AN ACT GRANTING FAR CORPORATION A FRANCHISE TO CONSTRUCT, OPERATE AND MAINTAIN RADIO BROADCASTING STATIONS IN LUZON.

REPUBLIC ACT NO. 5913, 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. Subject to the provisions of the Constitution, as well as 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, FAR Corporation is hereby granted a franchise to construct, operate and maintain radio broadcasting stations within Luzon.

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

SEC. 3. This franchise is likewise granted upon the express condition that the grantee shall contribute to the public welfare, shall assist in the functions of public information and education, shall conform to the ethics of honest enterprise, and shall not use its station for the dissemination of deliberately false information or willful misrepresentation, or to the detriment of public health, or to incite, encourage or assist in subversive or treasonable acts.

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

SEC. 5. A special right is reserved to the President of the Philippines in time of war, rebellion, public peril, or other national emergency and when public safety requires, to cause the closing of said stations or to authorize the use and operation thereof by any department of the Government without compensating the grantee for the use of said stations during the continuance of the national emergency.

SEC. 6. The grantee, its successors or assigns, shall be liable to pay the same taxes, unless exempted therefrom, on its 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.

SEC. 7. The grantee, its successors or assigns, shall hold the national, provincial and municipal governments of the Philippines harmless from all claims, 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. 8. The franchise hereby granted shall be subject to amendment, alteration, or repeal by the Congress of the

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Philippines when the public interest so requires.

SEC, 9. As a condition of the granting of this franchise, the grantee shall execute a bond in favor of the Government of the Republic of the Philippines, in the sum of ten thousand pesos, in form and with sureties satisfactory to the Secretary of Public Works and Communications conditioned upon faithful performance of the grantee's obligation hereunder during the first three years of the life of this franchise. If after three years from the date of acceptance of this franchise, the grantee shall have fulfilled the same, the bond shall be cancelled by the Secretary of Public Works and Communications.

SEC. 10. Acceptance of this franchise shall be given in writing within six months after approval of this Act. When so accepted by the grantee and upon approval of the bond by the Secretary of Public Works and Communications, the grantee shall be empowered to exercise the privileges granted thereby.

SEC. 11. The grantee shall not lease, transfer, grant the usufruct of, sell or 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 person, company or corporation organized for the same purpose, without the approval of the Congress of the Philippines first had. Any corporation to which this franchise may be sold, transferred or assigned shall be subject to the corporation laws of the Philippines now existing or hereafter enacted, and any person, firm, company, corporation or other commercial or legal entity to which this franchise is sold, transferred assigned shall be subject to all conditions, terms, restrictions and limitations of this franchise as fully and completely and to the same extent as if the franchise had been originally granted to the said person, firm, company, corporation or other commercial or legal entity.

SEC. 12. The grantee shall not require any previous censorship of any speech, play or other matter to be broadcast in his stations; but if any such speech, play other matter should constitute a violation of the law infringement of a private right, the grantee shall be from any liability, civil or criminal, for such speech, play or other matter: Provided, That the grantee during any broadcast shall cut off from the air the speech, play or other matter being broadcast if the tendency thereof is to propose and/or to 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. 13. This franchise shall not be interpreted as exclusive grant of the privilege herein provided for.

SEC. 14. In consideration of this franchise the grantee shall pay a tax equivalent to five per cent of its income.

SEC. 15. This Act shall take effect upon its approval.

Enacted without Executive approval, June 21, 1969.

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