AN ACT GRANTING THE ESPERANZA ENTERPRISES, INC., A TEMPORARY PERMIT TO CONSTRUCT, ESTABLISH, MAINTAIN AND OPERATE PRIVATE FIXED POINT-TO-POINT, LAND BASED AND LAND MOBILE RADIO ...

REPUBLIC ACT NO. 2941, June 19, 1960

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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 the Esperanza Enterprises, Inc., a temporary permit to construct, establish, 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, private fixed point-to-point, land based and land mobile radio stations and water-borne radio stations, 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, land based and land mobile radio stations and water-borne radio stations or any of them on tends of the public domain upon such terms as he may prescribe.

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 granted upon the express condition that the same shall be void unless the construction of at least one of the said stations be begun within one year from the date of, approval of this Act and be completed within two 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 temporary permit is to secure to the grantee the right to construct, establish, maintain and operate private fixed point-to-point, land based and land mobile radio stations and water-borne radio stations at such places within the Philippines as the interest of the grantee and of its trade and business may justify.

SEC. 5. The grantee shall be subject to the corporation laws of the Philippines now existing or which may hereafter be enacted.

SEC. 6. This temporary permit shall not take effect until the Secretary of Public Works and Communications shall have allotted to the grantee the frequencies and wave lengths to be used thereunder, but the grantee may use the international distress frequency of five hundred kilocycles and the high distress frequency of eight thousand two hundred eighty kilocycles whenever necessary.

SEC. 7. No fees are chargeable, as the radio stations that may be established by virtue of this Act shall engage in communications regarding the grantee's business only.

SEC. 8. The grantee shall so construct and operate its radio stations as not to interfere with the operation of other radio stations maintained and operated in the Philippines.

SEC. 9. The grantee 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 its radio stations.

SEC. 10. The grantee shall not lease, transfer, grant the usufruct of, sell or assign this temporary permit, nor the rights or privileges acquired thereunder, to any person, firm, company, corporation or other commercial or legal entity, nor merge with any other person, firm, 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 temporary permit is sold, transferred or assigned shall be subject to all conditions, terms, restrictions and limitations of this temporary permit as fully and completely and to the 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. 11. A special right is hereby reserved to the President of the Philippines in time of war, insurrection, public peril, or other national emergency and when public safety requires, to cause the closing of the grantee's radio stations or to authorize the use or possession thereof by any department of the Government without compensation to the grantee during the continuance of the national emergency.

SEC. 12. Wherever in this temporary permit the term "grantee" is used, it shall be held and understood to mean the "Esperanza Enterprises, Inc.," its representatives, successors or assigns, unless the context indicates otherwise.

SEC. 13. This temporary permit shall be subject to 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 privileges herein provided for.

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

Enacted without Executive approval, June 19, 1960.

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