Republic of the Philippines
Congress of the Philippines
Metro Manila
Eighteenth Congress
Third Regular Session

Begun and held in Metro Manila, on Monday, the twenty-sixth day of July, two thousand twenty-one.

[REPUBLIC ACT NO. 11834]

AN ACT GRANTING THE NATIONAL COUNCIL OF CHURCHES IN THE PHILIPPINES (NCCP) A FRANCHISE TO CONSTRUCT, INSTALL, ESTABLISH, OPERATE, AND MAINTAIN RADIO AND TELEVISION BROADCASTING STATIONS IN THE PHILIPPINES

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 National Council of Churches in the Philippines (NCCP), hereunder referred to as the Grantee, its successors or assignees, a franchise to construct, install, establish, operate, and maintain for commercial purposes and in the public interest, radio and television broadcasting stations in the Philippines,
where frequencies and channels are still available for radio and television broadcasting, including digital television system, through microwave, satellite or whatever means, as well as the use of any new technology in radio and television systems, with the corresponding technological auxiliaries or facilities, special broadcast and other program and distribution services and relay stations.

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 existing stations or other stations which may be established by law, without in any way diminishing its own privilege to use its assigned wavelengths or frequencies and the quality of transmission or reception thereon as should maximize rendition of the Grantee’s services and the availability thereof.

SEC. 3. Prior Approval of the National Telecommunications Commission. – The Grantee shall secure from the National Telecommunications Commission (NTC) the appropriate permits and licenses for the construction and operation of its stations or facilities and shall not use any frequency in the radio spectrum without authorization from the NTC. The NTC, however, shall not unreasonably withhold or delay the grant of any such authority.

In case of any violation of the provisions of this franchise, the NTC shall have the authority to revoke or suspend, after due process, the permits or licenses it issued pursuant to the franchise. The NTC may recommend to Congress the revocation of the franchise for any violation of the provisions of this franchise.

SEC. 4. Responsibility to the Public. – The Grantee shall provide, free of charge, adequate public service time which is reasonable and sufficient to enable the government, through the broadcasting stations or facilities of the Grantee, to reach the pertinent populations or portions thereof, on important public issues and relay important public announcements and warnings concerning public emergencies and calamities, as

necessity, urgency, or law may require; provide at all times sound and balanced programming; promote public participation; assist in the functions of public information and education; conform to the ethics of honest enterprise; promote audience sensibility and empowerment including closed captioning; and not use its stations or facilities for the broadcasting of obscene or indecent language, speech, act or scene, the dissemination of deliberately false information or willful misrepresentation, to the detriment of public interest, or to incite, encourage, or assist in subversive or treasonable acts.

Public service time referred herein shall be equivalent to a maximum aggregate of ten percent (10%) of paid commercials or advertisements which shall be allocated based on need to the Executive and Legislative branches, the Judiciary, Constitutional Commissions, and international humanitarian organizations duly recognized by statute: Provided, That the NTC shall increase the public service time in case of extreme emergency or calamity. The NTC shall issue rules and regulations for this purpose, the effectivity of which shall commence upon applicability with other similarly situated broadcast network franchise holders.

Pursuant to Republic Act No. 8370, otherwise known as the “Children’s Television Act of 1997”, the Grantee shall allot a minimum of fifteen percent (15%) of the daily total air time of each broadcasting network or station to child-friendly shows within its regular programming.

SEC. 5. Right of the Government. – The radio spectrum is a finite resource that is part of the national patrimony, and the use thereof is a privilege conferred upon the Grantee by the State that may be withdrawn any time after due process.

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 stations or facilities of the Grantee; to temporarily suspend the operation of any station or facility 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 or facilities during
the period when these shall be so operated.

SEC. 6. Term of Franchise. – This franchise shall be in
effect for a period of twenty-five (25) years from the effectivity
of this Act, unless sooner revoked or cancelled. This franchise
shall be deemed *ipso facto* revoked in the event the Grantee
fails to operate continuously for two (2) years.

SEC. 7. Self-regulation by and Undertaking of the
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, but if any such speech, play, act or 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 or
scene, or other matter: Provided, That the Grantee, during
any broadcast, shall cut off the airing of speech, play, act or
scene, or other matter being broadcast if the tendency thereof
is to propose or incite treason, rebellion, or sedition; or the
language used therein or the theme thereof is indecent or
immoral: Provided, further, That willful failure to do so shall
constitute a valid cause for the cancellation of this franchise.

