

Republic of the Philippines
Congress of the Philippines
Metro, Manila

Tenth Congress

First Regular Session

Begun and held in Metro, Manila, on Friday, the seventh day of June, nineteen hundred and ninety-six.

REPUBLIC ACT NO. 8219

AN ACT GRANTING RADIOWORLD BROADCASTING CORPORATION, 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 Representative of the Philippines in Congress assembled:

Section 1. Nature and scope of Franchise- Subject to the provision of the Constitution and applicable laws, rules and regulations, there is hereby granted to Radioworld broadcasting Corporation, hereunder referred to as the grantee, its successors or assigns, a franchise to construct, install, establish, operate and maintain for commercial purpose and in the public interest, radio and / or television broadcasting station in Philippines, where frequencies and / or channels are still available for radio and / or television broadcasting, with the corresponding technological auxiliaries or facilities, special broadcast and other program and distribution services and relay stations.

Section 2. Manner of Operation of Stations or facility stations or facilities of the grantee shall be construed-operated in a manner as will, at most result only in the interference on the wavelengths or frequencies of existim or other station which may be established by law, within way diminishing its own right to use its selected wave frequencies and the quality of transmission or reception as should maximize rendition of the grantee's services at availability thereof.

Section 3. Prior Approval of the National Telecomm Commission – the grantee shall secure from the Telecommunication Commission the appropriate per licenses for the construction and operation of its station and facilities and shall not use any frequency in the radio/ spectrum without having been authorized by Com. The Commission, however, shall not unreasonably with delay the grant of any such authority.

Section 4 . Responsibility to the public- The grantee shall provide adequate public service time to enable the government, through the said broadcasting stations or facilities, to population on important public issues; provide at all time and balanced programming ; assist in the functions information and education; conform to the ethics enterprise; and not use its station or facilities broadcasting of obscene and indecent language, speed scene, or for the dissemination of deliberately false information or willful misrepresentation to the detriment of the public or to incite, encourage or assist in subversive or treason.

Section 5. Right of Government . – A special right reserved to the President of the Philippines, in time rebellion, public peril, calamity, emergency, disturbance of peace and order, to temporarily take operate the stations or facilities of the grantee, to the suspend the operation of any station or facility in the public safety, security and operation thereof by any agent government, upon due compensation to the grantee, for said stations or facilities during the period when they operated.

Section 6 . Term of Franchise- This franchise term of twenty-five (25) year from the date of Act, unless sooner revoked in the event the grantee with any of the following conditions:

(a). Commence operations within one (1) approval of its permit by the national Telecommunication Commission;

(b). Operate continuously for two (2) years:

(c) . Commence operations within three (3) years from the effectivity of this act.

Section 7. Acceptance and Compliance. – AS franchise shall be given in writing within sixty (60) effectivity of this act. Upon giving such acceptance shall exercise the privileges granted under this act. .
Nonacceptance shall render the franchise void.

Section 8. Bond. The grantee shall file a bond of the national Telecommunications Commission
Determine the amount, to guarantee the fulfillment of the condition under which this franchise if after three(3)years from the date of the approve by the commission the grantee shall have fulfillment bond shall
Be cancelled by the commission. Other shall be forfeited in favor of the government a ipso facto revoked.

Section.9. Tax Provisions.- The grantee ,assigns shall be liable to pay the same taxes on building and

Personal property, exclusive of other person or corporations are now or his required by law to pay. In addition thereto successors or assigns, shall pay the value-a Republic Act No.7716 or a franchise tax of five annuum or at such percentage as may be present gross receipts of the radio/ television business this franchise by the grantee, its successors or as higher: Provided, That the grantee, its successor continue to be liable for income taxes payable National Internal Revenue code pursuant Is higher: 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 taxes due thereon to the Commissioner of Internal Revenue or his duly authorized representatives in accordance with the National Internal Revenue Code and the return shall be subject to audit by the bureau of internal Revenue.

Section 10. Self- Regulation by 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 or sedition; or the language used therein or the theme 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.

Section 11. Warranty in Favor of Nation and Government . – The grantee shall hold the national, provincial and municipal government 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.

Section 12. Sale, Lease, Transfer, Usufruct, etc,- The Grantee shall not lease, transfer , grant the usufruct of , sell nor assign this franchise or the right 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, whether as a whole or on parts and 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 sold, transferred or assigned shall be subject to the same conditions, terms, restrictions and limitations of this Act.

Section 13. Dispersal of Ownership- In accordance with constitutional provisions to encourage public participation in the grantee shall offer at least thirty percentum standing capital stock or higher percentage that a provided by law in any securities exchange in the in five (5) year from the time it has achieved in the national broadcasting

network. A “national work” is hereby defined as one that operates three and / or television stations. Noncompliance under the franchise ipso facto revoked.

Section. 14. General Broadcast Policy Law- The grantee shall comply with and be subject to the provision of a general broadcast policy law which Congress may hereafter enact.

Section.15. Separability Clause.- If any of the section or provision of this act is held invalid, all the other provision not affected thereby shall remain valid.

Section.16. Repealability and Non exclusivity clause.- This franchise shall be subject to amendment 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 privilege herein provide for.

Section.17. Reportorial Requirement – The grantee shall submit an annual report to the Congress of the Philippines on its compliance with the term and condition of the franchise and on its operation within sixty (60) days from the end of every years.

Section.18. Effectivity- 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,

NEPTALI A. GONZALES
President of the Senate

JOSE DE VENECIA, JR.
Speaker of the House
of Representatives

This Act which originated in the House of Representative was finally passed by the House of Representatives and the Senate on June 10, 1996 and June 6, 1996, respectively.

HEZEL P. GACUTAN
Secretary of the Senate

CAMILO L. SABIO
Secretary General
House of Representatives

Approved:

FIDEL V. RAMOS
President of the Philippines

Lapsed into law on Sept. 12, 1995
Without the signature of the president,
In accordance with Article VI Section
27 (1) of the Constitution.