

LAWNUM: RA07252  
DATE : 03/19/92  
TITLE : AN ACT GRANTING THE REPUBLIC BROADCASTING SYSTEM, INC. A  
FRANCHISE TO CONSTRUCT, INSTALL, OPERATE AND MAINTAIN RADIO AND  
TELEVISION BROADCASTING STATIONS IN THE PHILIPPINES

TEXT :

H. No. 25297

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.

[REPUBLIC ACT No. 7252]

AN ACT GRANTING THE REPUBLIC BROADCASTING  
SYSTEM, INC. A FRANCHISE TO CONSTRUCT,  
INSTALL, 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 Republic  
Broadcasting System, Inc., its successors or assigns and  
hereunder referred to as the grantee, 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 auxiliary, 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.

SEC. 2. Manner of Operation of Stations or Facilities. -  
The stations or facilities of the grantee shall be  
constructed in a manner as will at most result only in the  
minimum interference on the wavelengths or frequencies of the  
other existing stations 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/television spectrum without having been authorized by the Commission.

SEC. 4. Responsibility to 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; 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, or 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 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 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.

SEC, 7. Acceptance and Compliance. - This franchise shall become effective upon acceptance in writing by the grantee. 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 estate, buildings and personal property, exclusive of this franchise, as other persons or corporations are now or hereafter may be 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 this 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 latter 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 due thereon to the Commissioner of Internal Revenue or his duly authorized representative in accordance with the National Internal Revenue Code and the return shall be subject to audit by the Bureau of Internal Revenue.

SEC. 9. 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 and/or telecast 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 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. 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 nor the rights and privileges acquired thereunder to any person, firm, company, corporation or other commercial or legal entity, nor shall the controlling interest in the grantee be transferred to any such private 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 sold, transferred or assigned shall be subject to all the same conditions, terms, restrictions, and limitations of this

Act.

SEC. 12. General Broadcast Policy Law. - The grantee shall comply with a general broadcast policy law which Congress may hereafter enact.

SEC. 13. 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. 14. Repealing 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. 15. Effectivity Clause. - This Act shall take effect upon its approval.

Approved,

MITRA  
House  
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 January 28, 1992 and January 23, 1992, respectively.

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

CAMILO L.  
Secretary  
House of Representatives

Approved: March 1992

CORAZON C. AQUINO  
President of the Philippines