AN ACT GRANTING THE VISAYAN PACKING CORPORATION A FRANCHISE TO CONSTRUCT, INSTALL, MAINTAIN AND OPERATE PRIVATE FIXED POINT-TO-POINT, PRIVATE COASTAL AND PRIVATE LAND BASED RADI...

REPUBLIC ACT NO. 3410, June 18, 1961

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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 and conceded to the Visayan Packing Corporation, its successors or assigns, a franchise to construct, install, maintain and operate in the Philippines, at such places as the grantee may select subject to the approval of the Secretary of Public Works and Communications under whose jurisdiction the Radio Control Division is functioning, or any competent authority who is or shall be authorized now or in the future, such private fixed point-to-point, private coastal and private land based radio stations and radio mobile units for the reception and transmission of wireless messages on radiotelegraphy or radiotelephony, each station to be provided with a radio transmitting- apparatus and a radio receiving apparatus.

SEC. 2. The President of the Philippines shall have the power and authority to permit the location of said private fixed point-to-point and private coastal radio stations or any of them on the public domain upon such terms as he may prescribe.

SEC. 3. This grant and concession shall continue for a period of fifty years from the date said station shall be placed in operation and is made upon the express condition that the same shall be void unless the construction of said stations shall be begun within two years from date of approval of this Act and be completed within four years from said date.

SEC. 4. The grantee shall not engage in domestic business of telecommunications in the Philippines without further special assent of the Congress of the Philippines, it being understood that the purpose of this franchise is to secure to the grantee the right to construct, install, maintain and operate private fixed point-to-point and private coastal and private land based radio stations and radio mobile units in places within the Philippines as the interest of the corporation and of its trade and business may justify.

SEC. 5. 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 station or stations or to authorize the temporary use or possession thereof by any department of the Government, upon just compensation.

SEC. 6. No fees are chargeable as the radio stations that may be established by virtue of this Act shall engage in communication regarding grantee's business only.

SEC. 7. The grantee, its successors or assigns, shall so construct or operate its radio stations as not to interfere with the operation of other radio stations maintained and operated in the Philippines.

SEC. 8. The grantee, its successors or assigns, shall hold the national, provincial, city 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 its radio stations.

SEC. 9. No private property shall be taken for any purpose by the grantee of this franchise, its 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 purpose for which the franchise is granted. All lands or rights of use and occupation of lands granted to the grantee, its successors or assigns, shall, upon the termination of this franchise 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 or occupy the same was conceded to the grantee herein, its successors or assigns.

SEC. 10. The grantee, its successors or assigns, is authorized to operate its private fixed point-to-point radio stations on commercial frequencies that may be assigned to it by the licensing authority, including the international distress frequency of five hundred kilocycles and the high distress frequency of eight thousand two hundred eighty kilocycles, and to communicate with ship radio stations open to public correspondence only in cases of emergency.

SEC. 11. This franchise shall not be interpreted to mean as an exclusive grant of the privilege herein provided for.

SEC. 12. Wherever in this Act the term "grantee" is used, it shall be held and understood to mean "Visayan Packing Corporation", its representatives, successors or assigns, unless the context indicates otherwise.

SEC. 13. This Act shall take effect upon its approval.

Enacted, without Executive approval, June 18, 1961.

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