

[REPUBLIC ACT NO. 11540, May 18, 2021]

AN ACT RENEWING FOR ANOTHER TWENTY-FIVE (25) YEARS THE FRANCHISE GRANTED TO THE UNIVERSITY OF THE PHILIPPINES SYSTEM UNDER REPUBLIC ACT NO. 8160 TO CONSTRUCT, ESTABLISH, MAINTAIN, AND OPERATE FOR EDUCATIONAL AND OTHER RELATED PURPOSES RADIO AND TELEVISION BROADCASTING STATIONS WITHIN THE UNIVERSITY OF THE PHILIPPINE AND IN OTHER AREAS WITHIN THE SCOPE OF ITS OPERATIONS

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 the University of the Philippines System, hereunder referred to as the grantee, its successors or assignees, under Republic Act No. 8160, to construct, establish, maintain and operate for educational and other related purposes and in the public interest, radio and television broadcasting stations within the campuses of the University of the Philippines and in other places within the scope of its operations, where frequencies and/or channels are still available for radio and television broadcasting, 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, is hereby renewed for another twenty-five (25) years.

SEC. 2. *Manner of Operations 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 right to use its assigned wavelengths or frequencies and the quality of transmission or reception thereon as should maximize rendition of the grantee's services 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 and television spectrums without authorization from the NTC. The NTC, however, shall not unreasonably withhold or delay the grant of any such authority.

In case of any violation of the provisions of this franchise, the NTC shall have the authority to revoke or suspend, after due process, permits or licenses it issued

pursuant to the franchise. The NTC may recommend to the Congress of the Philippines the revocation of this franchise for any violation of its 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 necessity, urgency or law may require; provide at all time 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 broadcast 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.

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. 5. *Right of the Government.* - The radio spectrum is 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, transmitters, facilities, or equipment of the grantee; to temporarily suspend the operation of any station, transmitter, facility, or equipment 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 the stations, transmitters, facilities, or equipment during the period when these shall be so operated.

SEC. 6. *Term of Franchise.* - This franchise shall be renewed and in effect for the period of twenty-five (25) years from the expiration thereof on 9 August 2021, 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. *Renewal or Extension of Franchise.* - The grantee shall apply for the renewal or extension of its franchise three (3) years before its expiration which shall reckoned from fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

SEC. 8. *Tax Provision.* - Being part of the government, the grantee shall be exempt from paying all taxes and fees as provided in Section 25 of Republic Act No. 9500 or "The University of the Philippines Charter of 2008."

SEC. 9. *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