



Republic of the Philippines  
PROVINCE OF PANGASINAN  
Lingayen  
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OFFICE OF THE SANGGUNIANG PANLALAWIGAN SECRETARY

Introduced by SP Members Juan Ll. Amor

January 7, 1994

Dionisio C. Antiniw

C E R T I F I C A T I O N

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY that at the regular session duly constituted of the Sangguniang Panlalawigan, Province of Pangasinan, held on January 7, 1994, at Lingayen, Pangasinan, the following Provincial Ordinance was approved:

PROVINCIAL ORDINANCE NO. 32

AN ORDINANCE PROVIDING GUIDELINES PRIOR TO THE  
GRANT OF FRANCHISE TO CABLE TV OPERATORS AND  
PROVIDING PENALTIES FOR VIOLATION THEREOF

WHEREAS, under Section 137 of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, the province may impose a tax on business enjoying a franchise, notwithstanding any exemptions granted by any law or other special law;

WHEREAS, the Sangguniang Panlalawigan of Pangasinan has approved Tax Ordinance No. 4, otherwise known as the "Pangasinan Franchising Ordinance of 1993";

WHEREAS, the establishment, construction, maintenance and operation of Community Antenna Television (CATV) System for public and commercial purposes is covered by the provisions of Provincial Tax Ordinance No. 4;

WHEREAS, in the proper implementation of Section 4 and 5 of the said Ordinance, there is a need to provide guidelines prior to the granting of franchise to CATV system operators;

NOW, THEREFORE, in view of the foregoing, on motion of SP Members Juan Ll. Amor and Dionisio C. Antiniw, duly seconded, be it enacted by the Sangguniang Panlalawigan in session assembled that:

SECTION 1. Subject to the provisions of Section 4 and 5 of Provincial Tax Ordinance No. 4, any person/entity signifying to obtain provincial franchise in the establishment, construction, maintenance and operation of CATV System for public and commercial purposes, must submit the following additional requirements, to wit:

- a. Municipal or Mayor's Permit from the Municipality the applicant will operate a Cable TV System;
- b. Sangguniang Bayan Resolution indorsing and recommending to the Provincial Board the favorable approval or grant of a provincial franchise to the applicant.

*Antiniw*

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- ooo -

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- 2 -

SECTION 2. No applicant shall start operation by the laying or installation of TV Cables or TV Cable poles or the soliciting of subscribers prior to the issuance of a Provincial Franchise. Said franchise shall be a prerequisite to the filing of any application to the National Telecommunications Commission for a certificate of authority to operate, whether provisional or permanent.

SECTION 3. Penalty Clause. Any person or persons who violates any of the Provisions of this Ordinance or the rules or regulations promulgated by authority of this Ordinance shall, upon conviction, be punished by a fine of not less than one thousand pesos (P1,000.00) nor more than five thousand pesos (P5,000.00) or an imprisonment of not less than one (1) month nor more than six (6) months or both, at the discretion of the court;

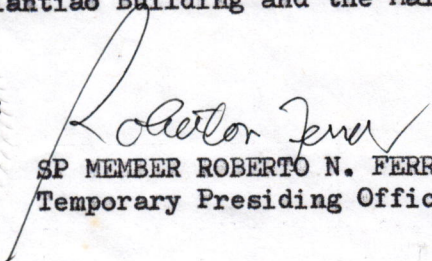
If the violation is committed by any juridical entity, the President, General Manager or the individual entrusted with the administration thereof at the time of the commission of the violation shall be held responsible or liable therefor;

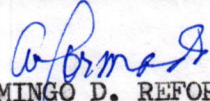
Punishment by a fine or imprisonment as herein provided for, shall not relieve the offender from the payment of the tax, fee or charge imposed under this Ordinance;

SECTION 4. Repealing Clause. All ordinances, rules and regulations or parts thereof, inconsistent with or in conflict with the provision of this ordinance are hereby repealed or modified accordingly;

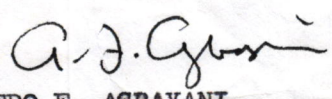
SECTION 5. Effectivity Clause. This Ordinance shall take effect two (2) days after its complete publication in at least one (1) newspaper of general circulation of the province, and after posting for (3) three consecutive weeks in the bulletin boards of the Capitol Building, Kalantiao Building and the Malong Building.

ATTESTED:

  
SP MEMBER ROBERTO N. FERRER  
Temporary Presiding Officer

  
DOMINGO D. REFORMADO  
Secretary to the Sanggunian

APPROVED:

  
AGUEDO F. AGBAYANI  
Governor *yk*