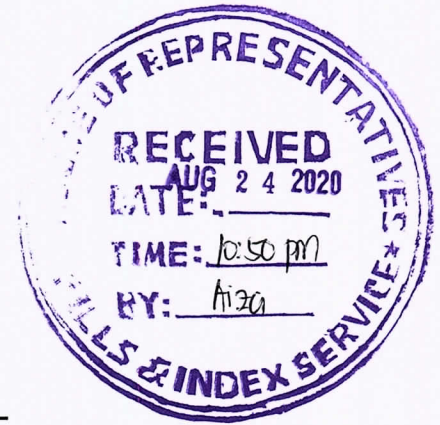


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 7478



Introduced by Rep. Wilfrido Mark M. Enverga

EXPLANATORY NOTE

This bill seeks to grant the Southern Luzon State University (SLSU) a congressional franchise to construct, operate, manage and maintain a network of radio broadcasting stations in the Province of Quezon primarily for educational purposes.

In this period of communication and technology advancement, numerous studies have established the importance of university radio broadcasting in student learning and development and the need for a participatory approach to knowledge sharing and dissemination with the help of mass media. The use of broadcasting especially among students, is arguably an effective method for inducing behavioural changes for overall development of students and it also proved to affect the self-learning and training abilities of the students. Hence, campus radio broadcasting contributes a lot to student learning, information dissemination, engagement, and community service.

Furthermore, employing radio as an instructional medium can redefine the learning experience, have integrative effects, trigger active participation, enhance educational experience, and maximize community engagement.

And especially now that in the onset of COVID 19 pandemic remote learning opportunities must be afforded to the students as an alternative to "face-to-face" learning approach.

For these reasons, it is but timely that Southern Luzon State University (SLSU) be afforded congressional franchise to construct, operate, manage and maintain a network of radio broadcasting stations in the Province of Quezon as an effective means to disseminate information, educate and inform its students and the community as well towards nation building.

In light of the foregoing, passage of this bill is urgently sought.

A handwritten signature in black ink, appearing to read "WME", written over a horizontal line.

WILFRIDO MARK MC. ENVERGA

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

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 7478

Introduced by Rep. Wilfrido Mark M. Enverga

**AN ACT GRANTING SOUTHERN LUZON STATE UNIVERSITY A FRANCHISE TO
CONSTRUCT, INSTALL, ESTABLISH, OPERATE, MANAGE AND MAINTAIN FOR
EDUCATIONAL AND COMMERCIAL PURPOSES A NETWORK OF RADIO
BROADCASTING STATIONS IN THE PROVINCE OF QUEZON**

*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) herein known as the grantee, a franchise to construct, install, establish, operate, manage and maintain for educational and commercial purposes and in the public interest, radio broadcasting stations in the Province of Quezon where frequencies and/or channels are still available for radio broadcasting, through microwave, satellite or whatever means, including the use of any new technologies in radio systems, with the corresponding technological auxiliaries and facilities, special broadcast and other program and distribution services and relay stations.

SECTION 2. Manner of Operation of Stations or Facilities. — The stations or facilities of the grantee shall be so constructed and operated in a manner as will avoid interference on the wavelengths or frequencies of authorized users, whether for broadcasting or telecommunications purposes, without in any way diminishing its own right to use its selected wavelengths or frequencies and the quality of transmission or reception of thereon a should 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 (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.

SECTION 4. Radio Spectrum. — The radio spectrum is a finite resource that is part of the national patrimony and the use of thereof is a privilege conferred upon the grantee by the State that maybe withdrawn or modified in the public interest at any time after due process.

SECTION 5. Responsibility to the Public. — The grantee shall provide reasonable and 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; promote public participation such as in community 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, to the detriment of public interest; or to incite, encourage, or assist in subversive or treasonable acts.

SECTION 6. Right of the 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.

SECTION 7. 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 permit or provisional authority 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 8. Acceptance and Compliance. — Acceptance of this 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 Senate, within sixty (60) days after the approval 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 9. Self-regulation by and Undertaking of the Grantee. — The grantee shall not require any prior censorship in any speech, play, act or scene or other matter to be broadcast from its stations: *provided*, that the grantee during any broadcast may cut off from the air any 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 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 free or 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.

SECTION 11. Nontransferability of Franchise — The grantee shall not lease, transfer, grant the usufruct of, sell or assign this franchise, nor the rights or privileges acquired thereunder to any person, firm, company, partnership, corporation or other commercial or legal entity, nor merge with any other person, firm, company, partnership or corporation not otherwise enfranchised for broadcasting services without the prior approval of the Congress of the Philippines. Any person or entity to which this franchise is sold, transferred or assigned shall be subject to all the same conditions, terms, restrictions and limitations of this Act.

SECTION 12. 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 13. 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.

SECTION 14. 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, upon prior review and approval of Congress, shall automatically become part of this franchise and shall be accorded immediately and unconditionally to the herein grantee: *Provided, however*, That the foregoing shall not apply to nor affect provisions of broadcasting franchises concerning territory covered by the franchise, or the type of service authorized by the franchise:

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

SECTION 16. Repealability 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. This franchise shall not be interpreted to mean 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 in at least two (2) national newspapers of general circulation in the Philippines.

Approved,