

AN ACT GRANTING MIGUEL S. SIOSON A FRANCHISE TO CONSTRUCT, OPERATE AND MAINTAIN AN ICE PLANT AND COLD STORAGE IN THE MUNICIPALITY OF ORANI, PROVINCE OF BATAAN.

REPUBLIC ACT NO. 5381, June 15, 1968

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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 terms and conditions established in this Act and in Commonwealth Act Numbered One hundred forty-six, as amended, and to the provisions of the Constitution, there is granted to Miguel S. Sioson for a period of twenty-five years from the approval of this Act, the right, privilege and authority to construct, operate and maintain an ice plant and cold storage in Municipality of Orani, Province of Bataan, for the purpose of manufacturing ice for distribution and sale, and of supplying cold storage therein, and to charge and collect a schedule of prices and rates therefor which schedule of prices shall at all times be subject to regulation by the Public Service Commission or its legal successor.

SEC. 2. The grantee shall install, maintain and operate ice plant and cold storage in the Municipality of Orani, Province of Bataan: Provided, however, That the total daily output of the ice plant so installed and maintained shall not exceed a total of sixty tons and that the cold storage so installed and maintained shall not exceed a total capacity of five hundred tons.

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

SEC. 4. If the grantee shall not commence the construction of at least one ice plant and cold storage within two years from the approval of this Act, unless prevented by an act of God or force majeure, martial law, riot, civil commotion, usurpation by a military power or any other cause beyond the grantee's control, this franchise shall become null and void.

SEC. 5. This franchise is granted with the understanding and upon the condition that it shall be subject to amendment, alteration, or repeal by the Congress of the Philippines when the public interest so requires.

SEC. 6. The books, records, and accounts of the grantee shall always be open to inspection by the municipal treasurer or his authorized representatives, and it shall be the duty of the grantee to submit to the municipality treasurer quarterly reports in duplicate showing the gross receipts for the past quarter, one of which shall be forwarded by the municipal treasurer to the Auditor General, who shall keep the same on file.

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 of which shall accrue to the National Government and two per centum to the municipality where the franchise is in operation.

SEC. 8. 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.

SEC. 9. In the event of any competing individual, association of persons, or corporation receiving from the Congress of the Philippines a similar franchise in which shall be any term or terms more favorable than those herein granted or tending to place the herein grantee disadvantage, then such term or terms shall ipso facto become part of the terms hereof and shall operate equally in favor of the grantee as in the case of said competing individual, association of persons, or corporation.

SEC. 10. This Act shall take effect upon its approval.

Enacted without Executive approval, June.15, 1968.

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