

AN ACT AMENDING REPUBLIC ACT NUMBERED TWENTY-NINE HUNDRED THIRTY-SEVEN, ENTITLED "AN ACT GRANTING JORGE D. BAYONA A FRANCHISE TO CONSTRUCT, MAINTAIN AND OPERATE A RADIO BROADCASTING STATION IN THE BICOL REGION AND SOUTHERN TAGALOG, AS WELL AS FIXED POINT-TO-POINT AND LAND BASED AND LAND AND SEA-MOBILE RADIO STATIONS FOR THE RECEPTION AND TRANSMISSION OF RADIO COMMUNICATIONS WITHIN THE PHILIPPINES, AT SUCH PLACES AS THE SAID JORGE D. BAYONA MAY SELECT, SUBJECT TO THE APPROVAL OF THE SECRETARY OF PUBLIC WORKS AND COMMUNICATIONS."

REPUBLIC ACT NO. 5789, June 21, 1969

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Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

SECTION 1. Section one of Republic Act Numbered Twenty-nine hundred thirty-seven is amended to read as follows:

"SECTION 1. Subject to the provisions of the Constitution as well as of Act Numbered Three thousand eight hundred forty-six, entitled "An Act providing for the regulation of radio stations and radio communication in the Philippine Islands, and for other purposes"; Act Numbered Three thousand nine hundred ninety-seven, known as the Radio Broadcasting Law; Commonwealth Act Numbered One hundred forty-six, known as the Public Service Act, and their amendments; and other applicable laws, not inconsistent with this Act, Jorge D. Bayona is hereby granted a franchise to construct, maintain and operate radio broadcasting and television stations in the Bicol region and Southern Tagalog, as well as fixed point-to-point and land based and land and sea-mobile radio stations for the reception and transmission of radio communications within the Philippines, at such places as the said Jorge D. Bayona may select, subject to the approval of the Secretary of Public Works and Communications."

SEC. 2. Section two of the same Act is amended to read as follows:

"SEC. 2. This franchise shall continue for a period of twenty-five years from the date the said stations shall be put in operation, and is granted upon the express condition that the same shall be void unless the construction of at least one television station be begun two years from the date of the approval of this Act and be completed within four years from said date."

SEC. 3. Section four of the same Act is amended to read as follows:

"SEC. 4. The grantee's radio broadcasting and television stations shall not be put in actual operation until the Secretary of Public Works and Communications shall have allotted to the grantee the frequencies and wave lengths and channels to be used under this franchise and issued to the grantee a license for such use.

"The grantee, his successors or assigns, is authorized to operate his fixed point-to-point and land based and land and sea-mobile radio stations in the medium frequency, high frequency, and very high frequency that may be assigned to it by the Secretary of Public Works and Communications."

SEC. 4. Section four-A, a new section, is hereby inserted between Section four and Section five of the same Act, and shall read as follows:

"SEC. 4-a. In the event of any competing individual, partnership or corporation receiving from the Congress a similar franchise in which there shall be any term or terms more favorable than those herein granted or tending to place the herein grantee at any disadvantage, then such term or terms shall ipso facto become a part of the

terms hereof and shall operate equally in favor of the grantee as in the case of said competing individual partnership or corporation."

SEC. 5. Section twelve of the same Act is amended to read as follows:

"SEC. 12. 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 his 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 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. 6. The title of the same Act is amended to read as follows:

"An Act granting Jorge D. Bayona a franchise to construct, maintain and operate radio broadcasting and television stations in the Bicol region and Southern Tagalog, as well as fixed point-to-point and land based and land and sea-mobile radio stations for the reception and transmission of radio communications within the Philippines."

SEC. 7. This Act shall take effect upon its approval.

Enacted without Executive approval, June 21, 1969.

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