

[REPUBLIC ACT NO. 7723, May 19, 1994]

AN ACT GRANTING THE DELTA BROADCASTING SYSTEM, INC., A FRANCHISE TO ESTABLISH, MAINTAIN AND OPERATE RADIO AND TELEVISION BROADCASTING STATIONS WITHIN 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 Constitution and applicable laws, rules and regulations, there is hereby granted to the Delta Broadcasting System, Inc., its successors or assigns and hereunder referred to as the grantee, a franchise to construct, establish, maintain and operate, for commercial purposes and in the public interest, radio and television broadcasting stations in the Philippines with the corresponding technological auxiliary equipment, special broadcast, and other broadcast distribution services and relay stations.

SEC. 2. *Right of the Government.* — The President of the Philippines in times of war, rebellion, public peril, calamity, emergency, disaster, or disturbance of peace and order, may temporarily take over and operate the said stations of the grantee, temporarily suspend the operations of any station 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 during the period when they shall be so operated.

SEC. 3. *Term of Franchise.* — This franchise shall be for a term of twenty-five (25) years from the date the first of said stations shall be placed in operation, and is granted upon the express condition that the same shall be void unless the construction of said stations be begun within two (2) years from the date of the approval of this Act and be completed within five (5) years from such date.

SEC. 4. *Prior Approval of the National Telecommunications Commission.* — The grantee shall secure from the National Telecommunications Commission the appropriate permits and licenses for its stations and shall not use any frequency in the radio/television spectrum without having been authorized by the Commission. The Commission, however, shall not unreasonably withhold or delay the grant of any such authority.

SEC. 5. *Manner of Operation of Stations or Facilities.* — The stations or facilities of the grantee shall be so constructed and operated in a manner as will avoid interference on the wavelengths or frequencies of authorized users, whether for broadcasting or telecommunications purposes, without in any way diminishing its own right to use its selected wavelengths or frequencies and the quality of transmission or reception of signals.