

AN ACT GRANTING AQCE INCORPORATED A FRANCHISE TO CONSTRUCT, OPERATE AND MAINTAIN AN ICE PLANT AND COLD STORAGE IN THE CITY OF SAN PABLO, PROVINCE OF LAGUNA, AND TO SELL ICE AND ...

REPUBLIC ACT NO. 4605, 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. Subject to the conditions imposed by this Act, there is hereby granted to, AQCE Incorporated, hereinafter referred to as the grantee, a franchise to construct, operate and maintain an ice plant and cold storage in the City of San Pablo, Province of Laguna, for the purpose of manufacturing and distributing ice and supplying cold storage within the City of San Pablo and the entire Province of Laguna, and municipalities of Tiaong, Candelaria, and Sariaya, Province of Quezon and to charge and collect a schedule of prices and rates for the ice and cold storage so furnished, which schedule of prices and rates shall at all times be subject to regulation by the Public Service Commission.

SEC. 2. The grantee is hereby authorized to manufacture and supply fifteen tons of ice a day.

SEC. 3. The apparatus and appurtenances to be used by the grantee shall be modern, safe and first class in every respect. Whenever the Public Service Commission shall determine that public interest reasonably requires it, the grantee shall change or alter any of the apparatus and appurtenances at grantee's expense, and should the demand for ice at any time increase beyond the capacity of the plant of the grantee to supply the same, said capacity of the plant shall be increased by the grantee to meet such demand and in accordance with the decision of the Public Service Commission or its legal successor.

SEC. 4. The franchise shall continue for a period of twenty-five years from the date said plant and cold storage is placed in operation and/or commences the manufacture and distribution of ice in the City of San Pablo, the entire Province of Laguna; and the municipalities of Tiaong, Candelaria, and Sariaya, Province of Quezon, subject to the express condition that the franchise shall be null and void unless the construction of said plant and cold storage be begun within five years from the date of the approval of this Act and completed within six years from said date, except when prevented by an act of God, or force majeure, martial law, riot, civil commotion, usurpation by military power or any cause beyond the grantee's control.

SEC. 5. The books, records and accounts of the ice plant and cold storage business of the grantee shall always be open to inspection by the City Treasurer or his authorized representatives, and it shall be the duty of the grantee to submit to the City Treasurer quarterly reports in duplicate, showing the gross receipts for the past quarter, one of which shall be forwarded by the City Treasurer to the Auditor General, who shall keep the same on file.

SEC. 6. This franchise is granted subject to the provisions of Commonwealth Act Numbered One hundred forty-six, as amended, only with respect to the fixing of rates. In consideration of the franchise hereby granted, the grantee shall pay quarterly into the city treasury or municipal treasury of the city or municipalities above mentioned a tax equivalent to one per centum of the gross earnings of its ice business during the life of this

franchise. Said tax shall be in lieu of all taxes and governmental fees of any kind, nature or description levied, established or collected by any authority whatever, municipal, provincial, city or national now or in the future on its buildings, machineries, and equipments and on its franchise, rights, privileges, receipts, revenues and profits from which the grantee is hereby expressly exempted.

SEC. 7. In the event of any competing individual, association of persons, or corporation receiving from the Congress of the Philippines a similar franchise in which there shall be terms tending to place the herein grantee at any disadvantage then such term or terms shall ipso facto become part of the terms hereof and shall operate in favor of the grantee as in the case of said competing individual, association of persons, or corporation.

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

Approved, June 19, 1965.

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