



Republic of the Philippines
House of Representatives
Quezon City, Metro Manila



Twentieth Congress
First Regular Session

HOUSE BILL NO. 4309

Introduced by Representative BAMBI B. EMANO

AN ACT
GRANTING GOLDEN BROADCASTING CORPORATION, A FRANCHISE TO
CONSTRUCT, INSTALL, ESTABLISH, OPERATE AND MAINTAIN RADIO,
TELEVISION AND MULTIMEDIA SERVICES IN REGION X (NORTHERN
MINDANAO)

EXPLANATORY NOTE

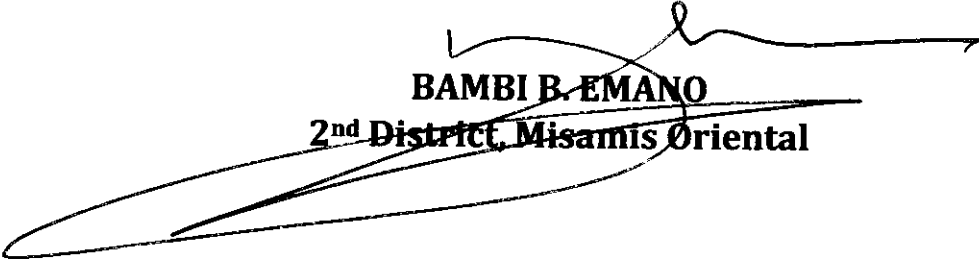
Access to information and entertainment is an essential right of every Filipino, as enshrined in Article III, Section 7 of the 1987 Philippine Constitution, which guarantees the people's right to information on matters of public concern. In today's digital age, the role of media in shaping public opinion, promoting transparency, and fostering an informed citizenry has become more crucial than ever.

This bill seeks to grant Golden Broadcasting Corporation a legislative franchise to construct, install, establish, operate, and maintain radio, television, and multimedia broadcasting stations in Region X (Northern Mindanao). Golden Broadcasting Corporation is a duly registered entity under Philippine laws, committed to delivering responsible, ethical, and factual journalism.

Golden Broadcasting Corporation envisions becoming a vital platform for the delivery of factual news, responsible journalism, and ethical public discourse, while also addressing the public's infotainment needs. As a multi-platform broadcaster, its services will span across traditional radio and television, as well as emerging digital and online media technologies, ensuring broader access and reach in both urban and far-flung areas.

In an era where misinformation spreads rapidly, there is a growing need for trustworthy sources of news and content. Golden Broadcasting aims to be a reliable media outlet that promotes truth, counters disinformation, and highlights real issues that matter to the Filipino people. It will also serve as a cultural and educational platform, contributing to the formation of informed, empowered, and socially responsible citizens.

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



BAMBI B. EMANO

2nd District, Misamis Oriental



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

1 **SECTION 1. Nature of Scope of Franchise.** Subject to the provisions of
2 the Constitution and applicable laws, rules and regulations, there is hereby
3 granted to Golden Broadcasting Corporation, hereunder referred to as the
4 grantee, its successors or assignees, a franchise to construct, install,
5 establish, operate and maintain for commercial purposes and in the public
6 interest, radio and/or television broadcasting stations in Region X (Northern
7 Mindanao), where frequencies and/or channels are still available for radio
8 and/or television broadcasting, including digital television system, through
9 microwave, satellite or whatever means, as well as the use of any new
10 technology in television and radio systems, with the corresponding
11 technological auxiliaries and facilities, special broadcast and other program
12 and distribution services and relay stations.

13
14 **SEC. 2. Manner of Operation of Stations or Facilities.** – The stations or
15 facilities of the grantee shall be constructed and operated in a manner as
16 will, at most, result only in the minimum interference on the wavelengths
17 or frequencies of existing stations or other stations which may be
18 established by law, without in any way diminishing its own right to use its
19 selected wavelengths or frequencies and the quality of transmission or

1 reception thereon as should maximize rendition of the grantee's services
2 and/or availability thereof.

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

11
12 The grantee shall not dispose or lease its facilities except to entities with a
13 radio or television broadcasting franchise: Provided, That the grantee shall
14 inform and secure written authorization from the NTC to proceed with such
15 disposal or lease, and report the transaction to the NTC within sixty (60)
16 days after its completion: Provided, further, That the NTC shall determine
17 the corresponding sanction from any violation of this provision.

