

AN ACT GRANTING MARCOS J. VILLAYERDE, JR. AND WINFRED E. VILLAYERDE A FRANCHISE TO CONSTRUCT, INSTALL, MAINTAIN AND OPERATE PUBLIC RADIOTELEPHONE AND RADIOTELEGRAPH COASTAL STAT...

REPUBLIC ACT NO. 4551, 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. There is hereby granted to Marcos J. Villaverde, Jr. and Winfred E. Villaverde, residing at Tagcawayan, Quezon and Mauban, Quezon, Philippines respectively, their heirs, successors, and assigns, and hereunder referred to as the grantees, a franchise to construct, install, maintain and operate radio stations in the Philippines and at such places as the said grantees may select, and provincial telephone system in the Provinces of Quezon, Laguna, Batangas, Rizal, Catanduanes, Marinduque, Oriental and Occidental Mindoro, and the Bicol Region, subject to the approval of the Secretary of Public Works and Communications or any licensing authority, commercial radiotelephone and/or radiotelegraph communication stations and provincial telephone system, with corresponding relay stations in the interisland, maritime, aeronautical and international public services, and stations in the broadcasting, radiophoto, radioteletype, paging system, advertisement, facsimile and such other types and kinds of emissions within the Philippines and/or international areas, to provide radio communication services and equipment to private firms and companies and corporations within their respective internal framework, and/or to communicate from within with grantees' station or stations.

SEC. 2. A special right is reserved to the President of the Philippines in time of war, rebellion, public peril, calamity, disaster or disturbance of peace or order, to take over and operate the said stations or to authorize the temporary use and operation thereof by any department of the Government upon due compensation to the grantees for the use of said stations during the period when they shall be operated.

SEC. 3. The President of the Philippines shall have the power and authority to permit the construction of said stations or any of them on any land of the public domain upon such terms and conditions as he may prescribe.

SEC. 4. This franchise shall continue for a period of fifty years from the date the first of said stations shall be placed in operation, and is granted upon the express condition that same shall be void unless the construction of one or two stations be begun within two years from the date of approval of this Act.

SEC. 5. The grantees, their heirs, successors and assigns, shall so construct and operate their radio stations and the wave lengths so selected as to avoid interference with the operation of other radio stations maintained and operated in the Philippines and to permit the expansion of the grantees' service.

SEC. 6. No private property shall be taken for any purpose by the grantees of this franchise, their heirs, successors and assigns, without proper condemnation proceedings and just compensation paid or tendered therefor, 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 grantees, their heirs, 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 and occupy the same was conceded to the grantees herein, their heirs, successors and assigns.

SEC. 7. 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 grantees.

SEC. 8. The grantees shall keep a separate account of the gross receipts of the business transacted by them in the Philippines and shall furnish a copy of such account not later than the thirty-first of January of each year for the preceding year. For the purpose of auditing the accounts so rendered to the Auditor General and the National Treasurer, all books and accounts of the grantees 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 official inspection of the Auditor General or his authorized representatives, and the audit and approval of such accounts shall be final and conclusive evidence as to the amount of said gross receipts, except that the grantees shall have the right to appeal to the courts of the Philippines, under the terms and conditions provided in the laws of the Philippines.

SEC. 9. As a condition of the granting of this franchise the grantees shall execute a bond in favor of the Government of the Philippines in the sum of thirty thousand pesos, in form and with sureties satisfactory to the Secretary of Public Works and Communications, conditioned upon the faithful performance of the grantees' obligations hereunder during the first three years of the life of this franchise. If after three years from the date of the approval of this Act, the grantees shall have fulfilled said conditions, or as soon thereafter as the grantees shall have fulfilled the same, the bond aforesaid shall be cancelled by the Government.

SEC. 10. In the event of any competing individual, partnership or corporation receiving from the Congress of the Philippines a similar franchise in which there shall be any term or terms more favorable than those herein granted or tending to place the herein grantees 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 grantees as in the case of said competing individual, partnership or corporation.

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

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

SEC. 13. This franchise 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.

Approved, June 19, 1965.

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