

MALACAÑANG  
Manila

MFN 1579

BY THE PRESIDENT OF THE PHILIPPINES

PROCLAMATION NO. 557

DECLARING THE MONTH OF APRIL OF EVFRY YEAR AS  
"BROADCASTER' MONTH"

WHEREAS, Section 24, Article II, of the 1987 CONSTITUTION provides that, "The State recognizes the vital role of communication and information in nation-building";

WHEREAS, the Kapisanan ng mga Brodkaster sa Pili-pinas (KBP), a national, non-governmental organization of owners and operators of radio/television stations, has shown its readiness and willingness as disseminator of news and information;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby declare the month of April of every year as "BROADCASTERS' MONTH".

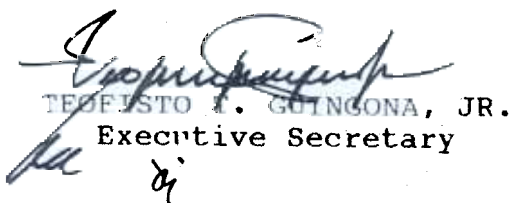
All governmental agencies are hereby enjoined to extend their utmost assistance and cooperation to ensure success in the proper commemoration and observance of the "BROADCASTERS' MONTH."

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

Done in the City of Manila, this 3rd day of April, in the year of Our Lord, nineteen hundred and ninety five.



By the President



TEODORO T. GUINGONA, JR.  
Executive Secretary

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Date



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Republic of the Philippines  
Congress of the Philippines  
Metro Manila

Third Regular Session

Begun and held in Metro Manila, on Monday, the twenty-fifth day of July, nineteen hundred and ninety-four.

REPUBLIC ACT NO. 7816

AN ACT GRANTING THE MANILA BROADCASTING COMPANY A FRANCHISE TO CONSTRUCT, INSTALL, OPERATE AND MAINTAIN RADIO AND TELEVISION BROADCASTING STATIONS WITHIN THE PHILIPPINES, AND FOR OTHER PURPOSES

*Be it enacted by the Senate and House of Representatives 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 the Manila Broadcasting Company, hereunder referred to as the grantee, its successors or assigns, a franchise to construct, install, operate and maintain for commercial purposes and in the public interest radio and television broadcasting stations in the Philippines with the corresponding technological auxiliaries or facilities, special broadcast and other broadcast distribution services and relay stations, and to construct, install, operate and maintain communication facilities for the grantee's private use in its

**SEC. 2. Manner of Operation of Stations or Facilities.** – The existing and future 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 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 should maximize rendition of the grantee's services and/or the availability thereof.

**SEC. 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 and television 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 reasonable 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 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 rebellion, public peril, calamity, emergency, disaster or disturbance of peace and order, to temporarily take over and operate the stations 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

operate

**SEC. 6. Term of Franchise.** – This franchise shall be for a term of twenty-five (25) years from the date of approval under 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.

**SEC. 7. Acceptance and Compliance.** – Acceptance of this franchise shall be given in writing within sixty (60) days from the approval of this Act. Upon giving such acceptance, the grantee shall exercise the privileges granted under this Act. Nonacceptance shall render the franchise void.

**SEC. 8. Tax Provisions.** – The grantee, its successors or assigns, shall be liable to pay the same taxes on their real property, buildings and personal property, exclusive of this franchise, as other persons or corporations are now or hereafter required by law to pay. In addition thereto, the grantee, its successors or assigns, shall pay a franchise tax equivalent to three percent (3%) of all gross receipts of the radio/television business transacted under this franchise by the grantee, its successors or assigns, and the said percentage shall be in lieu of all taxes on the franchise or earnings thereof: *Provided*, That the grantee, its successors or assigns, shall continue to be liable for income taxes payable under Title II of the National Internal Revenue Code pursuant to Section 2 of Executive Order No. 72 unless the said enactment is amended or repealed, in which case the amendment or repeal shall be applicable thereto.

The grantee shall file the return with and pay the tax thereon to the Commissioner of Internal Revenue or his authorized representatives, in accordance with the National Internal Revenue Code, and the return shall be subject to audit by the Bureau of Internal Revenue.

**SEC. 9. Public Ownership.** – In compliance with the constitutional mandate to democratize ownership of public utilities, the herein grantee, its successors or assigns, shall continue to maintain its status as a publicly-held corporation

*Effectivity Clause.* - The grantee shall not require any previous censorship of any speech, play, act or scene, or other matter to be broadcast and/or telecast from its stations: *Provided*, That the grantee, during any broadcast and/or telecast, shall cut off from the air the speech, play, act or scene, or other matter being broadcast and/or telecast 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, and willful failure to do so shall constitute a valid cause for the cancellation of this franchise.

SEC. 11. *Warranty in Favor of National and Local Governments.* - The grantee shall hold the national, provincial, 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. 12. *Sale, Lease, Transfer, Usufruct, etc.* - 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 corporation or entity 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.

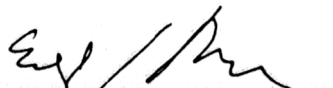
SEC. 13. *Separability Clause.* - If any sections or provisions of this Act is held invalid, all the other provisions not affected thereby shall remain valid.

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. *Repealability and Nonexclusivity Clauses.* - 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. 16. *Effectivity Clause.* - This Act shall take effect fifteen (15) days from its publication in at least two (2) newspapers of general circulation in the Philippines.

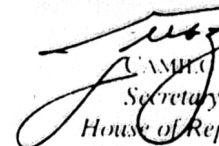
Approved,

  
EDGARDO J. ANGARA  
*President of the Senate*

SEDEV  
*Speaker of  
of Representatives*

This Act which originated in the House of Representatives was finally passed by the House of Representatives on May 24, 1994 and August 23, 1994, respectively.

*for Overall g/s*  
EDGARDO E. TUMANGAN  
*Secretary of the Senate*

  
JUAN P. RAMIREZ  
*Secretary  
House of Representatives*

Approved

OCT 29 1994

  
FIDEL V. RAMOS  
*President of the Philippines*

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Approved,

  
EDGARDO J. ANGARA  
*President of the Senate*

  
JOSE DE VENECIA,  
*Speaker of the House of Representatives*

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*for Approval 9/15*  
EDGARDO E. TUMANGA  
*Secretary of the Senate*

  
RAMON L. SABIO  
*Secretary General House of Representatives*

Approved

FIDEL V. RAMOS  
*President of the Philippines*

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