Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 2227

Introduced by Hon. Anthony Peter "Onyx" D. Crisologo

AN ACT RENEWING THE FRANCHISE GRANTED TO CRUSADERS BROADCASTING SYSTEM, INC. UNDER REPUBLIC ACT NO. 8091

EXPLANATORY NOTE

For almost five (5) decades in the radio industry, Crusaders Broadcasting System, Inc. DWAD 1098 KHz; a corporation duly existing under the laws of the Republic of the Philippines since 1973, has been consistent in providing services that are honest and value-laden. It has remained strong and steadfast in promulgating true and reliable news and information, and has fervently empowered its listeners through the word of God by promoting trust, unity, and equality.

Crusaders Broadcasting System, Inc. DWAD 1098 KHz has diligently complied with the requirements of the Congress and has never been remiss in its obligations. On July 6, 2020, its legislative franchise is set to expire. However, after many years of using its platform to encourage love for oneself, personal development, and healing to its audience, it became determined to renew its radio franchise to further continue its operation to serve and uplift the Filipino people.

It has performed its functions dutifully as a radio station and has persistently offered its services to the public. At the moment, Crusaders Broadcasting System, Inc. DWAD 1098 KHz has already completed all the necessary requirements for the intended renewal of its legislative franchise.

May we all stay dedicated to our duties as public servants and continue supporting those who wish to uphold the well-being of the Filipino people.

Support on this bill is earnestly sought.

ANTHONY PETER "ONYX" D. CRISOLOGO
Representative
First District, Quezon City
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REPUBLIC ACT NO. 8091 ENTITLED

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

SECTION 1. Nature and Scope of Franchise. — Subject to the
previsions of the 1987 Philippine Constitution and applicable laws,
rules and regulations, the franchise granted to CRUSADERS
BROADCASTING SYSTEM, INC., hereunder referred to as the
grantee, its successors or assignees, under Republic Act No. 8091
ENTITLED "AN ACT GRANTING CRUSADERS
BROADCASTING SYSTEM, INC., FRANCHISE TO CONSTRUCT,
ESTABLISH, OPERATE AND MAINTAIN COMMERCIAL RADIO
AND TELEVISION BROADCASTING STATIONS WITHIN THE
PHILIPPINES", to construct, install, establish, operate and maintain for
commercial purposes and in the public interest radio and/or television
broadcasting stations, where frequencies and/or channels are still
available for radio and/or television broadcasting, including digital
television system, through microwave, satellite or whatever means
including the use of any new technologies in television and radio
systems, with the corresponding technological auxiliaries and facilities,
special broadcast and other program and distribution services and relay
stations in the Philippines, is hereby renewed for another twenty-five
(25) years from the effectivity of this Act.

SEC. 2. Manner of Operation of Stations or Facilities. — The
station or facilities of the grantee shall be constructed and operated in a
manner as will, at most, result only in the minimum interference on the
wavelengths or frequencies of exiting stations or other stations which
may be established by law, without in any way diminishing its own
privilege to use its assigned wavelengths or frequencies and the quality
of transmission or reception thereon as should maximize rendition of
the grantee's services and/or the availability thereof.
SEC. 3. Prior Approval of the National Telecommunications Commission. — The grantee shall secure from the National Telecommunications Commission (NTC) the appropriate permits and licenses for the construction and operation of its stations and facilities and shall not use any frequency in the radio/television spectrum without authorization from the NTC. The NTC, however, shall not unreasonably withhold or delay the grant of any such authority.

SEC. 4. Responsibility to the Public. — The grantee shall provide adequate public reach the population on important public issues; provide at all times sounds and balanced programming; assists in functions of public information and education; conform to the ethics of honest enterprises; and not use its stations and facilities for the broadcasting of obscene and indecent language, speech, act, or scene, or for the dissemination of deliberately false information or willful misrepresentation, to the detriment of the public interest, or to incite, encourage, or assist in subversive or treasonable acts.

SEC. 5. Right of Government. — A special right is hereby reserved to the President of the Philippines, in times of war, rebellion, public peril, calamity, emergency, disaster or disturbance of peace and order, to temporarily take over and operate the stations or facilities of the grantee; to temporarily suspend the operation of any station or facility in the interest of public safety, security and public welfare; or to authorize the temporary use and operation thereof by any agency of the government, upon due compensation to the grantee, for the use of its stations or facilities during the period when they shall be so operated.

The radio spectrum is a finite resource that is part of the national patrimony and the use thereof is a privilege conferred upon the grantee by the State ad may be withdrawn anytime after due process.

