

**[ REPUBLIC ACT NO. 4528, June 19, 1965 ]**

**AN ACT GRANTING ERMITA ELECTRONICS, INCORPORATED, A  
FRANCHISE TO ESTABLISH, MAINTAIN AND OPERATE RADIO  
BROADCASTING STATIONS AND RADIO STATIONS FOR  
DOMESTIC AND INTERNATIONAL COMMUNICATIONS.**

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

SECTION 1. Subject to the provisions of the Constitution, as well as of Act Numbered Three thousand eight hundred forty-six, entitled "An Act providing for the regulation of radio stations and radio communications in the Philippine Islands, and for other purposes;" Act Numbered Three thousand nine hundred ninety-seven, known as the Radio Broadcasting Law; Commonwealth Act Numbered One hundred forty-six, known as the Public Service Act, and their amendments, and other applicable laws not inconsistent with this Act, Ermita Electronics, Inc., is hereby granted a franchise to establish, maintain and operate radio broadcasting stations and radio stations for the reception and transmission of messages in the foreign and domestic public fixed point-to-point, public base, aeronautical, land-mobile and including coastal marine service with the corresponding relay stations for the reception and transmission of wireless messages on radiotelegraph and/or radiotelephone, radioteletype, radiophoto, facsimile, music, pictures, advertisements and such other types of emission from or to foreign countries and within the Philippines and with vessels at sea and aircrafts over the air, irrespective of whether such vessels and aircrafts are within or without the Philippines.

SEC. 2. This franchise is likewise made upon the express condition that the grantee shall provide adequate public service time to enable the Government, thru its stations, to reach the population on important issues, shall assist in the function of public information and education, shall conform to the ethics of honest enterprise, and shall not use its stations for dissemination of deliberately false information or willful misrepresentation, or to the detriment of the public health and morals, or incite, encourage or assist in subversive or treasonable acts.

SEC. 3. The grantee's radio broadcasting stations shall not be put in actual operation until the Secretary of Public Works and Communications shall have allotted to the grantee the frequencies and wave lengths to be used under this franchise and issued to the grantee a license for such use.

SEC. 4. The grantee shall not require any previous censorship of any speech, play, act, or scene or other matter to be broadcast from its stations; but if any speech, play, act or scene or other matter should constitute a violation of the law or infringement of a private right, the grantee shall be free from any liability, civil or criminal, for such speech, play, act or scene or other matter: *Provided*, That the grantee, during any broadcast may 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.

SEC. 5. The grantee shall hold the national, provincial, and municipal governments of the Philippines harmless from all claims, accounts, demands or actions arising out of accidents or injuries, whether to property or to persons, caused by the construction or operation of the stations of the grantee.

SEC. 6. The Secretary of Public Works and Communications, on reasonable notice to the grantee, may at any time change, or cancel, or modify, in whole or in part, any or all of the allotments of frequencies or wave lengths to be used. He may take such action: (1) whenever in his judgment such frequencies and wave lengths have been used, or there is danger that they will be used by the grantee to impair electrical communications, or stifle competition, or to obtain a monopoly in electrical communication or to secure unreasonable rates for such communications, or to violate otherwise the laws or public policy of the Philippine Republic; (2) whenever in his judgment the public interests of the Republic of the Philippines require that such frequencies or wave lengths should be used for other purposes than those of the grantee, either by the Government of the Philippines or by other individuals or corporations licensed by it; and (3) whenever in his judgment, for any reason, the public interests of the Philippines so require.

SEC. 7. (a) The grantee shall be liable to pay the same taxes on its real estate, buildings and personal property, exclusive of the franchise, as other persons or corporations are now or hereafter may be required by law to pay.

SEC. 8. A special right is reserved to the President the Philippines in time of war, rebellion, public peril, calamity, emergency, disaster, or disturbance of peace or order, to take over and operate the said stations or to authorize the temporary use and operation thereof by any department of the Government without compensating the grantee for the use of said stations during the period when they shall be so operated.

SEC. 9. The President of the Philippines shall have the power and authority to permit the construction of said stations or any of them on any land of public domain upon such terms and conditions as he may prescribe.

SEC. 10. This franchise shall continue for a period of twenty-five years from the date the first of said stations shall be placed in operation and is granted upon the express condition that same shall be void unless the construction of one or two stations be begun within two years from the date of the approval of this Act.

SEC. 11. The grantee, its successors or assigns, shall so construct and operate its radio stations as not to interfere with the operation of other radio stations maintained and operated in the Philippines.

SEC. 12. No private property shall be taken for any purpose by the grantee, its successors or assigns, without proper condemnation proceedings and just compensation paid or tendered therefor, and any authority to take and occupy land contained herein shall not authorize the taking, use, or occupation of any land except such as is required for the actual necessary purpose for which the franchise