

AN ACT GRANTING PHILIPPINE EXPRESS MESSENGER SERVICE CORPORATION A FRANCHISE TO CONDUCT AIR FREIGHT FORWARDING, MESSENGER AND DELIVERY SERVICE.

REPUBLIC ACT NO. 6382, August 16, 1971

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

SECTION 1. Any provision of law to the contrary notwithstanding, the Philippine Express Messenger Service Corporation, a domestic corporation duly registered and existing under the laws of the Philippines, is hereby granted a franchise to conduct air freight forwarding, both of domestic and international destination, as well as to conduct messenger and delivery service of messages, parcels and packages, at regular intervals and in special and emergency cases, through all hours of the day and night, for a period of twenty-five years from and after the approval of this Act: Provided, however, That the said corporation shall not receive and deliver messages, parcels, goods or articles described in Section nineteen hundred and fifty-four and nineteen hundred fifty-five of the Revised Administrative Code, and any matter received by it in violation of existing laws and/or constituting a criminal act shall be forfeited in favor of the Government; and any matter unmailable under Section nineteen hundred fifty-five of the same Code received by it for delivery the possession of which does not constitute any criminal act punishable by law, the said matters shall whenever practicable be returned to the person who deposited it, and shall not be delivered to the addressee: Provided, further, That any willful violation of the foregoing provisos by the said corporation shall be sufficient cause for the revocation of the franchise; lastly, the Secretary of Public Works and Communications and/or through his proper instrumentality or agency, shall exercise supervision over said corporation for the purpose of having its operations strictly in accordance with law, as well as to prevent violation of the foregoing provisos and/or existing law and regulations.

SEC. 2. The grantee is hereby empowered to fix its service fees or charges, subject to the rates approved and provided by the Public Service Commission.

SEC. 3. This franchise is granted subject to amendment, alteration or repeal by the Congress of the Philippines when public interest intervenes and so requires and shall not be exclusive in character.

SEC. 4. In consideration of the franchise and rights hereby granted, the grantee shall pay a franchise tax equal to five per centum of the gross earnings under this franchise, three per centum shall accrue to the national government and two per centum to the municipality where the franchise is in operation.

SEC. 5. The grantee shall file a bond in the sum of twenty-five thousand pesos to answer for any damages or loss that any customer or customers may suffer.

SEC. 6. The grantee shall not lease, transfer, grant the usufruct of, sell or assign this franchise or the rights, privileges acquired thereunder, to any person, firm, company, corporation, or other commercial or legal entity, nor merge with any other person, company, or corporation organized for the same purpose, without the approval and/or consent of the Congress of the Philippines.

SEC. 7. This Act shall take effect upon its approval.

Enacted without Executive approval, August 16, 1971.

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