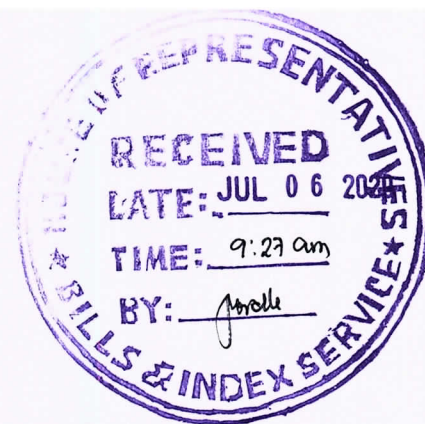


1 Republic of the Philippines
2 **HOUSE OF REPRESENTATIVES**
3 Quezon City

4
5 **EIGHTEENTH CONGRESS**
6 First Regular Session

7
8 **HOUSE BILL NO. 7061**
9



10
11 Introduced by

12
13 **HON. WILTER "SHARKY" WEE PALMA II**
14

15
16 **AN ACT**

17
18 **RENEWING FOR ANOTHER TWENTY-FIVE (25) YEARS THE FRANCHISE**
19 **GRANTED TO IPIB BROADCASTING NEWS NETWORK, INC., AMENDING FOR**
20 **THAT PURPOSE REPUBLIC ACT 8094, AND EXPANDING ITS COVERAGE TO THE**
21 **ENTIRE VISAYAS AND MINDANAO ISLANDS**
22

23
24 **EXPLANATORY NOTE**

25
26 This bill seeks to renew the franchise granted to IpiB Broadcasting News Network, Inc.
27 under Republic Act No. 8094 which took effect of July 6, 1995.

28
29 While ideally filing should have been made much earlier, the grantee invokes the impact
30 on its ability to gather documents/clearances and its regular operations of the outbreak of
31 Covid-19 and the community quarantines previously and presently imposed in various
32 localities around the country. Thus, grantee seeks the indulgence of this August Body for
33 not renewing earlier given that the legislative process entails considerable time due to
34 public hearings and conferences in both Houses of Congress.

35
36 IpiB Broadcasting News Network, Inc. was a pioneering radio station serving IpiB and the
37 surrounding municipalities which were then part of the third district of Zamboanga del Sur
38 before the new Province of Zamboanga Sibugay was created, of which IpiB became the
39 capital town. It is axiomatic that radio broadcast played a vital role in the growth and

development of that part of the country where access to other means of communication and information were limited. Mindful of this responsibility and challenge, the grantee has been steadfast in espousing well-balanced programming as well as quality broadcasting. Moreover, it is conscious of its role as an important and truthful State partner by adhering to the provision of the 1987 Constitution which laid down the pertinent State policy thus: "The state recognizes the vital role of communication and information in nation-building."

In view of the foregoing, passage and approval of this bill is earnestly sought.



WILTER "SHARKY" WEE PALMA II

1st District, Zamboanga Sibugay

1 Republic of the Philippines
2 **HOUSE OF REPRESENTATIVES**
3 Quezon City

4
5 **EIGHTEENTH CONGRESS**
6 First Regular Session

7
8 **HOUSE BILL NO. 7061**
9

10
11 Introduced by

12
13 **HON. WILTER “SHARKY” WEE PALMA II**
14

15
16 **AN ACT**

17
18 **RENEWING FOR ANOTHER TWENTY-FIVE (25) YEARS THE FRANCHISE**
19 **GRANTED TO IPIL BROADCASTING NEWS NETWORK, INC., AMENDING FOR**
20 **THAT PURPOSE REPUBLIC ACT 8094, AND EXPANDING ITS COVERAGE TO THE**
21 **ENTIRE VISAYAS AND MINDANAO ISLANDS**
22
23

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

26 **SECTION 1. *Nature and Scope of Franchise.***— Subject to the provisions of the
27 Constitution and applicable laws, rules and regulations, the franchise granted to Ipil
28 Broadcasting News Network, Inc., hereunder referred to as the grantee, its successors or
29 assignees, under Republic Act No. 8094, entitled “An act granting the Ipil Broadcasting
30 News Network, Inc. a franchise to construct, install, operate and maintain radio and
31 television broadcasting stations in Zamboanga Del Sur and for other purposes” is hereby
32 renewed for another twenty-five (25) years from the date of effectivity of this Act and its
33 coverage expanded to the entire Visayas and Mindanao, with the corresponding
34 technological auxiliaries or facilities, special broadcast and other program and distribution
35 services and relay stations, and to install radio communication facilities for the grantee’s
36 private use in its broadcast services.

37 **SECTION 2. *Manner of Operation of Stations.***— The stations or facilities of the grantee
38 shall be constructed and operated in a manner as will at most result only in the minimum
39 interference on the wavelengths or frequencies of the other existing station or 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 would maximize rendition of the grantee's services and/or the availability thereof.

