

Lorenzana: NDF using peace talks as a tool

By FRANCIS T. WAKEFIELD

Defense Secretary Delfin Lorenzana Sunday said the National Democratic Front (NDF) was the one guilty of bad faith since the beginning, for the simple reason that for them, the peace talks is just their tool to pursue their armed rebellion.

Lorenzana made the remark as his reaction to Satur Ocampo's accusations that the government acted in bad faith during the peace talks early this year.

The defense chief said Jose Maria Sison has been explicit about this in many occasions, explaining that the primary objective of the NDF is armed struggle and anything that would advance it, including peace talks, was welcome.

"There was a period in the late '80s until the early '90s when the Armed Forces of the Philippines (AFP), through its Lumbat-bitag campaign, was able to decimate the CPP/NPA from a high of 25,000 active fighters to about 5,000, forcing them to come to the peace table," Lorenzana said.

"Since then, several agreements were signed with them including The Hague Declaration, JASIG, CAHRIHL, etc. Why have we not signed a final agreement that would end the communist insurgency? Three decades of talks and the end is nowhere in sight. It is not hard to figure out why: They don't want peace, except on their terms," he added.

Lorenzana said that attaining peace with the communists has been elusive from the very start simply because their "negotiators" from the National Democratic Front of the Philippines (NDFP) have done nothing but stall for time by constantly putting forward outrageous demands.

He said that for decades now, the peace talks have been used by these communist terrorists to recoup their losses, regroup from military setbacks, and recruit more into their fold by lies and deception.

"We all know that what they ultimately want is not peace but the complete takeover and establish a

communist government. This objective by the communists has never changed," Lorenzana said.

Lorenzana said the CPP and NDFP are realizing that the current localized peace talks campaign of the government to convince their fighters to return to the folds of the law is working.

He said the E-CLIP or the Enhanced Comprehensive Local Integration Program under the Task Force Balik Loob, a program that Mr. Sison accuses of being a scam, has succeeded in benefiting thousands of former rebels, providing them and their families with livelihood, free housing, medical care, free education for their children and skills training.



ANGONO FESTIVAL - Giant figures or higantes are the centerpiece of a parade around Angono town in Rizal Sunday. The festival honors San Clemente, Angono patron saint. (Kevin Tristan Espiritu)

DILG vows to protect the ballot in 2019 poll

By CHITO A. CHAVEZ

The Department of the Interior and Local Government (DILG) said it will thwart all moves to destroy the sanctity of the ballot even those committed by groups loyal to the Duterte administration.

DILG Secretary Eduardo M. Año made the assurance during the recent courtesy call of the European Union (EU) Exploratory Mission members in his office.

President Duterte has been bombarded with the supposed human rights abuses and violations in the country even to the extend of branding him as a dictator as his administration has continuously intensified its campaign against illegal drugs, corruption and other forms of criminality.

However, Duterte supporters denied the claims insisting that those killed, injured or nabbed were unavoidable circumstances as a result of lawful operations while branding the dictator tag against the President as simply unfair and pure hogwash.

Año also noted the EU group may conduct a possible observer mission to assess the situation of the upcoming elections preparation and plebiscite for the Bangsamoro Organic Basic Law.

"The presence of the EU missionaries is a perfect opportunity for the national government and the country to show to the whole world that we are capable of maintain utmost safety and security in the exercise of our right to suffrage," Año said.

DILG Undersecretary for Operations Epimaco V. Densing III and Assistant Secretary for Local Government Marivel C. Sacendonillo said the presence of the exploratory mission

is a good opportunity for the government to clearly display transparency and credibility in the exercise of the people's right to vote.

"For purposes of transparency, the presence of EU observers will form part of the country's history. At the end of the day, we are talking about peace and development in Mindanao. And many of us, including myself who is from Mindanao, are looking forward to a successful plebiscite," Densing said.

The EU Exploratory Mission said they were invited by the Commission on Elections (Comelec) to observe the conduct of the elections and the possibility of a plebiscite.

Densing explained that the government is on the lookout for disorganized remnants of the Maute Group, Abu Sayyaf Group (ASG) and the Bangsamoro Islamic Freedom Fighters (BIFF) that can spoil the peaceful conduct of the midterm elections and the Bangsamoro plebiscite.

While national peace talks were canceled, Densing said localized peace process have been exerted to end hostilities on the ground following confirmation that there is a disconnect in terms of the communist rebels in the Netherlands and those of the local groups.

Martial arts experts coming to Manila

By ERMA R. EDERA

The Filipinos' strong fascination for martial arts comes alive as more than 200 martial arts experts across the globe will converge in Manila to celebrate the 80th founding anniversary of the Kong Han Athletic Club, the second oldest kung fu school in the Philippines on Nov. 24.

A kung fu exhibition that will feature the different fighting methods and skills of martial arts practitioners from participating countries will be mounted to highlight the celebration.

"We hope to improve the level of awareness of Filipinos, especially the youth, as to the importance of preserving the old and traditional Chinese kung fu in the development of self-confidence, responsibility and character-building," incoming club president Eric Go Kaw said.

The Kong Han Athletic Club is the only surviving school in the country providing trainings on the traditional Chinese Martial Art known as the "Five Ancestor Fist," which reportedly originated from the late Ming and early Ching dynasties.

Five Ancestors' Fist consists of strikes, locks, takedown, self-defense.

According to Master Henry Lo, the school has already trained about 10,000 students since it started operation in 1937.

