AN ACT GRANTING TEODORO N. ROMASANTA A TEMPORARY PERMIT TO ESTABLISH, MAINTAIN AND OPERATE RADIOTELEPHONE AND RADIOTELEGRAPH COASTAL STATIONS, WITH THE CORRESPONDING RELAY STATI...

REPUBLIC ACT NO. 4075, June 18, 1964

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

SECTION 1. There is hereby granted to Teodoro N. Romasanta, his successors or assigns, a temporary permit to establish, maintain and operate radiotelephone and radiotelegraph coastal stations, with the corresponding relay stations and public fixed and public based and land mobile stations for the transmission and reception of radiotelephone and radiotelegraph, communications within the Philippines and with vessels at sea and aircrafts over the air subject to the approval of the Secretary of Public Works and Communications: Provided, however, That the grantee shall only establish and operate such public fixed and public based and land mobile stations in lumber and mining concessions, farms, municipalities and other places not at present served by public radiotelegraph and/or radiotelephone systems.

SEC. 2. The President of the Philippines shall have the power and authority to permit the location on the public domain upon such terms as he may prescribe any or all of the land radio stations that may be established under this Act.

SEC. 3. This temporary permit shall continue to be in force during the time that the Government has not established similar service at the places selected by the grantee, and is made upon the express condition that the same shall be void unless the construction of said stations be begun within three years from the date of apppoval of this Act and be completed within five years from said date.

SEC. 4. A special right is hereby reserved to the President of the Philippines in time of war, insurrection, public peril, calamity or disaster to cause the closing of the stations or to authorize the temporary use or possession thereof by any department of the Government, upon payment of just compensation.

SEC. 5. The grantee, his successors or assigns, shall hold the national, provincial and municipal governments of the Philippines harmless from all claims, accounts, demands, or actions arising out of accidents or injuries, whether to property or to persons caused by the construction or operation of the stations for reception and transmission of wireless messages by the grantee, his successors or assigns.

SEC. 6. The grantee, his successors or assigns, shall so construct and operate his radio stations as not to interfere with the operation of other radio stations maintained and operated in the Philippines.

SEC. 7. No private property shall be taken for any purpose by the grantee of this temporary permit, his successors or assigns, without proper condemnation proceedings and just compensation paid or tendered therein, and any authority to take and occupy land contained herein shall not authorize the taking, use, or occupation of any land except such as is required for the actual necessary purposes for which the temporary permit is granted. All lands

or rights of use and occupation of lands granted to the grantee, his successors or assigns, shall, upon the termination of this temporary permit or upon its revocation or repeal, revert to the national, provincial or municipal government to which such land or right to use and occupy belonged at the time of the grant. thereof or the right to use and occupy the same was conceded to the grantee herein, his successors or assigns.

SEC. 8. The right is hereby reserved to the Government of the Philippines, through the Public Service Commission, or such other government agency as may hereafter be duly authorized, to fix the maximum rates or charges to be charged by the grantee.

SEC. 9. The grantee shall keep a separate account of the gross receipts of the business transacted by him in the Philippines, and shall furnish the Auditor General and the Treasurer of the Philippines a copy of such account not later than the thirty-first day of January of each year for the preceding year. For the purpose of editing the accounts so rendered to the Auditor General and the National Treasurer, all the books and accounts the grantee, or duplicates thereof, so far as they relate to the business transacted in the Philippines shall be kept in the Philippines, and shall be subject to the Pal inspection of the Auditor General or his authorized representatives, and the audit and approval of such ac shall be final and conclusive evidence as to the amount of said gross receipts, except that the grantee have the right to appeal to the courts of the Philippines, under the terms and conditions provided in the laws of the Philippines.

SEC. 10. As a condition of the granting of this temporary permit the grantee shall execute a bond in favor of the Government of the Philippines in the sum of fifty thou sand pesos, in form and with sureties satisfactory to the Secretary of Public Works and Communications, conditioned upon the faithful performance of the grantee's obligations hereunder during the first three years of the life of this temporary permit. If, after three years from the date of the acceptance of this temporary permit the grantee shall have fulfilled the same, the bond aforesaid shall be cancelled by the Secretary of Public Works and Communications.

SEC. 11. Acceptance of this temporary permit shall be given in writing within six months after approval of this Act. When so accepted by the grantee and upon the approval of the bond aforesaid by the Secretary of Public Works and Communications the grantee shall be empowered to exercise the privilege granted thereby.

SEC. 12. The grantee shall not lease, transfer, grant the usufruct of, sell or assign this temporary permit, or the rights or privileges acquired thereunder to any person, firm, company, corporation or other commercial or legal entity, nor merge with any other person, company or corporation organized for the same purpose, without the approval of the Congress of the Philippines first had. Any corporation to which this temporary permit may be sold, transferred, or assigned shall be subject to the corporation laws of the Philippines now existing or hereafter enacted, and any person, firm, company, corporation or other commercial or legal entity to which this temporal permit is sold, transferred, or assigned shall be subject to all conditions, terms, restrictions, and limitations c this temporary permit as fully and completely and to same extent as if the temporary permit had been originally granted to the said person, firm, company, corporation or other commercial or legal entity.

SEC. 13. This temporary permit shall be subject amendment, alteration, or repeal by the Congress of the Philippines when the public interest so requires and shall not be interpreted as an exclusive grant of the privilege herein provided for.

SEC. 14. This Act shall take effect upon its approval.

Approved, June 18, 1964.

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