

AN ACT AUTHORIZING THE TRANSFER BY JOSEPH DE CASTRO TO THE OCEANIC WIRELESS NETWORK, INCORPORATED, OF THE FRANCHISE GRANTED HIM BY REPUBLIC ACT NUMBERED TWO THOUSAND FORTY-FOUR ...

REPUBLIC ACT NO. 2357, June 20, 1959

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

SECTION 1. The transfer of the franchise granted to Joseph de Castro by Republic Act Numbered Two thousand forty-four in favor of the Oceanic Wireless Network, Incorporated, together with all the rights and privileges appurtenant thereto, including those radio stations already established and operating under said Act, and any channel and/or frequency assignments and permits that may have been granted to the former, is hereby authorized and approved, subject to all the limitations and conditions specified in Republic Act Numbered Two thousand forty-four and other relevant laws and the provisions of the Constitution.

SEC. 2. Section one of Republic Act Numbered Two thousand forty-four is amended to read as follows:

"SECTION 1. There is hereby granted to the Oceanic Wireless Network, Incorporated, a Filipino corporation duly organized and existing under the laws of the Philippines, hereinafter referred to as the "grantee" a franchise to construct, install, maintain and operate, in Iloilo, Cebu and such other places in the Philippines not at present adequately served by radiotelegraph and/or radiotelephone systems, subject to the approval of the Secretary of Public Works and Communications, or any licensing authority, commercial radiotelegraph and/or radiotelephone communication stations, with corresponding relay stations, in the interisland, maritime, aeronautical and international public services, and stations in the broadcasting, television, radio-photo and facsimile services both national and/or international; to provide radio communication services and equipment to private firms, companies and corporations within their respective internal framework, and/or to communicate from within with grantee's station or stations in the network, public fixed land based and land mobile stations."

SEC. 3. Two new sections after section nine of the same Act are added to read as follows:

"SEC. 9-A. (a) The grantee shall be liable to pay the taxes on its real estate, buildings, and personal property, exclusive of the franchise, as other persons or corporations are now or hereafter may be required by law to pay. (b) The grantee shall further pay to the Treasurer of the Philippines each year, within ten days after the audit and approval of the accounts as prescribed in this Act one and one-half per centum of all gross receipts from the business transacted in the Philippines under this franchise by the grantee.

"SEC. 9-B. (a) This franchise shall not take effect nor shall any powers thereunder be exercised by the grantee until the Secretary of Public Works and Communications shall have allotted to the grantee the frequencies or wave lengths to be used, and issued to the grantee a license for such use.

"(b) The Secretary of Public Works and Communications, on reasonable notice to the grantee may at any time change, or cancel, or modify, in whole or in part, any or all of the allotments of frequencies or wave lengths to be used. He may take such actions (1) whenever in his judgment such frequencies and wave lengths have been used, or there is danger that they will be used by the grantee to impair electrical communications, or stifle

competition, or to obtain a monopoly in electrical communications, or to secure unreasonable rates for communications, or to violate otherwise the laws or public policy of the Philippine Republic;

“(2) Whenever in his judgment the public interests of the Republic of the Philippines require that such frequencies or wave lengths should be used for other purposes than those of the grantee, either by the government of the Philippines or by other individuals or corporations licensed by it; and

“(3) Whenever in his judgment, for any reason, the interests of the Philippines so require”.

SEC. 4. All other sections in Republic Act Numbered to Two thousand forty-four not amended by this Act continue to remain current and in full force.

SEC. 5. This Act shall take effect upon its approval.

Approved, June 20, 1959.

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