

MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 6

PROMULGATING RULES AND REGULATIONS GOVERNING THE CONSTRUCTION,
INSTALLATION AND OPERATION OF RADIO TRANSMITTING STATIONS,
RADIO RECEIVING STATIONS FOR COMMERCIAL PURPOSES OR TELEVI-
SION OR RADIO BROADCASTING STATIONS UNDER TEMPORARY PERMITS
ISSUED BY THE PRESIDENT.

Pursuant to the provisions of Commonwealth Act Numbered Seven hundred and twenty-nine, I, MANUEL ROXAS, President of the Philippines, do hereby promulgate the following rules and regulations governing the construction, installation, and operation of radio stations that may be established and operated under temporary permits issued by the President of the Philippines.

SECTION 1. There is hereby constituted a Radio Permit Committee composed of the Secretary of Justice as Chairman and the Secretary of Public Works and Communications, the Secretary of Instruction, the Secretary of Labor, and the Secretary of National Defense, as members. The Superintendent of the Radio Control Division of the Department of National Defense is hereby designated Secretary of the Radio Permit Committee. Funds for the operation of the Committee may be allocated from the fees collected under the provisions of this Order upon resolution of the Committee, approved by the President.

SEC. 2. The Radio Permit Committee, with the authority of the President, shall issue radio permits in accordance with the rules and regulations prescribed in this Executive Order.

SEC. 3. Any person, firm, company, association or corporation desiring to construct, install, establish or operate a radio transmitting station or a radio receiving station used for commercial purposes, or a television or a radio broadcasting station shall apply to the Radio Permit Committee for a temporary permit, said application to contain the following information:

1. Name and address of applicant.
2. Citizenship.
3. If a corporation, company or association:
 - (a) Under what laws it is organized.

- (b) A copy of the Articles of Incorporation and the names and citizenships of the directors and officers should be submitted.
- (c) If the applicant is a subsidiary, the name and address of the parent company should be stated.

4. Description of transmitting apparatus.
5. Type of frequency control.
6. Frequency stability.
7. Frequency in kilocycles, types of emission and maximum power of transmitter.
8. Geographical location of transmitting and receiving stations.
9. Statement of applicant showing ability and qualifications to construct and operate the proposed station.
10. Purpose.

SEC. 4. Upon approval of the application by the Radio Permit Committee, the Secretary of National Defense shall, after inspection of plans, equipment, etc., and if the construction of the station and other particulars required by law are complied with and are satisfactory to him, assign the necessary call letters and frequencies and issue a radio station license.

SEC. 5. The temporary permit granted by the Radio Permit Committee shall be for a period not exceeding one year counted from the date of issue; Provided, That any such permittee shall operate the station in the public interest and under the following terms and conditions:

(a) The permit shall be subject to the express condition that it shall be cancelled or withdrawn unless the construction of the station be begun within three (3) months from the date of issue of the permit.

(b) The station of the permittee shall be so constructed and operated that no interference shall be caused to other radio services.

(c) Special right is reserved to the President of the Philippines in time of war, insurrection, public peril, calamity or disaster to cause the closing of the station or to authorize the temporary use or possession thereof by any department of the Government, upon just compensation.

(d) The permittee shall pay the necessary radio station construction permit and station license fees as required by the Radio Control Law, Act 3846, as amended; the fees equivalent to the franchise fees collectible under existing laws; and shall be liable to pay the same taxes on its real property as other persons or corporations are now or hereafter may be required by law to pay.

(e) The station shall be operated only by duly licensed radio operators.

(f) The minimum rated carrier in-put power, in the case of a broadcast radio station, shall be 1000 watts.

(g) The transmitter shall be wired and shielded in accordance with good engineering practice and shall be provided with necessary safety features.

(h) The permittee shall receive the permit subject to the condition that the Government will regulate the charges and rates for its services.

(i) Temporary permits granted by the Radio Permit Committee, or the privileges acquired thereunder, shall not be transferrable.

For the purposes of this section, the requirement that the permittee shall operate the station in the public interest shall mean that the operation and activities of the station shall contribute to the public welfare; shall assist in the functions of public information and education; shall conform to the ethics of honest enterprise; shall not be used for the dissemination of deliberately false information, of wilful misrepresentation, or to the detriment of the public health, or to incite, encourage or assist in subversive or treasonable acts.

SEC. 6. It is hereby declared to be the policy in the granting of permits under this Order to encourage the freest possible dissemination of information and to provide the maximum practical number of channels for free expression of opinion: Provided, That if any permittee under this Executive Order grants facilities for the dissemination of a controversial political opinion, he shall afford equal opportunities to proponents of the other side or sides of the same political question for the dissemination of their viewpoint:

and, Provided, further, That if any permittee shall permit any person who is a legally registered candidate for any public office to use the broadcasting station, he shall afford equal opportunities to all other candidates for the same office in the use of such broadcasting station. No obligation is hereby imposed upon any permittee to allow the use of its station for the dissemination of a controversial political opinion or by candidates for public elective office. Nothing herein shall be construed as preventing commercial radio broadcasting stations from disseminating legitimate, objective, and impartial news reports on any question. The Committee may, with the approval of the President, issue such rules and regulations as may be necessary to enforce the provisions of this section.

SEC. 7. Suitable time shall be allocated over commercial radio broadcasting stations for educational programs in the public interest, material for which may be provided by the Department of Instruction or other Government departments, or by private educational institutions.

SEC. 8. The Committee shall have full authority and power at any time to institute an inquiry on its own motion in any case and as to any matter dealt with in this Executive Order and to make recommendations to the President. The Committee shall have the same power and authority to proceed with any inquiry which it may desire to make on the basis of complaints made by interested parties.

SEC. 9. In the granting of permits and renewals thereof, when and in so far as there is demand for the same, the Committee shall make such distribution of permits among the provinces and municipalities as to provide a fair, efficient, and equitable distribution of radio service to each of the same.

SEC. 10. (a) "Committee," when used in this Executive Order, shall refer to the Radio Permit Committee, as constituted in Section 1 hereof.

(b) "Permittee" means the holder of a temporary permit issued by the Radio Permit Committee to construct, install and operate a radio or television station for a period not exceeding one year. A radio permit shall be considered the equivalent of a franchise as granted in the past by the Philippine Congress and shall have the same force and effect, subject to such conditions as are established in this Executive Order and otherwise by law.

SEC. 11. This Order shall take effect immediately.

Done at the City of Manila, this 17th day of July in the year of Our Lord, nineteen hundred and forty-six, and of the Independence of the Philippines, the first.

Mamuel Roxas

By the President:

Emilio Abello

EMILIO ABELLO

Chief of the Executive Office