SECTION 3. *Prior Approval of the National Telecommunications Commission.*— The grantee shall secure from the National Telecommunications Commission 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 Commission, However, shall not unreasonably withhold or delay the grant of any such authority.

SECTION 4. *Responsibility of the Public.*— The grantee shall provide adequate public service time to enable the government, through the said broadcasting stations, 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 for the broadcasting of obscene and indecent language, speech, act or scene, or for the dissemination of deliberately false information or willful misrepresentation. or 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 station of the grantee, to temporarily suspend the operation of any station 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, transmitter systems, facilities and equipment during the period when they shall be so operated.

SECTION 6. *Term of Franchise.*— This franchise shall be for a term of twenty-five (25) years from the date of approval of this Act, unless sooner revoked or cancelled. In the event the grantee fails to operate continuously for two (2) years, this franchise shall be deemed ipso facto revoked.

SECTION 7. *Acceptance and Compliance.*— Acceptance of this new franchise shall be given in writing 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

71 Senate, within sixty (60) days from the effectivity of this Act. Upon giving such acceptance,
72 the grantee shall exercise the privileges granted under this Act. Non-acceptance shall
73 render the franchise void.

74 **SECTION 8. *Self-regulation by and Undertaking of Grantee.*** — The grantee shall not
75 require any previous censorship of any speech, play, act or scene, or other matter to be
76 broadcast from its stations: *Provided*, That the grantee, during any broadcast, shall cut
77 off from the air the speech, play, act or scene, or other matter being broadcast if the
78 tendency thereof is to propose and/or incite treason, rebellion, sedition; or the language
79 used therein or the theme thereof is indecent or immoral: *Provided, further*, That wilful
80 failure to do so shall constitute a valid cause for the cancellation of this franchise.

81 **SECTION 9. *Warranty in Favor of National and Local Governments.***— The grantee shall
82 hold the national, provincial and municipal governments of the Philippines free from all
83 claims, accounts, demands or actions arising out of accidents or injuries, whether to
84 property or to persons, caused by the construction or operation of the station of the
85 grantee.

86 **SECTION 10. *Sale, Lease, Transfer, Grant of Usufruct, or Assignment of***
87 ***Franchise.***— The grantee shall not lease, transfer, grant the usufruct of, sell nor assign
88 this franchise or the rights and privileges acquired thereunder to any person, firm,
89 company, corporation or other commercial or legal entity, nor shall the controlling interest
90 of the grantee be transferred to any such private person, firm, company, corporation or
91 entity without the prior approval of the Congress of the Philippines: *Provided*, That
92 Congress shall be informed of any sale, lease, transfer, grant of usufruct of, or assignment
93 of franchise or the rights or privileges acquired thereunder, or the merger or transfer of
94 the controlling interest of the grantee, within sixty (60) days after the completion of said
95 transaction: *Provided, further*, That failure to report to Congress such change of
96 ownership shall render the franchise *ipso facto* revoked: *Provided, finally*, That any
97 person or entity to which this franchise is sold, transferred or assigned, shall be subject
98 to the same conditions, terms, restrictions, and limitations of this Act.

99 **SECTION 11. *Dispersal of Ownership.***— In accordance with the constitutional provision
100 to encourage public participation in public utilities, the grantee shall offer to Filipino citizen
101 at least thirty per cent (30%) or a higher percentage that may hereafter be provided by
102 law of its outstanding capital stock in any securities exchange in the Philippines within

103 five (5) years from the commencement of its operations: *Provided*, That in cases where
104 public offer of shares is not applicable, establishment of cooperatives and other methods
105 of encouraging public participation by citizens and corporations operating public utilities
106 must be implemented. Noncompliance therewith shall render the franchise *ipso facto*
107 revoked.

108 **SECTION 12. General Broadcast Policy Law.**— The grantee shall comply with a general
109 broadcast policy law which Congress may hereafter enact.

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

117 **SECTION 14. Penalty Clause.**— Failure of the grantee to submit the requisite annual
118 report to Congress will be penalized by a fine in the amount of Five Hundred Pesos
119 (P500.00) per working day on noncompliance. The fine will be collected by the NTC from
120 delinquent franchise grantee separate from the reportorial penalties imposed by the NTC.

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

128 **SECTION 16. Separability Clause.**— If any of the sections or provisions of this Act is held
129 invalid, all the other provisions not affected thereby shall remain valid.

130 **SECTION 14. Repealability and Non-exclusivity Clause.**— This franchise shall be subject
131 to amendment, alteration or repeal by the Congress of the Philippines when the public
132 interest so requires and shall not be interpreted as an exclusive grant of the privileges
133 herein provided for.

134 **SECTION 15. *Effectivity Clause.***— This Act shall take effect fifteen (15) days from the
135 date of the *Official Gazette* or in a newspaper of general circulation.

136 Approved,