

AN ACT GRANTING MEXICO ICE PLANT A FRANCHISE TO CONSTRUCT, OPERATE AND MAINTAIN AN ICE PLANT AND COLD STORAGE IN THE MUNICIPALITIES OF MEXICO, SAN FERNANDO, MAGALANG, ARAYAT, SA...

REPUBLIC ACT NO. 5134, June 17, 1967

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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 Mexico Ice Plant, hereinafter referred to as the grantee, a franchise to construct, operate and maintain an ice plant and cold storage and/ or increase their capacity in the municipalities of Mexico, San Fernando, Magalang, Arayat, San Luis and San Simon, Province of Pampanga, and to sell ice and to supply cold storage within the Province of Pampanga 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 shall manufacture and supply ice up to the limit of the capacity of its plant and cold storage service.

SEC. 3. All the apparatus and appurtenances to be used by the grantee shall be modern, safe and first class in every respect, and the grantee shall, whenever the Public Service Commission shall determine that public interest reasonably requires it, change or alter any of its apparatus and appurtenances at grantee's expense.

SEC. 4. This franchise shall continue for a period of twenty-five years from the date said plant and cold storage shall be placed in operation and/or shall commence the manufacture and distribution of ice in the Province of Pampanga and is made subject to the express condition that the same shall be null and void unless the construction of said plant and cold storage be begun within four 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 other cause beyond the grantee's control.

SEC. 5. The books, records and accounts of the grantee shall always be open to the inspection of the provincial treasurer or his authorized representatives, and it shall be the duty of the grantee to submit to the provincial treasurer quarterly reports in duplicate, showing the gross receipts for the quarter past, one of which shall be forwarded by the provincial 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 and with the understanding and upon condition that it shall be subject to amendment, alteration or repeal by the Congress of the Philippines when public interest so requires.

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 any term or terms more 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 said competing individual, association of persons, or corporation.

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

Enacted without Executive approval, June 17, 1967.

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