Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 7560

Introduced by

HON. WILTER "SHARKY" WEE PALMA II

AN ACT

RENEWING FOR ANOTHER TWENTY-FIVE (25) YEARS THE FRANCHISE
GRANTED TO TIMES BROADCASTING NETWORK CORPORATION, AMENDING
FOR THAT PURPOSE REPUBLIC ACT 8152 ENTITLED "AN ACT GRANTING THE
TIMES BROADCASTING NETWORK CORPORATION A FRANCHISE TO
ESTABLISH, CONSTRUCT, INSTALL, MAINTAIN AND OPERATE RADIO AND
TELEVISION BROADCASTING STATIONS WITHIN THE PHILIPPINES AND FOR
OTHER PURPOSES"

EXPLANATORY NOTE

This bill seeks to renew the franchise granted to Times Broadcasting Network Corporation
under Republic Act No. 8152 which took effect on September 4, 1995.

Herein grantee seeks the kind understanding of Congress for initiating the renewal
process much later than would have been expected given the considerable time required
to pursue the legislative process, including public hearings and conferences in both
Houses of Congress. Indeed, the current Covid-19 way of doing business has upended
the ability to gather papers and regulatory clearances of most establishments – and
grantee cites such hardships not only in its regular operations but also in going about
securing needed documents due to the varied community quarantine protocols imposed
all over the country.
Times Broadcasting Network Corp. was a pioneering radio station initially operating only in Ozamiz City broadcasting in the AM and FM bands, but later on branching out to other cities in the Zamboanga Peninsula such as Pagadian and Dipolog, and recently in several cities in Central Visayas. For the past twenty-five (25) years, Times Broadcasting Network Corp. had been an active State partner in promoting growth and development through equal access to information and communication. This was more telling particularly in grantees’ areas of operation where limited engagement by other actors made radio broadcast a vital tool in disseminating news and truthful advertising. Ever mindful of this responsibility and challenge, the grantee has been steadfast in providing quality broadcasting and espousing well-balanced programming in the Visayas and Mindanao areas.

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

WILTER "SHARKY" WEE PALMA II
1st District, Zamboanga Sibugay
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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, the franchise granted to Times
Broadcasting Network Corporation, hereunder referred to as the grantee, its successors
or assignees, under Republic Act No. 8152, entitled “An act granting the Times
Broadcasting Network Corporation a franchise to establish, construct, install, maintain
and operate radio and television broadcasting stations within the Philippines and for other
purposes” is hereby renewed for another twenty-five (25) years from the date of effectivity
of this Act, 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 private use in its broadcast services.

SECTION 2. Manner of Operation of Stations.— 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 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
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 Senate, 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.

**SECTION 8. Self-regulation by and Undertaking of 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, sedition; or the language used therein or the theme thereof is indecent or immoral: *Provided, further*, That wilful failure to do so shall constitute a valid cause for the cancellation of this franchise.

**SECTION 9. Warranty in Favor of National and Local Governments.** — The grantee shall hold the national, provincial and municipal governments of the Philippines free 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 station of the grantee.

**SECTION 10. Sale, Lease, Transfer, Grant of Usufruct, or Assignment 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 shall the controlling interest of the grantee be transferred to any such private person, firm, company, corporation or entity without the prior approval of the Congress of the Philippines: *Provided*, That Congress shall be informed of any sale, lease, transfer, grant of usufruct of, or assignment of franchise or the rights or privileges acquired thereunder, or the merger or transfer of the controlling interest of the grantee, within sixty (60) days after the completion of said transaction: *Provided, further*, That failure to report to Congress such change of ownership shall render the franchise *ipso facto* revoked: *Provided, finally*, That any person or entity to which this franchise is sold, transferred or assigned, shall be subject to the same conditions, terms, restrictions, and limitations of this Act.

**SECTION 11. Dispersal of Ownership.** — In accordance with the constitutional provision to encourage public participation in public utilities, the grantee shall offer to Filipino citizen at least thirty per cent (30%) or a higher percentage that may hereafter be provided by
law of its outstanding capital stock in any securities exchange in the Philippines within
five (5) years from the commencement of its operations: Provided, That in cases where
public offer of shares is not applicable, establishment of cooperatives and other methods
of encouraging public participation by citizens and corporations operating public utilities
must be implemented. Noncompliance therewith shall render the franchise ipso facto
revoked.

SECTION 12. General Broadcast Policy Law.— The grantee shall comply with 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. Penalty Clause.— Failure of the grantee to submit the requisite annual
report to Congress will be penalized by a fine in the amount of Five Hundred Pesos
(P500.00) per working day on noncompliance. The fine will be collected by the NTC from
delinquent franchise grantee separate from the reportorial penalties imposed by the NTC.

SECTION 15. Equality Clause.— Any advantage, favour, privilege, exemption, or
immunity granted under existing franchises, or which may hereafter be granted for radio
and/or television broadcasting, upon prior review and approval of Congress, shall become
part of this franchise and shall be accorded immediately and unconditionally to the herein
grantee: Provided, That the foregoing shall neither apply to nor affect the 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.

SECTION 16. 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 17. 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 and shall not be interpreted as an exclusive grant of the privileges herein provided for.

**SECTION 18.** Effectivity Clause.— This Act shall take effect fifteen (15) days from the date of the *Official Gazette* or in a newspaper of general circulation.

Approved,