular Session

Introduced by **REP. JOSEPH GILBERT F. VIOLAGO**

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

1

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

8
9 SEC. 3. *Prior Approval of the National Telecommunications Commission.* - The
10 grantee shall secure from the National Telecommunications Commission (NTC), the
11 appropriate permits and licenses for the operation of its stations and facilities and shall
12 not use any frequency in the radio/television spectrum without authorization from the
13 NTC. The NTC, however, shall not unreasonably withhold or delay the grant of any
14 such authority.

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

24 SEC. 5. *Right of Government.* - A special right is hereby reserved to the President
25 of the Philippines, in times of war, rebellion, public peril, calamity, emergency, disaster
26 or disturbance of peace and order, to temporarily take over and operate the stations or
27 facilities of the grantee, to temporarily suspend the operation of any station or facility in

1 the interest of public safety, security and public welfare, or to authorize the temporary
2 use and operation thereof by any agency of the government, upon due compensation to
3 the grantee, for the use of said stations or facilities during the period when they shall be
4 so operated.

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

8 SEC. 6. *Term of Franchise.* - This franchise shall be in effect for a period of twenty-
9 five (25) years, unless sooner revoked or cancelled. This franchise shall be deemed *ipso*
10 *facto* revoked in the event the grantee fails to operate continuously for two (2) years.

11
12 SEC. 7. *Acceptance and Compliance.* - Acceptance of this franchise shall be given in
13 writing to the Congress of the Philippines, through the Committee on Legislative
14 Franchises of the House of Representatives and the Committee on Public Services of the
15 Senate within sixty (60) days from the effectivity of this Act. Upon giving such
16 acceptance, the grantee shall exercise the privileges granted under this Act. Non-
17 acceptance shall render the franchise void.

18 SEC. 8. *Self-Regulation by and Undertaking of Grantee.* - The grantee shall not
19 require any previous censorship of any speech, play, act or scene, or other matter to be
20 broadcast from its stations: *Provided*, That the grantee, during any broadcast, shall cut
21 off from the air the speech, play, act or scene, or other matter being broadcast if the
22 tendency thereof is to propose and/or incite treason, rebellion or sedition; or the
23 language used therein or the theme thereof is indecent or immoral: *Provided, further*, that
24 and willful failure to do so shall constitute a valid cause for the cancellation of this
25 franchise.

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

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

19 SEC. 11. *Dispersal of Ownership.* - In accordance with the constitutional provision
20 to encourage public participation in public utilities, the grantee shall offer to Filipino
21 citizens at least thirty per centum (30%) or a higher percentage that may hereafter be
22 provided by law of its outstanding capital stock in any securities exchange in the
23 Philippines within five (5) years from the commencement of its operations: *Provided,*
24 That in cases where public offer of shares is not applicable, establishment of
25 cooperatives and other methods of encouraging public participation by citizens and
26 corporations operating public utilities must be implemented. Noncompliance therewith
27 shall render the franchise *ipso facto* revoked.

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2 SEC. 12. *General Broadcast Policy Law.* - The grantee shall comply with and be
3 subject to the provisions of a general broadcast policy law, which Congress may
4 hereafter enact.

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

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

17
18 SEC. 15. *Equality Clause.* - Any advantage, favor, privilege, exemption, or
19 immunity granted under existing franchise, or which may hereafter be granted for radio
20 and/or television broadcasting, upon prior review and approval of Congress, shall
21 become part of this franchise and shall be accorded immediately and unconditionally to
22 the herein grantee: *Provided, however,* That the foregoing shall neither apply to nor affect
23 provisions of broadcasting franchises concerning territory covered by the franchise, the
24 life span of the franchise or the type of service authorized by the franchise: *Provided,*
25 *further,* That the foregoing shall not apply to sale, lease, transfer or grant of usufruct of
26 legislative franchise with prior congressional approval.

1 SEC. 16. *Separability Clause.* – If any of the sections or provisions of this Act is
2 held invalid, all other provisions not affected thereby shall remain valid.

3
4 SEC. 17. *Repealability and Non-exclusivity Clause.* – This franchise shall be subject
5 to amendment, alteration, or repeal by the Congress of the Philippines when the public
6 interest so requires and shall not be interpreted as an exclusive grant of the privileges
7 herein provided for.

8 SEC. 18. *Publication.* This Act shall be published, through the initiative of the
9 Grantee, fifteen (15) days after this Act is signed by the President of the Philippines or
10 has lapsed into law.

11
12 SEC. 19. *Effectivity Clause.* – This Act shall take effect fifteen (15) days from the
13 date of its publication in at least two (2) newspapers of general circulation in the
14 Philippines.

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16 Approved,
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