AN ACT GRANTING PEDRO R. LUSPO, SR. A FRANCHISE TO CONSTRUCT, OPERATE AND MAINTAIN RADIO BROADCASTING AND TELEVISION STATIONS IN NORTHERN MINDANAO.

REPUBLIC ACT NO. 5847, 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 of Act Numbered Thirty-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", 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, Pedro R. Luspo, Sr. is hereby granted a franchise to construct, establish, operate, and maintain for commercial purposes and in the public interest, radio broadcasting and television stations in Northern Mindanao: Provided, That this franchise shall be void unless the construction of at least one radio broadcasting station or one television station be begun within four years from the date of approval of this Act and be completed within live years from said date: Provided, further, That the grantee shall provide public service time to enable the Government, through the said radio broadcasting and television stations, to reach the population on important public issues; shall assist in the functions of public information and education; shall conform to the ethics of honest enterprises; and shall not use his stations for the broadcasting or telecasting of obscene or indecent language, act or scene, or for the dissemination of deliberately false or willful misrepresentations, or to the detriment of the public health or to incite, encourage, or assist in subversive or treasonable acts.

SEC. 2. A special right is reserved to the President of the Philippines in time of war, rebellion, public peril, emergency, calamity, disaster or disturbance of peace and order, to cause the closing of said stations or to authorize the temporary use and operation thereof by any department 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. 3. The grantee shall not require any previous censorship of any speech, play, act or scene or other matter to be broadcast or telecast from his stations; but if any 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 or telecast, shall cut off from the air the speech, play, act: or scene or other matter being broadcast or telecast, if the tendency thereof is to propose 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. 4. The grantee shall bold 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. 5. 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, natural or juridical, nor merge with any other person without the previous approval of the Congress of the Philippines. Any person, natural or juridical, to which this franchise is sold, transferred or assigned shall be subject to all the 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 such person.

SEC. 6. The grantee shall be liable to pay the same taxes, unless exempted therefrom, on his business, 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 shall file a bond in the amount of ten thousand pesos to warrant the fulfillment of and compliance with the conditions under which the franchise is granted. If after two years from the date of acceptance of this franchise the grantee shall have fulfilled said conditions or soon thereafter as the grantee shall have fulfilled the same, the bond aforesaid shall be cancelled by the Secretary of Public Works and Communications.

SEC. 8. Acceptance of this franchise shall be given in writing by the grantee within six months after the approval of this Act. When so accepted, the grantee shall be empowered to exercise the privileges granted thereby.

SEC. 9. 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 frequency and wave lengths to be used under this franchise and issued to the grantee license for such use.

SEC. 10. The franchise hereby granted shall be subject to amendment, alteration, or repeal by the Congress of the Philippines when the public interest so requires.

SEC. 11. Wherever in this franchise the term "grantee" is used, it shall be held and understood to mean Pedro R. Luspo, Sr., his representatives, successors or assigns, unless the context indicates otherwise.

SEC. 12. This franchise shall not be interpreted as an exclusive grant of the privileges herein provided for.

SEC. 13. This franchise shall continue for a period of twenty-five years from the approval of this Act.

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

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

Enacted without Executive approval, June 21, 1969.

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