



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

Eighteenth Congress
Second Regular Session

HOUSE BILL NO. 7213



Introduced by:

Honorable DAVID C. SUAREZ
Honorable ANNA MARIE VILLARAZA-SUAREZ

EXPLANATORY NOTE

This bill proposes to grant THE SOUTHERN LUZON STATE UNIVERSITY (SLSU) a franchise to operate the radio stations within the campuses of SLSU, and in such other areas in Southern Luzon where frequencies are still available for radio broadcasting for educational, cultural and commercial purposes.

Radio stations have served as important and critical sources of educational, social, political, cultural news and information for its listeners, not to mention providing decent and wholesome entertainment.

Compared with other technologies, radio is often overlooked as an educational medium. However, it remains a most viable medium for delivering higher education that has pedagogical importance and wider geographical reach. Educational radio programming can deliver good quality learning to highly diversified audiences that are located across a broad geographical expanse. Radio programming can effectively stimulate small group discussions not only among students but among farmers and fisherfolks in the areas where the radio frequencies will reach. When used as a learning medium, educational radio programming will be more cost-effective per unit of production cost and is highly capable of exerting greater learning outputs and will complement the knowledge that is provided by the teachers and the instructional materials such as textbooks and research journals.

The current COVID-19 crisis caught the world by surprise and brought about abrupt changes in various government sectors. Government agencies that are responsible for public service delivery in the areas of health, economy, agriculture, transportation, communication, and education are the hardest hit sectors. The country's institutional response which is the Enhanced Community Quarantine introduces us to the so-called *New Normal*, which among other adaptive measures entail physical distancing but the need for communicating effectively remains a crucial task.

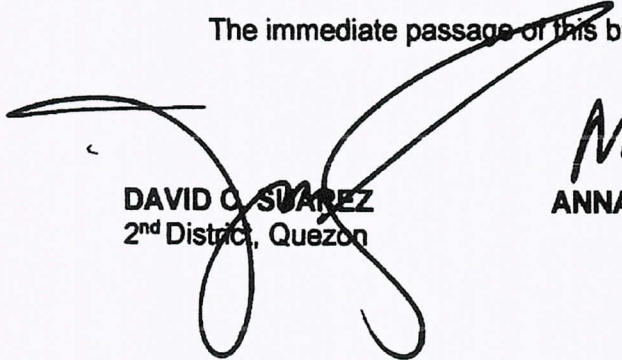
Pursuant to Republic Act 9395, which became effective on March 17, 2007, the Southern Luzon Polytechnic College in the Municipality of Lucban, Province of Quezon, its units and satellite campuses in the municipalities of Sampaloc, Infanta, Polillo, Tagkawayan, Alabat and Tiaong, and the Lucena Dual-Tech Livelihood and Training Center in the City of Lucena was converted into the present Southern Luzon State University (SLSU).

As a duly recognized premier Higher Education Institution (HEI) in the province, SLSU needs to continue its mandate of providing quality education through flexible learning modalities amidst the so-called health crisis that is brought about by the COVID-19 pandemic. However, the geographical location of the various islands and far-flung municipalities in the mountainous region of the province of Quezon, and the poor internet connectivity in these places hinder the university from reaching out to its students who live in the said island municipalities and towns with mountainous barangays.

The University has established an FM station presently serving as a training facility and laboratory of the Electronics and Communication Engineering and BA Communication students to facilitate an experiential learning process.

The grant of franchise will narrow down the divide among urban and rural students who are enrolled in SLSU. Continued accessibility to information and communications could also serve as the SLSU's extension platform so that the research and development projects of the University can be disseminated to SLSU's service communities in Quezon Province as well as neighboring provinces which the radio frequency will reach.

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



DAVID O. SUAREZ
2nd District, Quezon



ANNA MARIE VILLARAZA-SUAREZ
ALONA Party List



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AN ACT
GRANTING THE SOUTHERN LUZON STATE UNIVERSITY (SLSU) A
FRANCHISE TO CONSTRUCT, INSTALL, ESTABLISH, OPERATE AND
MAINTAIN RADIO BROADCASTING STATIONS WITHIN ITS CAMPUSES FOR
EDUCATIONAL, CULTURAL AND COMMERCIAL PURPOSES

Be it enacted by the Senate and House of 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 Southern Luzon State University (SLSU) hereunder referred to as the grantee, its successors or assigns, a franchise to construct, install, establish, operate and maintain for educational, cultural and commercial purposes and in the public interest, radio broadcasting stations within its campuses, where frequencies and/or channels 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 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 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.

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 and facilities and shall not use any frequency in the radio spectrum without having been authorized by the Commission. The Commission, however, shall not unreasonably withhold or delay the grant of any such authority.

SEC. 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.

SEC. 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 grantee, 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 so operated.

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

SEC. 6. Term of Franchise. - This franchise shall be in effect for a period of twenty-five (25) years, 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 permit by the NTC;
- b) Operate continuously for two (2) years; and
- c) Commence operations within three (3) years from the effectivity of this Act.

SEC. 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.

SEC. 8. Bond. - The grantee shall file a bond with the NTC in the amount that the NTC shall determine to guarantee compliance with and fulfillment of the conditions under which this franchise is granted. If after three (3) years from the date of the approval of its permit by the Commission, the grantee shall have fulfilled the same, the bond shall be cancelled by the Commission. Otherwise, the bond shall be forfeited in favor of the government and the franchise *ipso facto* revoked.

SEC. 9. Self-regulation by and Undertaking of the 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: *Provided*, *further*, That willful failure to do so shall constitute a valid cause for the cancellation of this franchise.

SEC. 10. Warranty in Favor of 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 of the grantee.

SEC. 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 without the prior approval of the Congress of the Philippines. The conditions, terms, restrictions and limitations set by this Act shall be imposed on any person or entity to which this franchise is sold, transferred or assigned.

SEC. 12. Public Ownership. - In adherence to the constitutional mandate, the herein grantee shall comply with the enabling law implementing for the purpose the democratization of ownership of all public utilities.

SEC. 13. Equality Clause. - Any advantage, favor, privilege, exemption or immunity granted under existing franchise, or which may hereafter be granted for radio 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 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.

SEC. 14. 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.

SEC. 15. 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. 16. 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. 17. Repeatability and Non-exclusivity 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. 18. - This Act shall take effect fifteen (15) days after its publication, upon the initiative of the grantee, in at least two (2) newspapers of general circulation in the Philippines.

Approved,