

MEMORANDUM CIRCULAR
NO. 03-01-91

**SUBJECT: RULES AND REGULATIONS GOVERNING THE
REGISTRATION AND LICENSING OF SATELLITE
TELEVISION RECEIVE ONLY (TVRO) IN THE PHILIPPINES.**

Pursuant to the provisions of Act 3846, as amended, and of Executive Order No. 546, the following rules and regulations governing the Registration and licensing of Satellite Earth Television Receive Only Station (TVRO) in the Philippines, are hereby promulgated.

SECTION I. DEFINITION OF TERMS

- 1.1 Satellite Television Receive Only (TVRO) Station – a station whereby sound and video signals are received directly from a satellite.
- 1.2 Non-Commercial TVRO (NC-TVRO) Station – a TVRO station intended for personal receiving only by an individual and his immediate family members or group of individuals and for no monetary or material considerations for its use.
- 1.3 Commercial TVRO (C-TVRO) Station – A TVRO station operated for monetary or material considerations.
- 1.4 Registration Certificate – a certificate issued by the NTC authorizing the holder to install and operate a non-commercial TVRO station.
- 1.5 Permit to Purchase – authority issued by the NTC to person, firm, company or corporation, authorizing the holder to purchase TVRO equipment and its accessories from authorized dealers.
- 1.6 Permit to Possess – a permit issued by the NTC authorizing a person, firm, company, association or corporation to possess TVRO equipment and its accessories.
- 1.7 Construction Permit – a permit or authority issued by the NTC for the construction or installation of a commercial Television Receive Only (TVRO) satellite and its accessories.
- 1.8 Radio Station License – a written authority issued by the NTC to a person, firm, company association or corporation authorizing the holder to operate a commercial TVRO station during the period specified in the said instrument or authorization.

SECTION 2. GENERAL PROVISIONS

- 2.1 The construction and operation of non-commercial TVRO stations requires a Registration Certificate from the NTC and a prior permit to purchase/possess said NC TVRO.
- 2.2 The purchase, construction and operation of Commercial TVRO station requires a prior permit to purchase, possess, and construct and a radio station license.
- 2.3 The use of received program materials by TVRO stations shall be subject to existing domestic and international copyright laws applicable thereto.
- 2.4 The use of any device, instrument or apparatus for the de-scrambling or decoding by TVRO station is prohibited unless a written authority is first secured either from the program originator/producer or network sending the program via satellite or from the appropriate authority to which receiving of such program material is normally secured.
- 2.5 Any applicant whether an individual, group, association or company may be authorized to purchase, install and operate a NC-TVRO station provided that the use is solely for non-commercial purposes only, as follows;
 - 2.5.1 Individual applicant who shall use the TVRO station for his personal or his immediate family's viewing only.
 - 2.5.2 A person, group, association or company who shall use the TVRO station for their personal use and purposes such as a club station, homeowners association and provided that no fees are charged or collected from members for their use and provided further that they do not in any way re-distribute the received signal.
 - 2.5.3 Government agencies, instrumentalities or offices provided no fees are charged or collected from the public.
 - 2.5.4 Foreign government, entities, UN agencies provided its use is limited to there premises only.
- 2.6 Individuals, company, corporation, commercial/business establishment may be authorized to purchase, install and operate TVRO stations for commercial purposes. For purposes of this circular, a TVRO station is considered commercial if the program received is taped and/or received for the purpose of selling, leasing, rebroadcasting, simultaneous-casting, or re-showing to Cable TV network's/facilities.
- 2.7 The authority to operate C-TVRO station shall be subject to the following conditions:

- 2.7.1 Applications for C-TVRO permits and licenses shall include prior clearances and other authorizations as may be required.
- 2.7.2 Applicant shall have complied with Act 3846, as amended.
- 2.7.3 Applicant shall have complied with the applicable Rules and Regulations imposed by the Videogram Regulatory Board (VRB) and the Movie & Television Classification and Review Board (MTRCB)
- 2.7.4 Taping of program materials for the purpose of copying and selling of such taped program materials shall not be allowed unless a written authority from the program originator or network sending the program via satellite is first secured.

