



HOUSE OF REPRESENTATIVES

H. No. 6315

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BY REPRESENTATIVES TREÑAS, ALVAREZ (F.), MARCOLETA, CUEVA AND  
DEFENSOR, PER COMMITTEE REPORT NO. 371

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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:*

1           SECTION 1. *Nature and Scope of Franchise.* – Subject to the  
2 provisions of the Philippine Constitution and applicable laws, rules and  
3 regulations, there is hereby granted to Volunteer Lifecare Ministries, Inc.,  
4 hereunder referred to as the grantee, its successors or assignees, a franchise to  
5 construct, install, establish, operate and maintain for noncommercial purposes  
6 and in the public interest, radio and/or television broadcasting stations in the  
7 Philippines, where frequencies and/or channels are still available for radio  
8 and/or television broadcasting, including digital television system, through  
9 microwave, satellite or whatever means, including the use of any new  
10 technology in television and radio systems, with the corresponding  
11 technological auxiliaries and facilities, special broadcast, and other program  
12 and distribution services and relay stations.

1           SEC. 2. *Manner of Operation of Stations or Facilities.* – The stations  
2 or facilities of the grantee shall be constructed and operated in a manner as  
3 will, at most, result only in the minimum interference on the wavelengths or  
4 frequencies of existing stations or other stations which may be established by  
5 law, without in any way diminishing its own privilege to use its assigned  
6 wavelengths or frequencies and the quality of transmission or reception  
7 thereon as should maximize rendition of the grantee's services and/or the  
8 availability thereof.

9           SEC. 3. *Prior Approval of the National Telecommunications*  
10 *Commission.* – The grantee shall secure from the National  
11 Telecommunications Commission (NTC) the appropriate permits and licenses  
12 for the construction and operation of its stations or facilities and shall not use  
13 any frequency in the radio/television spectrum without authorization from the  
14 NTC. The NTC, however, shall not unreasonably withhold or delay the grant  
15 of any such authority.

16           The grantee shall not dispose nor lease its facilities except to entities  
17 with radio or television franchise: *Provided*, That the grantee shall inform and  
18 secure written authorization to proceed from the NTC, and report the  
19 transaction to the NTC within sixty (60) days after its completion: *Provided*,  
20 *further*, That the NTC shall determine the corresponding sanction for any  
21 violation of this provision.

22           SEC. 4. *Responsibility to the Public.* – The grantee shall provide  
23 adequate public service time to enable the government, through the said  
24 broadcasting stations or facilities, to reach the population on important public  
25 issues; provide at all times sound and balanced programming; assist in the  
26 functions of public information and education; conform to the ethics of honest  
27 enterprise; and not use its stations or facilities for the broadcasting of obscene  
28 and indecent language, speech, act or scene; or for the dissemination of  
29 deliberately false information or willful misrepresentation to the detriment of

1 the public interest; or to incite, encourage, or assist in subversive or  
2 treasonable acts.

3         SEC. 5. *Right of Government.* – The radio spectrum is a finite resource  
4 that is part of the national patrimony and the use thereof is a privilege  
5 conferred upon the grantee by the State and may be withdrawn any time after  
6 due process.

7         A special right is hereby reserved to the President of the Philippines, in  
8 times of war, rebellion, public peril, calamity, emergency, disaster or  
9 disturbance of peace and order: to temporarily take over and operate the  
10 stations or facilities of the grantee; to temporarily suspend the operation of any  
11 station or facility in the interest of public safety, security and public welfare;  
12 or to authorize the temporary use and operation thereof by any agency of the  
13 government, upon due compensation to the grantee, for the use of said stations  
14 or facilities during the period when these shall be so operated.

15         SEC. 6. *Term of Franchise.* – This franchise shall be in effect for a  
16 period of twenty-five (25) years, unless sooner revoked or cancelled. This  
17 franchise shall be deemed *ipso facto* revoked in the event the grantee fails to  
18 comply with any of the following conditions:

19             (a) Commence operations within one (1) year from the approval of its  
20 operating permit by the NTC;

21             (b) Commence operations within three (3) years from the effectivity of  
22 this Act; and

23             (c) Operate continuously for two (2) years.

24         SEC. 7. *Bond.* – The grantee shall file a bond with the NTC, in the  
25 amount that the NTC shall determine, to guarantee compliance with and  
26 fulfillment of the conditions under which this franchise is granted. If, after  
27 three (3) years from the date of the approval of its permit by the NTC, the  
28 grantee shall have fulfilled the same, the bond shall be cancelled by the NTC.

