

## **AN ACT APPROVING THE TRANSFER AND ASSIGNMENT BY THE UNIVERSITY OF STO. TOMAS OF ITS FRANCHISE TO CONSTRUCT, MAINTAIN AND OPERATE A RADIO BROADCASTING STATION IN THE CITY OF MANI...**

*REPUBLIC ACT NO. 3129, June 17, 1961*

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

SECTION 1. The transfer and assignment by the University of Santo Tomas of the franchise granted to it by Republic Act Numbered One thousand forty-nine, entitled "An Act granting the University of Santo Tomas a franchise to construct, maintain and operate a radio broadcasting station in the City of Manila for educational purposes," to the Philippine Radio Educational and Information Center, hereinafter referred to as the "grantee," is hereby approved.

SEC. 2. Sections one, four, five and six of Republic Act Numbered One thousand forty-nine are hereby 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 communications 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, the Philippine Radio Educational and Information Center is hereby granted a franchise to construct, maintain and operate, for non-profit educational, cultural and informational purposes and in the public interest, radio broadcasting and television stations as well as private fixed point-to-point, relay and land-based stations in the Philippines.

"SEC. 4. The grantee's radio broadcasting and television stations as well as private fixed point-to-point, relay and land-based stations shall not be put in actual operation until the Secretary of Public Works and Communications or the Government agency or official charged therewith, shall have allotted to the grantee the frequency or frequencies and the wave length or wave lengths to be used under this franchise and issued to the grantee license for such use.

"SEC. 5. The radio broadcasting and television stations as well as the private fixed point-to-point, relay and land-based stations of the grantee shall be so constructed and operated and the frequencies so selected as to avoid interference with existing radio and television stations and to permit the expansion of the grantee's services.

"SEC. 6. A special right is hereby reserved to the President of the Philippines in time of war, insurrection, public peril, calamity, disaster to cause the closing of the grantee's, radio broadcasting and television stations as well as private fixed point-to-point, relay and landbased stations or to authorize the temporary use or possession thereof by any department of the Government upon payment of just compensation."

SEC. 3. A new section is hereby inserted between Sections two and three of Republic Act Numbered One

thousand forty-nine, which shall read as follows:

"SEC. 2-A. During the period of this franchise, the grantee may construct, operate and maintain such other radio broadcasting and television stations as well as private fixed point-to-point, relay and land-based stations which it may deem necessary or desirable for the accomplishment of the aforestated purposes."

SEC. 4. The following sections are inserted between Sections eleven and twelve of Republic Act Numbered One thousand forty-nine, which shall read as follows:

SEC. 11-A. In the event of any individual or organization receiving from the Congress a similar franchise or permit in which there shall be any term or terms more favorable to 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 individual or organization.

"SEC. 11-B. The President of the Philippines shall have the power and authority to permit the location of grantee's private fixed point-to-point, relay and land-based stations, or any of them, on the public domain upon such terms as he may prescribe.

"SEC. 11-C. The grantee shall not engage in domestic business of telecommunications in the Philippines, without special assent of the Congress of the Philippines, it being understood that the purpose of this franchise in authorizing the grantee to construct, operate and maintain private fixed point-to-point, relay and land-based stations within the Philippines is to secure to the grantee the right to so construct, maintain and operate such stations in connection with the operation by the grantee of its radio broadcasting and television stations.

"SEC. 11-D. The grantee shall hold the national, provincial, city 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 grantee's stations."

SEC. 5. This Act shall take effect upon its approval.

Approved, June 17, 1961.

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