

# [ Act No. 3846, November 11, 1931 ]

## **AN ACT PROVIDING FOR THE REGULATION OF RADIO STATIONS AND RADIO COMMUNICATIONS IN THE PHILIPPINE ISLANDS, AND FOR OTHER PURPOSES.**

*Be it enacted by the Senate and House of Representatives of the Philippines in Legislature assembled and by the authority of the same:*

SECTION 1. No person, firm, company, association or corporation shall construct, install, establish or operate a radio station within the Philippine Islands without having first obtained a franchise therefor from the Philippine Legislature: *Provided, however,* That no franchise from the Legislature shall be necessary for the construction, installation, establishment or operation of a broadcasting station, an amateur station, an experimental station, a training station, a station on board a mobile vessel, train, or aircraft, or a private station in a place without any means or communication.

SEC. 2. The construction or installation of any station shall not be begun, unless a permit therefor has been granted by the Secretary of Commerce and Communications. No station shall be operated except under and in accordance with the provisions of a license issued therefor by the Secretary of Commerce and Communications. The license shall state the dates between which the station may be operated. If a renewal is desired, the licensee shall submit application to the Secretary of Commerce and Communications at least two months before the expiration date of the license to be renewed. The Secretary of Commerce and Communications shall determine the period for which each license is issued: *Provided,* That no license shall be issued for a longer period than three years.

SEC. 3. The Secretary of Commerce and Communications is hereby empowered to regulate the establishment, use and operation of all radio stations and of all forms of radio communications and transmissions within the Philippine Islands and to issue such rules and regulations as may be necessary. In addition to the above, he shall have the following specific powers and duties:

- a. He shall classify radio stations and prescribe the nature of the service to be rendered by each class and by each station within any class;
- b. He shall assign call letters and assign frequencies for each station licensed by him and for each station established by virtue of a franchise granted by the Philippine Legislature and specify the stations to which each such frequency may be used;
- c. He shall make rules and regulations to prevent and eliminate interference between stations and to carry out the provisions of this Act and the provisions of International Radio Regulations: *Provided, however,* That changes in the frequencies or in the authorized power, or in the character of omitted signals, or in the type of the power supply, or in the hours of operation of any licensed station, shall not be made without first giving the station licensee a hearing;

- d. He may establish areas or zones to be served by any station;
- e. He may make special rules and regulations applicable to radio stations engaging in chain broadcasting;
- f. He may make general rules and regulations requiring stations to keep records of traffic handled, distress, frequency watches, programs, transmission of energy, communications or signs;
- g. He may conduct such investigations as may be necessary in connection with radio matters and hold hearings; summon witnesses, administer oaths, and compel the productions of books, logs, documents and papers;
- h. He may prescribe rules and regulations to be observed by radio training schools; he may supervise the course and method of instruction herein; and he may refuse to admit to examinations for radio operators' licenses graduates of any radio school not complying with the regulations;
- i. He shall prescribe rates of operators to be paid to the Government for the inspection of stations for the licensing of stations, for the examination of operators, for the licensing of operators, for the renewal of station operator licenses, and for such other services as may be rendered;
- j. He is hereby empowered to approve or to disapprove any application for the construction, installation, establishment or operation of a radio station;
- k. He may approve or disapprove any application for renewal of station or operator license: *Provided, however,* That no application for renewal shall be disapproved without giving the licensee a hearing;
- l. He may, at his discretion, bring criminal actions against violators of the radio law or the regulations; or simply suspend or revoke the offenders' station or operator licenses; or refuse to renew such licenses; or just reprimand and warn the offenders;
- m. The location of any station, and the power and kind or type of apparatus to be used shall be subject to his approval;
- n. He shall prescribe rules and regulations to be observed by stations for the handling of SOS messages distress traffic: *Provided,* That such rules and regulations shall not conflict with the provisions of the International Radio Regulations.

SEC. 4. No radio station license shall be transferred to any person, firm, company, association or corporation without express authority of the Secretary of Commerce and Communications, and no license shall be granted or transferred to any person who is not a citizen of the United States of America or of the Philippine Islands; or to any firm or company which is not incorporated under the laws of the Philippine Islands or of any state or territory of the United States of America; or to any company or corporation in which any alien is employed as officer or director; or to any company or corporation twenty percent of whose capital stock may be voted by aliens or their representatives, or by a foreign government or its representatives, or