18
19 The NTC shall have the authority to revoke or suspend, after due process,
20 the permits or licenses of the grantee for any violation of the provisions of
21 the franchise, and may recommend to Congress the revocation of the
22 franchise for any violation of the provision thereof.

23
24 **SEC. 4. Responsibility to the Public.** - The grantee shall provide, free of
25 charge, adequate public service time which is reasonable and sufficient to
26 enable the government, through the grantee's broadcasting stations or
27 facilities, to reach the pertinent populations or portions thereof, on
28 important public issues, and relay important public announcements and
29 warnings concerning public emergencies and calamities, as necessity,
30 urgency or the law may require; provide at all times sound and balanced
31 programming; promote public participation; assist in the functions of
32 public information and education; conform to the ethics of honest
33 enterprise; promote audience sensibility and empowerment including
34 closed captioning; and not use its stations or facilities for the broadcast of
35 obscene or indecent language, speech, act or scene; or for the dissemination
36 of deliberately false information or willful misrepresentation. To the
37 detriment of the public interest; or to incite, encourage or assist in
38 subversive or treasonable acts.

39
40 Public service time referred herein shall be equivalent to a maximum
41 aggregate of ten percent (10%) of the paid commercials or advertisements
42 which shall be allocated based on need to the executive and legislative

1 branches, the judiciary, constitutional commissions, and international
2 humanitarian organizations duly recognized by statutes: Provided, That the
3 NTC shall increase the public service time in case of extreme emergency or
4 calamity. The NTC shall issue rules and regulations for this purpose, the
5 effectivity of which shall commence upon applicability with other similarly
6 situated broadcast network franchise holders.

7
8 Pursuant to Republic Act No. 8370, otherwise known as the "Children's
9 Television Act of 1997," the grantee shall allot a minimum of fifteen percent
10 (15%) of the daily total air time of each broadcasting network to child-
11 friendly shows within its regular programming.

12
13 **SEC. 5. Right of Government.** – A special right is hereby reserved to the
14 President of the Philippines, in times of war, rebellion, public peril,
15 calamity, emergency, disaster or disturbance of peace and order, to
16 temporarily take over and operate the stations or facilities of the grantee,
17 to temporarily suspend the operation of any station or facility in the
18 interest of public safety, security and public welfare, or to authorize the
19 temporary use and operation thereof by any agency of the government,
20 upon due compensation to the grantee, for the use of said stations or
21 facilities during the period when they shall be so operated. The radio
22 spectrum is a finite resource that is part of the national patrimony and the
23 use thereof is a privilege conferred upon the grantee by the State and may
24 be withdrawn anytime after due process.

25
26 **SEC. 6. Term of Franchise.** – This franchise shall be for a term of twenty -
27 five (25) years from the date of effectivity of this Act, unless sooner revoked
28 or cancelled. This franchise shall be deemed ipso facto revoked in the event
29 the grantee fails to comply with any of the following conditions:

30
31 (a) Commence operations within one (1) year from the approval of its
32 operating permit by the NTC;

33
34 (b) Operate continuously for two (2) years; and

35
36 (c) Commence operations within three (3) years from the effectivity of
37 this Act.

38
39 **SEC. 7. Acceptance and Compliance.** – Acceptance of this franchise shall
40 be given in writing within sixty (60) days from the effectivity of this Act.
41 Upon giving such acceptance, the grantee shall exercise the privileges
42 granted under this Act. Non-acceptance shall render the franchise void.

1
2 **SEC. 8. Bond** – The grantee shall file a bond issued in favor of the NTC,
3 which shall determine the amount, to guarantee the compliance with and
4 fulfillment of the conditions⁴ under which this franchise is granted. If, after
5 three (3) years from the date of the approval of its permit by the
6 Commission, the grantee shall have fulfilled the same, the bond shall be
7 cancelled by the Commission. Otherwise, the bond shall be forfeited in favor
8 of the government and the franchise ipso facto revoked.

9
10 **SEC. 9. Self.** – Regulation by and Undertaking of Grantee. - The grantee shall
11 not require any previous censorship of any speech, play, act or scene, or
12 other matter to be broadcast from its stations: Provided, That the grantee,
13 during any broadcast, shall cut off from the air the speech, play, act or scene,
14 or other matter being broadcast if the tendency thereof is to propose
15 and/or incite treason, rebellion or sedition; or the language used therein or
16 the theme thereof is indecent or immoral; and willful failure to do so shall
17 constitute a valid cause for the cancellation of this franchise.