SEC. 8. Warranty in Favor of the National and Local
Governments. – The Grantee shall hold the national, provincial,
city, and municipal governments of the Philippines free from
all claims, liabilities, demands, or actions arising out of
accidents causing injury to persons or damage to properties,
during the construction or operation of the stations of the
Grantee.

SEC. 9. Commitment to Provide and Promote the Creation
of Employment Opportunities. – The Grantee shall create
employment opportunities and accept on-the-job trainees in
the franchise operations: Provided, That priority shall be
accorded to the residents of the place where the principal office
of the Grantee is located: Provided, further, That the Grantee
shall comply with the applicable labor standards and allowance
entitlement under existing labor laws, rules and regulations
and similar issuances.

The employment opportunities or jobs created shall be
reflected in the General Information Sheet (GIS) to be
submitted to the Securities and Exchange Commission (SEC)
annually.

SEC. 10. Sale, Lease, Transfer, Grant of Usufruct, or
Assignment of Franchise. – The Grantee shall not sell, lease,
transfer, grant the usufruct of, 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 other corporation or entity,
nor shall the controlling interest of the Grantee be transferred,
simultaneously or contemporaneously, to any person, firm,
company, corporation, or entity without the prior approval
of Congress. The Grantee shall inform Congress, through the
Office of the Speaker of the House of Representatives and the
Office of the Senate President, of any sale, lease, transfer,
grant of usufruct, or assignment of franchise or the rights
and privileges acquired thereunder, or of the merger or
transfer of the controlling interest of the Grantee, within
sixty (60) days after the completion of the said transaction.
Failure to report to Congress such change of ownership shall
render the franchise *ipso facto* revoked. 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.

SEC. 11. Reportorial Requirement. – The Grantee shall
submit an annual report on its compliance with the terms
and conditions of the franchise and on its operations 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 or before
April 30 of every year during the term of its franchise.

The annual report shall include an update on the
commencement of activities, development, operation, and
expansion of business; audited financial statements; latest
GIS officially submitted to the SEC, if applicable; certification
of the NTC on the status of its permits and operations; and
an update on the dispersal of ownership undertaking, if applicable.
The reportorial compliance certificate issued by Congress shall be required before any application for permit or certificate is accepted by the NTC.

SEC. 12. Fine. — Failure of the Grantee to submit the requisite annual report to Congress shall be penalized by a fine of Five hundred pesos (P500.00) per working day of noncompliance to the NTC. The fine shall be collected separately from the reportorial penalties imposed by the NTC, and it shall be remitted to the Bureau of the Treasury.

SEC. 13. Equality Clause. — Any advantage, favor, privilege, exemption, or immunity granted under existing franchises, or which may hereafter be granted for radio and 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 territorial coverage, the term, or the type of service authorized by the franchise.

SEC. 14. Repealability and Nonexclusivity Clause. — This franchise shall be subject to amendment, alteration, or repeal by Congress when the public interest so requires and shall not be interpreted as an exclusive grant of the privileges herein provided for.

SEC. 15. Separability Clause. — If any of the sections or provisions of this Act is held invalid, all other provisions not affected thereby shall remain valid.

SEC. 16. Repealing Clause. — All laws, decrees, orders, resolutions, instructions, rules and regulations, and other issuances or parts thereof which are inconsistent with the provisions of this Act are hereby repealed, amended, or modified accordingly.

SEC. 17. Effectivity. — This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,

VICENTE C. SOTTO III LORD ALLAN TAY Q. VELASCO
President of the Senate Speaker of the House
of Representatives

This Act which originated in the House of Representatives was passed by the House of Representatives and the Senate of the Philippines on September 20, 2021 and January 31, 2022, respectively.

MYRA MARIE D. VILLARICA MARK LLAMADO L. MENDOZA
Secretary of the Senate Secretary General
House of Representatives

Approved: JUN 02 2022

without the signature of the President, in accordance with Article VI, Section 27 (1) of the Constitution.

RODRIGO ROA DUTERTE
President of the Philippines