

AN ACT GRANTING JOSE TIOLECO A FRANCHISE TO CONSTRUCT, OPERATE AND MAINTAIN AN ICE PLANT AND COLD STORAGE IN THE MUNICIPALITY OF LUBAO IN THE PROVINCE OF PAMPANGA, AND TO SELL I...

REPUBLIC ACT NO. 6547, August 26, 1972

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

SECTION 1. Subject to the conditions imposed by this Act, there is hereby granted to Jose Tioleco, hereinafter referred to as the grantee, a franchise to construct, operate and maintain an ice plant and cold storage in the Municipality of Lubao in the Province of Pampanga, and to charge and collect a schedule of prices and rates for the ice and cold storage so furnished, which schedule of prices and rates shall at all times be subject to regulation by the Public Service Commission.

SEC. 2. The grantee shall manufacture and supply ice up to the limit of the capacity of his plant and cold storage service, said limit to be determined by the Public Service Commission, and to sell the same at rates to be determined by the said Commission.

SEC. 3. All the apparatus and appurtenances to be used by the grantee shall be modern, safe, and first class in every respect, and the grantee shall, whenever the Public Service Commission shall determine that public interest reasonably requires it, change or alter any of his apparatus and appurtenances at grantee's expense.

SEC. 4. This franchise shall continue for a period of twenty-five years from the date said plant and cold storage shall be placed in operation and or shall commence the manufacture and distribution of ice in the Municipality of Lubao in the Province of Pampanga, and is made subject to the express condition that the same shall be null and void unless the construction of said plant and cold storage be begun within one year from the date of the approval of this Act and completed within two years from said date, except when prevented by an act of God, or force majeure, martial law, civil commotion, usurpation by military power or any other cause beyond the grantee's control.

SEC. 5. The grantee shall not lease, transfer, grant the usufruct of, sell or assign this franchise and the rights and privileges acquired thereunder to any person, firm, company, corporation or other commercial or legal entity nor merge with any other company or corporation organized for the same purpose without first securing the approval of the Congress of the Philippines. Any corporation to which this franchise may be sold, transferred or assigned shall be subject to the corporation laws of the Philippines now existing or which may hereafter be enacted, and any person, firm, company, corporation or other commercial or legal entity to which this franchise is sold, transferred or assigned shall be subject to all conditions, terms, and restrictions of this franchise as fully and completely, and to the same extent as if the franchise had been originally granted to the said person, firm, company, corporation or other commercial or legal entity.

SEC. 6. This franchise is granted subject to the provisions of Commonwealth Act Numbered One hundred forty six, as amended, only with respect to the fixing of rates and with the understanding and upon condition that it

shall be subject to amendment, alteration or repeal by the Congress of the Philippines when public interest so requires.

SEC. 7. In consideration of the franchise and rights hereby granted, the grantee shall pay a franchise tax equal to five per centum of the gross earnings under this franchise, three per centum shall accrue to the national government and two per centum to the municipality or city where the franchise is being operated.

SEC. 8. This Act shall take effect upon its approval.

Enacted without Executive approval, August 26, 1972.

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