AN ACT
AMENDING THE FRANCHISE GRANTED TO PHILIPPINE COLLECTIVE MEDIA CORPORATION UNDER REPUBLIC ACT NO. 9773, ENTITLED "AN ACT GRANTING THE PHILIPPINE COLLECTIVEMEDIA CORPORATION A FRANCHISE TO CONSTRUCT, INSTALL, ESTABLISH, OPERATE AND MAINTAIN RADIO AND TELEVISION BROADCASTING STATIONS IN REGION VIII (EASTERN VISAYAS)"

SECTION 1. Section 1 of Republic Act No. 9773 is hereby amended to read as follows:

"SECTION. 1. Nature and Scope of Franchise. — Subject to the provisions of the Constitution and applicable laws, rules and regulations, there is hereby granted to Philippine Collective Media Corporation, hereunder referred to as the grantee, its successor- or assignees, a franchise to construct, install, establish, operate, and maintain for commercial purposes and in the public interest, radio and/or television broadcasting stations in [Region VIII (Eastern Visayas)] THE PHILIPPINES, where frequencies and/or channels are still available for radio and/or television broadcasting, INCLUDING DIGITAL TELEVISION SYSTEM, through microwave, satellite or whatever means, AS WELL AS the use of any new technology[ies] in TELEVISION AND radio [and television broadcasting] SYSTEMS, with the corresponding technological auxiliaries and facilities, special broadcast and other program and distribution services and relay stations."

SEC. 2. Section 3 of Republic Act No. 9773 is hereby amended to read as follows:

"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 OR [and] facilities and shall not use any frequency in the radio/television spectrum without AUTHORIZATION [having been authorized from] BY the NTC [Commission]. The NTC [Commission], however, shall not unreasonably withhold or delay the grant of any such authority.

THE GRANTEE SHALL NOT DISPOSE OR LEASE ITS FACILITIES EXCEPT TO ENTITIES WITH A RADIO OR TELEVISION BROADCASTING FRANCHISE: PROVIDED, THAT THE GRANTEE SHALL INFORM AND SECURE WRITTEN AUTHORIZATION FROM THE NTC TO PROCEED WITH SUCH
DISPOSAL OR LEASE, AND REPORT THE TRANSACTION TO THE NTC WITHIN SIXTY (60) DAYS
AFTER ITS COMPLETION: PROVIDED, FURTHER, THAT THE NTC SHALL DETERMINE THE
CORRESPONDING SANCTION FOR ANY VIOLATION OF THIS PROVISION.

THE NTC SHALL HAVE AUTHORITY TO REVOKE OR SUSPEND, AFTER DUE PROCESS,
THE PERMITS OR LICENSES OF THE GRANTEE FOR ANY VIOLATION OF THE PROVISIONS OF
THE FRANCHISE, AND MAY RECOMMEND TO CONGRESS THE REVOCATION OF THE
FRANCHISE FOR ANY VIOLATION OF THE PROVISIONS THEREOF.

SEC. 3. Section 4 of Republic Act No. 9773 is hereby amended to read as follows:

"SEC. 4. Responsibility to the Public. — The grantee shall provide, FREE OF CHARGE,
adequate public service time WHICH IS REASONABLE AND SUFFICIENT to enable the
government, through the [said] GRANTEE’S broadcasting stations or facilities, to reach the
PERTINENT populationS OR PORTIONS THEREOF, on important public issues, AND
RELAY IMPORTANT PUBLIC ANNOUNCEMENTS AND WARNINGS CONCERNING
PUBLIC EMERGENCIES AND CALAMITIES, AS NECESSITY, URGENCY OR THE LAW MAY
REQUIRE; provide at all times sound and balanced programming; PROMOTE PUBLIC
PARTICIPATION; assist in the functions of public information and education; conform to the
ethics of honest enterprise; PROMOTE AUDIENCE SENSIBILITY AND EMPowerMENT
INCLUDING CLOSED CAPTIONING; and not use its stations [and] OR facilities for the
broadcasting of obscene [and] OR 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.

