

AN ACT GRANTING THE UNIVERSITY OF THE VISAYAS A FRANCHISE TO CONSTRUCT, MAINTAIN, AND OPERATE RADIO BROADCASTING AND TELEVISION STATIONS IN CEBU CITY AND IN ANY OTHER PLACE WITH...

REPUBLIC ACT NO. 5322, June 15, 1968

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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 and 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 Radio Broadcasting-Law; Commonwealth Act Numbered One hundred forty-six, known as Public Service Act, and their amendments, and other applicable laws not inconsistent with this Act, the University of the Visayas is hereby granted a franchise to construct, maintain and operate radio broadcasting and television stations in Cebu and in other parts of the Philippines for educational, scientific, cultural and commercial Purposes as well as for public interest.

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 radio broadcasting station or one television station be begun in one year from the date of approval of this Act be completed within two years from said date.

SEC. 3. The grantee shall provide adequate public service time to enable the government, through the grantee's stations, to reach the population on important issues, shall assist in the functions of commercial, public information and education, shall conform to the ethics of honest enterprise, and shall not use its stations for the dissemination of deliberately false information or willful misrepresentation, or to the detriment of public health and morals, or to incite, encourage or assist in subversive or treasonable acts.

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 to be used under this franchise and issued to the grantee a license for such use.

SEC. 5. The grantee's radio and television stations shall be so constructed and operated and the wave lengths so selected to avoid interference with existing radio and television stations and to permit the expansion of grantee's services.

SEC. 6. A special right is reserved to the President of the Philippines in time of war, rebellion, public peril, 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 without compensating the grantee for their use during the period when they shall be so operated.

SEC. 7. The grantee shall be liable to pay the same taxes, unless exempted therefrom, on its real estate, buildings

and personal property, exclusive of the franchise, as other persons or corporations are now or hereafter required to pay by law. It shall be liable further to pay all other taxes as provided in the National Internal Revenue Code by reason of this franchise.

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

SEC. 9. The grantee shall not require any previous censorship of any speech, play, act or scene or other matters broadcast and/or telecast from its stations; but if

such play, speech, act or scene or other matters should constitute a violation of the law or infringement of private right, the grantee shall be free from any liabilities, civil criminal, for such speech, play, act or scene or other matters being broadcast: Provided, That the grantee, daring 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 is indecent or immoral.

SEC. 10. The grantee shall not lease, transfer, sell, assign or grant the usufruct of 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 company or corporation organized for the same purpose without the prior approval from the Congress of the Philippines. 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 entity or legal entity to which this franchise is sold, transferred or 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. 11. The franchise hereby granted shall be subject to amendments, alteration or repeal by the Congress of the Philippines when public interest so requires and shall not be interpreted as an exclusive grant of the privilege herein provided.

SEC. 12. This Act shall take effect upon its approval.

Enacted without Executive approval, June 15, 1968.

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