1 Otherwise, the bond shall be forfeited in favor of the government and the  
2 franchise *ipso facto* revoked.

3 SEC. 8. *Self-regulation by and Undertaking of the Grantee.* – The  
4 grantee shall not require any previous censorship of any speech, play, act or  
5 scene, or other matter to be broadcast from its stations: *Provided*, That the  
6 grantee, during any broadcast, shall cut off from the air the speech, play, act or  
7 scene, or other matter being broadcast if the tendency thereof is to propose  
8 and/or incite treason, rebellion or sedition; or the language used therein or the  
9 theme thereof is indecent or immoral: *Provided, further*, That willful failure to  
10 do so shall constitute a valid cause for the cancellation of this franchise.

11 SEC. 9. *Warranty in Favor of the National and Local Governments.* –  
12 The grantee shall hold the national, provincial, city, and municipal  
13 governments of the Philippines free from all claims, liabilities, demands, or  
14 actions arising out of accidents causing injury to persons or damage to  
15 properties during the construction or operation of the stations of the grantee.

16 SEC. 10. *Sale, Lease, Transfer, Grant of Usufruct, or Assignment of*  
17 *Franchise.* – The grantee shall not sell, lease, transfer, grant the usufruct of,  
18 nor assign this franchise or the rights and privileges acquired thereunder to any  
19 person, firm, company, corporation or other commercial or legal entity, nor  
20 merge with any other corporation or entity, nor shall transfer the controlling  
21 interest of the grantee, whether as a whole or in parts, and whether  
22 simultaneously or contemporaneously, to any such person, firm, company,  
23 corporation or entity without the prior approval of the Congress of the  
24 Philippines: *Provided*, That Congress shall be informed of any sale, lease,  
25 transfer, grant of usufruct, or assignment of franchise or the rights and  
26 privileges acquired thereunder, or of the merger or transfer of the controlling  
27 interest of the grantee, within sixty (60) days after the completion of said  
28 transaction: *Provided, further*, That failure to report to Congress such change  
29 of ownership shall render the franchise *ipso facto* revoked: *Provided, finally*,

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

4 SEC. 11. *Reportorial Requirement.* – The grantee shall submit an  
5 annual report to the Congress of the Philippines, through the Committee on  
6 Legislative Franchises of the House of Representatives and the Committee on  
7 Public Services of the Senate, on its compliance with the terms and conditions  
8 of the franchise and on its operations on or before April 30 of every year  
9 during the term of its franchise. The reportorial compliance certificate issued  
10 by Congress shall be required before any application for permit or certificate is  
11 accepted by the NTC.

12 SEC. 12. *Fine.* – Failure of the grantee to submit the requisite annual  
13 report to Congress shall be penalized with a fine in the amount of five hundred  
14 pesos (P500.00) per working day of noncompliance. The fine shall be  
15 collected separately by the NTC distinct from the penalties it imposes for  
16 noncompliance of its reportorial requirements.

17 SEC. 13. *Equality Clause.* – Except for taxes and customs duties, any  
18 advantage, favor, privilege, exemption, or immunity granted under existing  
19 franchises, or which may hereafter be granted for radio and/or television  
20 broadcasting, upon prior review and approval of Congress, shall become part  
21 of this franchise and shall be accorded immediately and unconditionally to the  
22 herein grantee: *Provided,* That the foregoing shall neither apply to nor affect  
23 the provisions of broadcasting franchises concerning territory covered by the  
24 franchise, the life span of the franchise, or the type of service authorized by the  
25 franchise.

26 SEC. 14. *Repealability and Nonexclusivity Clause.* – This franchise  
27 shall be subject to amendment, alteration, or repeal by the Congress of the  
28 Philippines when the public interest so requires and shall not be interpreted as  
29 an exclusive grant of the privileges herein provided for.

1           **SEC. 15. *Separability Clause.*** – If any of the sections or provisions of  
2 this Act is held invalid, all other provisions not affected thereby shall remain  
3 valid.

4           **SEC. 16. *Repealing Clause.*** – All laws, decrees, orders, resolutions,  
5 instructions, rules and regulations, and other issuances, or parts thereof which  
6 are inconsistent with the provisions of this Act are hereby repealed, amended,  
7 or modified accordingly.

8           **SEC. 17. *Effectivity.*** – This Act shall take effect fifteen (15) days after  
9 its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,

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