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LAWNUM: RA07618
DATE : 06/25/92
TITLE : AN ACT GRANTING THE CHRISTIAN ERA BROADCASTING SERVICE,
INCORPORATED, A FRANCHISE TO CONSTRUCT, INSTALL, OPERATE AND
MAINTAIN FOR
RELIGIOUS, NONCOMMERCIAL AND NON-PROFIT PURPOSES RADIO AND
TELEVISION
BROADCASTING STATIONS IN THE PHILIPPINES, AND FOR OTHER PURPOSES

TEXT :

H. No. 34938

Republic of the Philippines
Congress of the Philippines
Metro Manila

Fifth Regular Session

Begun and held In Metro Manila, on Monday, the twenty-second
day of July, nineteen hundred and ninety-one.

[REPULIC ACT NO. 7618]

AN ACT GRANTING THE CHRISTIAN ERA BROADCASTING
SERVICE, INCORPORATED, A FRANCHISE TO
CONSTRUCT, INSTALL, OPERATE AND MAINTAIN
FOR RELIGIOUS, NONCOMMERCIAL AND NON-PROFIT
PURPOSES RADIO AND TELEVISION BROADCASTING
STATIONS IN THE PHILIPPINES, AND FOR OTHER
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, there is hereby granted to the Christian Era
Broadcasting Service, Incorporated, its successors or assigns

and hereunder referred to as the grantee, a franchise to construct, install, operate and maintain for religious, noncommercial and nonprofit 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 install radio communication facilities for the grantee's private use in its broadcast services.

SEC. 2. Manner of Operation of Stations or Facilities. - 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 existing stations or other stations which may be established in accordance with law of other broadcast services grantees.

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/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. - The President of the Philippines, in times of rebellion public peril, calamity, emergency, disaster or disturbance of peace and order, may temporarily take over and operate the stations of the grantee, temporarily suspend the operation of any station in the interest of public safety, security and public welfare, or 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 during the period when they shall be so operated.

SEC. 6. 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. 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 after approval of this Act. The grantee shall construct, complete and operate a television or radio station within four (4) years from the date of its acceptance in writing of this franchise. Refusal or failure to accept the franchise or to operate within the prescribed period shall render the franchise void.

SEC. 8. Tax Provisions. - In consideration of its outstanding public service in the fields of education, culture and public information and in consideration of the equal value of the free use of its facilities including radio broadcast time by the Philippine Government the grantee shall be exempt from prepayment of taxes, customs, duties and other similar charges on the importation of equipment, spare parts and supplies to be actually, directly and exclusively used in and for its radio broadcast or telecast operations as certified by the National Telecommunications Commission or its legal successors: Provided, That, any violation of such condition will subject the importation involved to the payment of taxes, customs, duties and other similar charges at double the rates assessed.

SEC. 9. Self-regulation by and Undertaking of Grantee. - The grantee shall not require any previous censorship of any speech, play, act, scene or other matter to be broadcast and/or telecast from its stations; but if any such speech, play, act, scene or other matter should constitute a violation of the law or infringement of a private right, the grantee shall be free from any liability, civil or criminal, for such speech, play, act, scene or other matter: Provided, That the grantee, during any broadcast and/or telecast, shall cut off from the air the speech, play, act, scene or other matter being broadcast/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. 10. 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. 11. Sale, Lease, Transfer, Usufruct, etc. - The grantee shall not lease, transfer, grant the usufruct of,

sell or assign this franchise or the rights and privileges acquired thereunder to any person, firm, company, corporation or entity, nor merge with any other corporation or entity without the prior approval of the Congress of the Philippines. Neither shall the controlling interest in the grantee be transferred, whether as a whole or in parts and whether simultaneously or contemporaneously, to any such person, firm, company, corporation or entity without the prior approval of the Congress of the Philippines. Any person or entity to which this franchise is validly sold, transferred or assigned shall be subject to all the same conditions, terms, restrictions and limitations of this Act.

SEC. 12. 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.

SEC. 13. 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.

SEC. 14. General Broadcast Policy. - The grantee shall comply with and be subject to the provisions of a general broadcast policy law that may hereafter be enacted.

SEC. 15. Reportorial Requirement. - The grantee shall submit an annual report to the Congress of the Philippines on its compliance with the terms and conditions of the franchise and on its operations within sixty (60) days from the end of every year.

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

Approved,

MITRA
NEPTALI A. GONZALES
President of the Senate

RAMON V.
Speaker of the House
of Representatives

This Act which originated in the House of Representatives was finally

passed by the House of Representatives and the Senate on November
25,
1991 and December 18, 1991, respectively.

SABIO
ANACLETO D. BADOY, JR.
Secretary of the Senate

CAMILO L.
Secretary General
House of Representatives

Approved: June 25 1992

CORAZON C. AQUINO
President of the Philippines