

AN ACT GRANTING MARIO G. ORTIZ A FRANCHISE TO CONTRUCT, OPERATE AND MAINTAIN AN ICE PLANT AND COLD STORAGE IN THE MUNICIPALITY OF JAEN, PROVINCE OF NUEVA ECIJA, AND TO SELL AND...

REPUBLIC ACT NO. 4513, June 19, 1965

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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 Act Numbered Thirty-six hundred and thirty-six, as amended by Commonwealth Act Numbered One hundred and thirty-two, and to the provisions of the Constitution, there is granted to Mario G. Ortiz, hereinafter called the grantee, 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 the Municipality of Jaen, Province of Nueva Ecija, and to sell and distribute ice and supply cold storage in the Municipalities of San Antonio, Jaen, Zaragosa and Aliaga, Province of Nueva Ecija, and to charge and collect a schedule of prices and rates for the ice and cold storage so furnished which shall at all times be subject to regulation by the Public Service Commission.

SEC. 2. The grantee shall manufacture ice up to the limit of the capacity of his plant, said limit to be determined by the Public Service 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 the apparatus and appurtenances at grantee's expense.

SEC. 4. If the grantee shall not commence the manufacture and distribution of ice and the supply of cold storage within one year 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 subject to the provisions of the Constitution and Commonwealth Act Numbered One hundred forty-six, as amended, and with the understanding and upon the condition that it shall be subject to amendment, alteration or repeal by the Congress of the Philippines when public interest so requires.

SEC. 6. The grantee may sell, lease, grant, convey, assign, mortgage, give in usufruct, or transfer this franchise and all property and rights acquired thereunder to any individual, co-partnership, corporation competent to operate the business hereby authorized, but transfer of title to the franchise or any right or interest acquired under such sale, lease, grant, conveyance, assignment, mortgage, usufruct or transfer shall not be effective until there shall have been filed in the office of the Public Service Commission or its legal successor an agreement in writing by which the individual, co-partnership or corporation in whose favor such sale, lease, grant, conveyance, assignment, mortgage, usufruct or transfer is made, shall be firmly bound to comply with the terms and conditions, imposed upon the grantee by this franchise and by any and all certificates of convenience and public necessity thereto for issued by the Public Service Commission or its legal successor, and to accept the same

subject to all terms and conditions then existing.

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 being operated.

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

Approved, June 19, 1965.

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