

Cebu woman sentenced for exploiting girls on cyberporn

By CALVIN CORDOVA

CEBU CITY—A 32-year-old woman was sentenced to 15 years in prison for sexually exploiting her 14-year-old daughter and two other minors in San Fernando town, Cebu.

The woman, whose name is being

withheld to protect her daughter's privacy, pleaded guilty to attempted trafficking in persons before Judge Ramon Daomilas Jr. of the Cebu City Regional Trial Court Branch 11 last Wednesday.

She was also ordered to pay P1,150,000 in fines and damages.

The woman was arrested at her

home in San Fernando on May 16, 2018 by a team from the police's Women and Children Protection Center-Visayas Field Unit.

She was caught live-streaming the sexually explicit acts of her daughter for online customers.

Authorities rescued the minor along with two other girls who were identified as trafficking victims during the online surveillance.

John Tanagho, director of the International Justice Mission in Cebu, said the conviction should serve as a warning to those who are involved in cyber-pornography.

W. Visayas farmers told to report crop diseases

By TARA YAP

ILOILO CITY—Aside from the crop damage from the dry spell, farmers in Western Visayas were also urged by the Department of Agriculture (DA) to report crop diseases.

"They should contact their agricultural technicians," said Ryan Rasgo, chief of DA's Regional Crop Protection Center (RCPC).

Close to 400 hectares of rice lands across the region have been infested by the rice black bug (RBB) and another 23.4 hectares by the armyworm.

The rice black bug infestation was

worst in Pontevedra, Negros Occidental, where 208.28 ha were damaged.

Three towns in Iloilo recorded significant black bug damage: Concepcion with 76 ha, Bingawan with 54.75 ha, and San Dionisio with 49.7 ha.

Armyworm damage has been reported in Aklan. A total of 23.4 ha of rice farms are affected in the towns of Altavas, Balete, Banga, and Madalag.

While chemical pesticides can be used in rice black bug outbreaks, DA is recommending the use of alternatives such biological control agents.

Cop, drug suspect killed

By MARIE TONETTE MARTICIO

TACLOBAN CITY - A police officer and a drug suspect were killed during a drug bust Thursday night in this city.

Police said a team from the Regional Drug Enforcement Unit and Tacloban police said a shootout ensued when Ralph Basiano, a resident of Cogon, San Jose town, shot it out with the members

of the team.

Basiano was killed along with Police Cpl. Arman Batucan who was hit during the exchange of fire.

Basiano and Batucan were pronounced dead at the Tacloban City Hospital.

H. No. 6315

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. 11244]

AN ACT GRANTING THE VOLUNTEER LIFECARE MINISTRIES, INC. A FRANCHISE TO CONSTRUCT, INSTALL, ESTABLISH, OPERATE AND MAINTAIN NONCOMMERCIAL RADIO BROADCASTING STATIONS IN THE PHILIPPINES

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 Philippine Constitution and applicable laws, rules and regulations, there is hereby granted to Volunteer Lifecare Ministries, Inc., hereunder referred to as the grantee, its successors or assignees, a franchise to construct, install, establish, operate and maintain for noncommercial purposes and in the public interest, radio and/or television broadcasting stations in

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, including 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.

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.

The grantee shall not dispose nor lease its facilities except to entities with radio or television franchise: *Provided*, That the grantee shall inform and secure written authorization to proceed from the NTC, 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.

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 necessary, 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 comply with any of the following conditions:

- (a) Commence operations within one (1) year from the approval of its operating permit by the NTC;
- (b) Commence operations within three (3) years from the effectivity of this Act; and
- (c) Operate continuously for two (2) years.

SEC. 7. Bond. - The grantee shall file a bond with the NTC, in the amount that the NTC shall determine, to guarantee compliance with and fulfillment of the conditions under which this franchise is granted. If, after three (3) years from the date of the approval of its permit by the NTC, the grantee shall have fulfilled the same, the bond shall be cancelled by the NTC. Otherwise, the bond shall be forfeited in favor of the government and the franchise *ipso facto* revoked.

SEC. 8. 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. 9. 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. 10. 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 where their principal office 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 Securities and Exchange Commission annually.