SECTION 3. ACCREDITATION OF DEALERS, SUPPLIERS AND MANUFACTURER AND SERVICE CENTERS OF TVRO EQUIPMENT

- 3.1 In order to protect the public, the Commission shall accredit dealers, suppliers and manufacturers and service centers in accordance with MC 02-05-88 and shall comply with all rules and regulations.

SECTION 4. PROCEDURES FOR THE ISSUANCE OF PERMITS, LICENSES AND REGISTRATION CERTIFICATES

- 4.1 Non-commercial – TVRO Station (NC-TVRO)
 - 4.1.1 Applicant shall apply for a Registration Certificate from the Commission (NTC) by accomplishing the forms provided for the purpose and submitting the same at the NTC main office or its authorized Regional Offices whom shall process the application. A prior permit to purchase shall be secured before a registration certificate shall be issued.
 - 4.1.2 Registration Certificate of NC-TVRO shall be effective for a period of one (1) year but may be issued for a maximum of three (3) years and should be filed for renewal thirty (30) days before the date of expiration.
- 4.2 Commercial – TVRO System (C-TVRO)
 - 4.2.1 A Permit to Purchase/Authority to Import must first be secured from the NTC before actual purchase or importation of components and parts of a C-TVRO system.
 - 4.2.2 Immediately after the C-TVRO equipment/components have been acquired, applicant applies for a permit to possess and to construct and operate in the forms provided for the purpose and submitting

the same at the NTC main office or its authorized regional office or its authorized regional offices who shall process the application.

- 4.2.3 C-TVRO Radio Station License shall be valid for a maximum period of three (3) years, subject to renewal. Application for renewal must be filed sixty (60) days before the expiration date.

SECTION 5. INSPECTION OF TVRO STATIONS

- 5.1 Operators of TVRO stations shall allow authorized representatives from the NTC to conduct inspection/investigation of the TVRO station during reasonable hours upon presentation of an order duly approved by the Commission.
- 5.2 NTC inspectors may remove or confiscate TVRO equipment, including its accessories if found operating without the necessary certificates, permits or licenses as required by the Commission.

SECTION 6. FEES TO BE PAID

NC-TVRO

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| 1. | Permit to Purchase/Possess | P 300.00 |
| 2. | Registration Permit | P 5,000.00/year |

C-TVRO

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|----|-----------------------|------------------|
| 1. | Application Fee | P 300.00 |
| 2. | Permit to Purchase | P 150.00 |
| 3. | Radio Station License | P 15,000.00/year |
| 4. | Importation Permit | P 300.00 |

SECTION 7. GROUND FOR SUSPENSION/REVOCAION OF LICENSES PERMITS OR IMPORSITION OF PENALTIES AND FINES FOR VIOLATIONS.

Any radio station license/permit or registration certificate may be suspended, revoked or amended for willful violations of radio laws and regulations, local or international; when false statement on material fact is made by the licenses upon application or in any subsequent documentation's required of him; when the licensee/permittee fails to operate the station in conformity with the provisions set forth in the license/permit; or for any other cause as provided by law.

Additionally, any person, firm, association or corporation who shall violate any provision of this circular, or any provision of the Radio Laws and Regulations, both local and international shall be imposed a fine of not less than P 2,500 and not more than P 10,000 for each and every violation.

The NTC is hereby directed to implement this Circular and may revise or amend the same in the interest of public service.

This Circular takes effect immediately fifteen (15) days after publication in a newspaper of general circulation.

Quezon City, Philippines January 30, 1991

JOSEFINA T. LICHAUCO
Acting Commissioner

APPROVED:

ARTURO C. CORONA
Secretary