At present, the school consists of 500 members. The school's most senior member is 80 years old while the youngest is only 13 years old.

While majority of school members were Chinese, Master Lo said the school has also opened its doors to underprivileged students who wanted to learn the traditional Chinese martial arts.

"What we are doing right now is to raise the level of exposure of the Five Ancestor Fist among Filipinos and not just being limited within the Chinese community," he said.

Abbot Chang Ding of Quanzhou City's Shaolin Temple, together with 30 monks, and members of the International South Shaolin Wuziquan Federation, will lead participants during the event.

Delegates from Canada, Norway, Australia, England, USA, Singapore, Malaysia, Indonesia, Hong Kong, Macau, Japan and Taiwan will also join the event.

H. No. 5635

Republic of the Philippines
Congress of the Philippines
Metro Manila
Seventeenth Congress
Third Regular Session

Begun and held in Metro Manila, on Monday, the twenty-third day of July, two thousand eighteen.

[REPUBLIC ACT NO. 11110]

AN ACT EXTENDING FOR ANOTHER TWENTY-FIVE (25) YEARS THE FRANCHISE GRANTED TO BRIGHT STAR BROADCASTING NETWORK CORPORATION UNDER REPUBLIC ACT NO. 7295, ENTITLED "AN ACT GRANTING THE BRIGHT STAR BROADCASTING NETWORK CORPORATION A FRANCHISE TO CONSTRUCT, INSTALL, OPERATE AND MAINTAIN FOR COMMERCIAL PURPOSES RADIO AND TELEVISION BROADCASTING STATIONS IN THE PHILIPPINES AND FOR OTHER PURPOSES"

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 provisions of the Constitution and applicable laws, rules and regulations, the franchise granted to Bright Star Broadcasting Network Corporation, hereunder referred to as the grantee, its successors or assignees, under Republic Act No. 7295, to construct, install, establish, operate, and maintain for commercial purposes and in the public interest, radio and/or television broadcasting stations, including digital television system, through microwave,

satellite or whatever means, as well as the use of any new technology 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 extended for another twenty-five (25) years from the effectivity of this Act.

SEC. 2. *Manner of Operation of Stations or Facilities.* - The stations 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 existing 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 or 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, free of charge, adequate public service time which is reasonable and sufficient to enable the government, through the broadcasting stations or facilities of the grantee, 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 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 or facilities for the broadcasting of obscene 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 percent (10%) of paid commercials or advertisements which shall be allocated based on need to the executive, legislative, 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.

SEC. 5. *Right of the Government.* - 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 and may be withdrawn any time after due process.

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 said stations or facilities during the period when these shall be so operated.

SEC. 6. *Term of Franchise.* - This franchise shall be in effect for a period of twenty-five (25) years from the effectivity of this 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. *Self-regulation by and Undertaking of the 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 or the theme thereof is indecent or immoral: *Provided, further*, That willful failure to do so shall constitute a valid cause for the cancellation of this franchise.

SEC. 8. *Warranty in Favor of the National and Local Governments.* - The grantee shall hold the national, provincial, city, and municipal governments of the Philippines free from all claims, liabilities, demands, or actions arising out of accidents causing injury to persons or damage to properties, during the construction or operation of the stations of the grantee.

SEC. 9. *Commitment to Provide and Promote the Creation of Employment Opportunities.* - The grantee shall create employment opportunities and shall allow on-the-job trainings in their franchise operation: *Provided*, That priority shall be accorded to the residents in areas where any of its offices is located: *Provided, further*, That the grantee shall follow 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 annually.

SEC. 10. *Tax Provisions.* - The grantee, its successors or assignees shall continue to be subject to all applicable taxes, duties, fees or charges and other impositions under Republic Act No. 8424, otherwise known as "The National Internal Revenue Code of 1997", as amended, and other applicable laws.

SEC. 11. *Sale, Lease, Transfer, Grant of Usufruct, or Assignment of Franchise.* - The grantee shall not sell, lease, transfer, grant the usufruct of, 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 part, and whether simultaneously or contemporaneously, to any person, firm, company, corporation, or entity without the prior approval of the Congress of the Philippines and compliance with legal requirements stipulated in other statutes: *Provided*, That any person or entity to which this franchise is sold, transferred, or assigned shall be subject to the same conditions, terms, restrictions, and limitations of this Act.

SEC. 12. *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 percent (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, the grantee shall apply other methods of encouraging public participation by citizens and corporations operating public utilities as allowed by law. Noncompliance therewith shall render the franchise *ipso facto* revoked.

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 Philippine 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. The reportorial compliance certificate issued by Congress shall be required before any application for permit or certificate is accepted by the NTC.

SEC. 14. *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 National Treasury.

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 provisions of broadcasting franchises concerning territorial coverage, the term, or the type of service authorized by the franchise.

SEC. 16. *Repealability and Nonexclusivity 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. 17. *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. 18. *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. 19. *Effectivity.* - This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,

VICENTE C. SOTTO III
President of the Senate

GLORIA MACAPAGAL-ARROYO
Speaker of the House of Representatives

This Act which originated in the House of Representatives was passed by the House of Representatives and the Senate on August 29, 2018 and August 15, 2018, respectively.

MYRA MARIE D. VILLARICA
Secretary of the Senate

DANTE ROBERTO P. MALING
Acting Secretary General
House of Representatives

Approved: OCT 30 2018

RODRIGO ROA DUTERTE
President of the Philippines