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, simultaneously or contemporaneously, to any such person, firm, company, corporation, or entity without the prior approval of the Congress of the Philippines. Congress shall be informed of any sale, lease, transfer, grant of usufruct, or assignment of franchise or the rights and privileges acquired thereunder, or of the merger or transfer of the controlling interest of the grantee, within sixty (60) days after the completion of said transaction. Failure to report to Congress such change of ownership shall render the franchise *ipso facto* revoked. 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. 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. 13. 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. 14. Equality Clause. - Except for taxes and customs duties, 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 territory covered by the franchise, the life span of the franchise, or the type of service authorized by the franchise.

SEC. 15. 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. 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. Repealing Clause. - All laws, decrees, orders, resolutions, instructions, rules and regulations, and other issuances or parts thereof which are not consistent with this Act are hereby repealed, amended, or modified accordingly.

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,
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 January 21, 2019.

MYRA MARIE D. VILLARICA
Secretary of the Senate
DANTE ROBERTO P. MALING
Acting Secretary General
House of Representatives

Approved: MAR 22 2019

RODRIGO ROA DUTERTE
President of the Philippines

H. No. 7005
S. No. 1413

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. 11255]

AN ACT RECOGNIZING THE EVEREST ACADEMY AS AN EDUCATIONAL INSTITUTION OF INTERNATIONAL CHARACTER AND GRANTING THE ACADEMY CERTAIN PREROGATIVES TO PROMOTE ITS DEVELOPMENT

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

SECTION 1. The Everest Academy, herein referred to as the "Academy", registered as Everest International Academy, is hereby declared and officially recognized as a basic educational institution of international character authorized to operate educational programs that primarily and principally adhere to universally accepted and recognized educational policies.

SEC. 2. The Academy shall be governed by a board of trustees, herein referred to as the "Board", elected in accordance with its corporate character.

SEC. 3. To enable the Academy to continue carrying out its educational program, improve its standard of instruction, and meet the special needs of the foreign diplomatic and temporary resident community for quality education, it shall:

(a) Accept applicants for admission, regardless of nationality, in accordance with its own eligibility standards, and rules for admission and grade placement, the Academy having been established primarily for foreign diplomatic personnel and their dependents and for other temporary residents and, as such, the Academy shall be covered by the exemptions provided in Section 4(2), Article XIV of the Philippine Constitution;

(b) Be managed and administered by a Head of the Academy, who shall possess the qualifications prescribed by the Board;

(c) Upon consultation with the Secretary of Education, determine its own curriculum, calendar of studies and work schedule, teach whatever language it may deem appropriate and determine the reasonable amount of fees which shall be imposed upon its students to maintain and conform to the Academy's standard of education;

(d) Maintain standards of education compatible with those obtaining in similar schools of generally recognized international standing;

(e) Employ its own teaching and management personnel selected by the Board either locally or abroad, from the Philippines or other nationalities; such foreign personnel being exempt from laws that impose nationality restrictions on employment, and control of administration of educational institutions, except laws that have been or will be enacted for the protection of employees: *Provided*, That such exemption shall not extend to their liability for income taxes; and

(f) Enjoy the privileges provided by law to nonstock, nonprofit educational institutions.

SEC. 4. The Academy shall be under the supervision and regulation of the Department of Education (DepEd) and shall adhere to basic laws, and rules and regulations of the DepEd governing international or foreign schools.

SEC. 5. Within sixty (60) days from the approval of this Act, the Secretary of Education, in consultation with the members of the Board of the Everest Academy, shall formulate the rules and regulations implementing the provisions of this Act.

SEC. 6. If any provision of this Act is held invalid or unconstitutional, the other provisions not so declared shall remain in force and effect.

SEC. 7. 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 was passed by the House of Representatives as House Bill No. 7005 on November 26, 2018 and adopted by the Senate as an amendment to Senate Bill No. 1413 on January 23, 2019.

MYRA MARIE D. VILLARICA
Secretary of the Senate
DANTE ROBERTO P. MALING
Acting Secretary General
House of Representatives

Approved: MAR 29 2019

RODRIGO ROA DUTERTE
President of the Philippines