AN ACT GRANTING JOSE G. CASTRO A FRANCHISE TO CONSTRUCT, MAINTAIN AND OPERATE RADIO BROADCASTING AND TELEVISION STATIONS IN THE PHILIPPINES.

REPUBLIC ACT NO. 3611, June 22, 1963

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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, Jose G. Castro is hereby granted a franchise to construct, establish, maintain and operate for commercial purposes and in the public interest, radio broadcasting and television stations in the Philippines: Provided, That this franchise shall be void unless the construction of at least one radio broadcasting station or one television station be begun within two years from the date of approval of this Act, and be completed within four 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 enterprise; and shall not use his stations for the broadcasting and/or telecasting of obscene or indecent language, act or scene, or for the dissemination of deliberately false information or willful misrepresentation, or to the detriment of the public health or to incite, encourage, or assist in subversive or treasonable acts.

SEC. 2. The grantee's radio broadcasting stations shall not be put in actual operation until the Secretary Public Works and Communications shall have allotted to the grantee to the frequency and wave lengths to be used under this franchise and issued to the grantee license for such use.

SEC. 3. In the event of any competing person, natural or juridical, 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 person.

SEC. 4. Acceptance of this franchise shall be given in writing by the grantee within six months after the ap-proval of this Act. When so accepted, the grantee shall be empowered to exercise the privileges granted thereby.

SEC. 5. 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. 6. 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 any 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. 7. The grantee shall file a bond in the amount of ten thousand pesos to warrant the full compliance with and fulfillment of 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. The grantee shall hold the national, provin-cial 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. 9. 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 10. The franchise hereby granted shall be subject to amendment, alteration, or repeal by the Congress the Philippines when the public interest so requires.

SEC. 11. The grantee shall be liable to pay the same taxes on his real estate, buildings and personal property, exclusive of the franchise, as other persons, natural juridical, are now or hereafter may be required by law to pay.

The grantee shall further be liable to pay all other taxes that may be imposed by the National Internal Revenue Code by reason of this franchise.

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

SEC. 13. This Act shall take effect upon its approval.

Approved, June 22, 1963.

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