

AN ACT GRANTING MARTIMAN & COMPANY, INCORPORATED A FRANCHISE TO CONSTRUCT, OPERATE AND MAINTAIN A QUICK-FREEZING PLANT AND A COLD STORAGE PLANT IN THE MUNICIPALITY OF NAVOTAS, P...

REPUBLIC ACT NO. 4842, June 18, 1966

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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 conditions imposed in this Act, there is hereby granted to Martiman & Company, Incorporated, hereinafter referred to as the grantee, a franchise to construct, operate and maintain for public uses a quick-freezing plant and a cold storage plant with a capacity of one hundred tons of products per day and twenty thousand cubic meters, respectively, in the Municipality of Navotas, Province of Rizal. The rates which grantee shall charge for the services and facilities it renders shall be subject to regulation by the Public Service Commission.

SEC. 2. The grantee shall construct and operate the quick-freezing and cold storage plants up to the capacity authorized him by virtue of the franchise.

SEC. 3. All the equipment and appurtenances, as well as freezing techniques, to be used and or applied by the grantee in the quick-freezing and cold storage plants shall be modern, of the latest concept, safe and first class, and the grantee, in the event the Public Service Commission, after notice and hearing, determines that public interest reasonably requires it, shall change or alter any of said equipment, appurtenances or techniques at its expense.

SEC. 4. The franchise herein granted shall be valid for a period of twenty-five years from the approval of this Act, but is subject to the express condition that the franchise shall become null and void if the grantee or its successors in interest does not start the construction of the quickfreezing and cold storage plants herein authorized within two years from the approval of this Act and does not complete the construction and commence the operation of the plants within four years from said approval except when prevented by an act of God, force majeure, martial, law, riot, civil commotion, usurpation by military power or any other cause beyond the grantee's control. On the seventh year after the approval of this Act, grantee shall notify the Public Service Commission in writing of the plant or plants constructed and operated by it, their location and capacities.

SEC. 5. The jurisdiction of the Public Service Commission over the quick-freezing and cold storage plants operated by the grantee by virtue of this franchise shall be limited to the fixing of rates and that stated in Section three hereof, but it is hereby expressly provided that the franchise shall be subject to amendment, alteration or repeal by the Congress of the Philippines when public interest so requires.

SEC. 6. The books, records and accounts of the grantee shall always be open to the inspection of the Auditor General or his authorized representatives, and it shall be the duty of the grantee to submit to the Auditor General quarterly reports in duplicate showing the gross receipts for the quarter past.

SEC. 7. In the event of any competing person, natural or juridical receiving from the Congress of the Philippines a similar franchise in which there shall be any term or terms favorable than those herein granted or tending to place the herein grantee at any disadvantage, then such term or terms shall ipso facto become a part of the terms hereof and shall operate equally in favor of the grantee as in the case of such competing person.

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

Approved, June 18, 1966.

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