"PUBLIC SERVICE TIME REFERRED HEREIN SHALL BE EQUIVALENT TO A
MAXIMUM AGGREGATE OF TEN (10%) PERCENT OF THE PAID COMMERCIALS OR
ADVERTISEMENTS WHICH SHALL BE ALLOCATED BASED ON NEED TO THE EXECUTIVE
AND LEGISLATIVE BRANCHES, THE JUDICIARY, CONSTITUTIONAL COMMISSIONS,
AND INTERNATIONAL HUMANITARIAN ORGANIZATIONS DULY RECOGNIZED BY
STATUTES: PROVIDED, THAT THE NTC SHALL INCREASE THE PUBLIC SERVICE TIME IN
CASE OF EXTREME EMERGENCY OR CALAMITY. THE NTC SHALL ISSUE RULES AND
REGULATIONS FOR THIS PURPOSE, THE EFFECTIVITY OF WHICH SHALL COMMENCE
UPON APPLICABILITY WITH OTHER SIMILARLY SITUATED BROADCAST NETWORK
FRANCHISE HOLDERS."

PURSUANT TO REPUBLIC ACT NO. 8370, OTHERWISE KNOWN AS THE
"CHILDREN’S TELEVISION ACT OF 1997", THE GRANTEE SHALL ALLOT A MINIMUM OF
FIFTEEN PERCENT (15%) OF THE DAILY TOTAL AIR TIME OF EACH BROADCASTING NETWORK
TO CHILD-FRIENDLY SHOWS WITHIN ITS REGULAR PROGRAMMING.

SEC. 4. A new Section 15 is hereby inserted to read as follows:

"SEC. 15. COMMITMENT TO PROVIDE AND PROMOTE THE CREATION
OF EMPLOYMENT OPPORTUNITIES. — THE GRANTEE SHALL CREATE
EMPLOYMENT OPPORTUNITIES AS WELL AS ACCEPT ON-THE-JOB TRAINEES IN
THEIR FRANCHISE OPERATIONS: PROVIDED, THAT PRIORITY SHALL BE ACCORDED TO THE
RESIDENTS OF THE PLACE WHERE THE PRINCIPAL OFFICE OF THE GRANTEE IS LOCATED:
PROVIDED FURTHER, THAT THE GRANTEE SHALL COMPLY WITH THE APPLICABLE
LABOR STANDARDS AND ALLOWANCE ENTITLEMENT UNDER EXISTING LABOR LAWS,
RULES AND REGULATIONS AND SIMILAR ISSUANCES: PROVIDED, FINALLY, THAT THE
EMPLOYMENT OPPORTUNITIES OR JOBS
CREATED SHALL BE REFLECTED IN THE GENERAL INFORMATION SHEET (GIS) TO BE SUBMITTED TO THE SECURITIES AND EXCHANGE COMMISSION (SEC) ANNUALLY.”

SEC. 5. Section 15 of Republic Act No. 9773 is hereby renumbered as Section 16, and amended to read as follows:

"SEC. 1[5]6. 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 within sixty (60) days from the end] OR BEFORE APRIL 30 of every year DURING THE TERM OF ITS FRANCHISE.

"THE ANNUAL REPORT SHALL INCLUDE AN UPDATE ON THE ROLL-OUT, DEVELOPMENT, OPERATION AND/OR EXPANSION OF BUSINESS; AUDITED FINANCIAL STATEMENTS; LATEST GIS OFFICIALLY SUBMITTED TO THE SEC, IF APPLICABLE; CERTIFICATION OF THE NTC ON THE STATUS OF ITS PERMITS AND OPERATIONS; AND AN UPDATE ON THE DISPERAL OF OWNERSHIP UNDERTAKING, IF APPLICABLE.

"THE REPORTORIAL COMPLIANCE CERTIFICATE ISSUED BY CONGRESS SHALL BE REQUIRED BEFORE ANY APPLICATION FOR PERMIT OR CERTIFICATE IS ACCEPTED BY THE NTC.”

SEC. 6. A new Section 17 is hereby inserted to read as follows:

"SEC. 17. FINE. — FAILURE OF THE GRANTEE TO SUBMIT THE REQUISITE ANNUAL REPORT TO CONGRESS SHALL BE PENALIZED BY A FINE OF FIVE HUNDRED PESOS (P500.00) PER WORKING DAY OF NONCOMPLIANCE. THE FINE SHALL BE COLLECTED BY THE NTC FROM THE DELINQUENT FRANCHISE GRANTEE SEPARATE FROM THE REPORTORIAL PENALTIES IMPOSED BY THE NTC AND THE SAME SHALL BE REMITTED TO THE BUREAU OF TREASURY.”

SEC. 7. Repealability and Non-exclusivity 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. 8. 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. 9. Repealing Clause. — All laws, decrees, orders, resolutions, instructions, rules and regulations, and other issuances or parts thereof which are inconsistent with the provisions of this Act are hereby repealed, amended, or modified accordingly.

SEC. 10. Effectivity. — This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,