SEC. 6. Term of Franchise. — This franchise shall be in effect for a period of twenty five (25 years) from the effectivity of the Act, unless sooner revoked or cancelled. This franchise shall be deemed ipso facto revoked in the event the grantee fails to operate continuously for two (2) years.

SEC. 7. Acceptance and Compliance. — Acceptance of this new franchise shall be given in writing to the Congress of the Philippines, through the Committee on Legislative Franchises of the House of Representatives and the Committee on Public Services of the Senate, within Sixty (60) days from the effectivity of this Act. Upon giving such acceptance, the grantee shall exercise the privileges granted under this Act. Nonacceptance shall render the franchise void.

SEC. 8. Self-regulation by and Undertaking of Grantee. — The grantee shall not require any previous censorship of any speech, play,
act or scene, or other matter to be broadcast from its stations: 

*Provided, That* the grantee, during any broadcast, shall cut off from the air the speech, play, act or scene, or other matter being broadcast if the tendency thereof is to propose and/or incite treason, rebellion or sedition; or the language used therein is indecent or immoral: 

*Provided, further, That* willful failure to do so shall constitute a valid cause for the cancellation of this franchise.

SEC. 9. **Warranty in Favor of National and Local Governments.** – The grantee shall hold the national, provincial, city and municipal governments of the Philippines free 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. 10. **Sale, Lease, Transfer, Grant of Usufruct, or Assignment of Franchise.** – The grantee shall not lease, transfer, grant the usufruct of, sell nor 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 corporation or entity, nor shall transfer the controlling interest of the grantee, whether as a whole or in parts, and whether simultaneously or contemporaneously, to any such person, firm, company, corporation or entity without prior approval of the Congress of the Philippines: 

*Provided, That* Congress shall be informed of any sale, lease, transfer, grant of usufruct of, or assignment of franchise or the rights of privileges acquired thereunder, or the merger or transfer of the controlling interest of the grantee, within sixty (60) days after the completion of said transaction: 

*Provided, further, That* failure to report to Congress such change of ownership shall render the franchise ipso facto revoked: 

*Provided, finally That* any person or entity to which to which this franchise is sold, transferred or assigned, shall be subject to the same conditions, terms, restrictions, and limitations of this Act.

SEC. 11. **Dispersal of Ownership.** In accordance with the constitutional provision to encourage public participation in public utilities, the grantee shall offer to Filipino citizens at least thirty per cent (30%) or a higher percentage that may hereafter be provided by law of its outstanding capital stock in any securities exchange in the Philippines within five (5) years from the commencement of its operations: 

*Provided, That* in cases where public offer of shares is not applicable, establishment of cooperatives and other methods of encouraging public participation by citizens and corporations operating public utilities must be implemented. Noncompliance therewith shall render the franchise *ipso facto* revoked.

SEC. 12. **General Broadcast Policy Law.** – The grantee shall comply with and be subject to the provisions of a general broadcast policy law, which Congress may hereafter enact.
SEC. 13. Reportorial Requirement. – The grantee shall submit an annual report to the Congress of the Philippines, through the Committee on Legislative Franchises of the House of Representatives and the Committee on Public Services of the Senate, on its compliance with the terms and conditions of the franchise and on its operations on or before April 30 of every year during the term of its franchise. This reportorial certificate issued by Congress shall be required before any application for permit or certificate is accepted by the NTC.

SEC. 14. Penalty Causes. – Failure of the grantee to submit the requisite annual report to Congress will be penalized by a fine in the amount of Five Hundred Pesos (P500.00) per working day of noncompliance. The fine will be collected by the NTC from the delinquent franchisee separate from the reportorial penalties imposed by the NTC.

SEC 15. Equality Clause. – Any advantage, favor, privilege, exemption or immunity granted under existing franchises, or which may hereafter be granted for radio and/or television broadcasting, upon prior review and approval of Congress, shall become part of this franchise and shall be accorded immediately and unconditionally to the herein grantee: Provided, That the foregoing shall neither apply to nor affect the provisions of broadcasting franchises concerning territory covered by the franchise, the life span of the franchise or the type of service authorized by the franchise.

SEC. 16. Separability Clause. – If any of the sections or provisions of this Act is held invalid, all other provisions not affected thereby shall remain valid.

SEC. 17. Responsibility and Nonexclusitivity Clause. – This franchise shall be subject to amendment, alteration, or repeal by the Congress of the Philippines when the public interest so requires and shall not be interpreted as an exclusive grant of the privileges herein provided for.

SEC. 18. Effectivity. – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved, ____________