18
19 **SEC. 10. Warranty in Favor of National and Local Governments.** – he
20 grantee shall hold the national, provincial, city and municipal governments
21 of the Philippines harmless from all claims, accounts, demands or actions
22 arising out of accidents or injuries, whether to property or to persons,
23 caused by the construction or operation of the stations of the grantee.

24
25 **SEC. 11 Nontransferability of Franchise.** – The grantee shall not lease,
26 transfer, grant the usufruct of, sell nor assign this franchise or the rights and
27 privileges acquired thereunder to any person, firm, company, corporation
28 or other commercial or legal entity, not merge with any other corporation
29 or entity, nor shall the controlling interest of the grantee be transferred,
30 whether as a whole or in parts, whether simultaneously or
31 contemporaneously, to any such persons, firm, company, corporation or
32 entity without prior approval of the Congress of the Philippines.

33
34 Congress shall be informed of any sale, lease, transfer, grant of usufruct, or
35 assignment of franchise, or the rights and privileges acquired thereunder,
36 or the merger or transfer of the controlling interest of the grantee within
37 sixty (60) days after the completion of the said transaction. Failure to report
38 to Congress such change of ownership shall render the franchise ipso facto
39 revoked.

40
41 Any person or entity to which this franchise is sold, transferred or assigned,
42 shall be subject to the same conditions, terms, restrictions and limitations

1 of this Act.

2
3 **SEC. 12. Dispersal of Ownership.** – In accordance with the constitutional
4 provision to encourage public participation in public utilities, the grantee
5 shall offer at least thirty per centum (30%) of its outstanding capital stock
6 or a higher percentage that may hereafter be provided by law in any
7 securities exchange in the Philippines within five (5) years from the
8 renewal of its franchise: Provided, That in cases where public offer of shares
9 is not applicable, the grantee shall apply other methods of encouraging
10 public participation by citizens and corporations operating public utilities
11 as allowed by law. Noncompliance therewith shall render the franchise ipso
12 facto revoked.

13
14 **SEC. 13. Equality Clause.** – All laws, decrees, executive orders, and rules
15 and regulations contrary to or inconsistent with the provisions of this Act
16 are hereby repealed or modified accordingly.

17
18 **SEC. 14. General Broadcast Policy Law.** – The grantee shall comply with
19 and be subject to the provisions of a general broadcast policy law, which
20 Congress may hereafter enact.

21
22 **SEC. 15. Commitment to Provide and Promote the Creation of**
23 **Employment Opportunities.** – The grantee shall create employment
24 opportunities as well as accept on-the-job trainees in their franchise
25 operations: Provided, that priority shall be accorded to the residents of the
26 place where the principal office of the grantee is located: Provided, further,
27 That the grantee shall comply with the applicable labor standards and
28 allowance entitlement under existing labor laws, rules and regulations and
29 similar issuances: Provided, finally, That the employment opportunities or
30 jobs created shall be reflected in the General Information Sheet (GIS) to be
31 submitted to the Securities and Exchange Commission (SEC) annually.

32
33 **SEC. 16. Reportorial Requirement.** – The grantee shall submit an annual
34 report to the Congress of the Philippines, through the Committee on
35 Legislative Franchises of the House of Representatives and the Committee
36 on Public Services of the Senate, on its compliance with the terms and
37 conditions of the franchise on or before April 30 of every year during the
38 term of its franchise.

39
40 The annual report shall include an update on the roll-out, development,
41 operation and/or expansion of business; audited financial statements;
42 latest GIS officially submitted to SEC, if applicable; certification of the NTC

1 on the status of its permits and operations; and an update on the dispersal
2 of ownership undertaking, if applicable.

3
4 The reportorial compliance certificate issued by the Congress shall be
5 required before any application for permit or certificate is accepted by the
6 NTC.

7
8 **SEC. 17. Fine.** – Failure of the grantee to submit the requisite annual report
9 to Congress shall be penalized by a fine of Five hundred pesos (P500.00)
10 per working day of noncompliance. The fine shall be collected by the NTC
11 from the delinquent franchise grantee separate from the reportorial
12 penalties imposed by the NTC and the same shall be remitted to the Bureau
13 of the Treasury.

14
15 **SEC. 14. Effectivity Clause.** – This Act shall take effect fifteen days from the
16 date of its publication in the Official Gazette or in at least two (2)
17 newspapers of general circulation.

18
19
Approved,