AN ACT GRANTING ABOITIZ AND COMPANY A TEMPORARY PERMIT TO CONSTRUCT, OPERATE AND MAINTAIN PRIVATE FIXED POINT-TO-POINT, COASTAL, AERONAUTICAL, LAND-EASED AND LAND-MOBILE RADIO S...

REPUBLIC ACT NO. 5849, June 21, 1969

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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 Aboitiz and Company, hereinafter referred to as the grantee, a permit to construct, operate and maintain in the Philippines at such places as the grantee may select, subject to the approval of the Secretary of Public Works and Communications, private fixed point-to-point, coastal, aeronautical, land-based and land mobile radio stations for the reception and transmission of wireless messages by radiotelegraph or radiotelephone each station to be provided with a radio transmitting apparatus and a radio receiving apparatus.

SEC. 2. This permit shall continue to be in force during the time that the Government has not established similar service at the places selected by the grantee, but not exceeding twenty-five years and is granted upon the express condition that the same shall be void unless the construction or installation of said stations be begun within one year from the date of approval of this Act and be completed within two years from said date.

SEC. 3. The grantee, its successors or assigns, shall not engage in domestic business of telecommunications in the Philippines without further special assent of the Congress of the Philippines, it being understood that the purpose of this permit is to secure to the grantee the right to construct, maintain and operate private fixed point-to-point, coastal, aeronautical, land-based and land mobile radio stations at such places within the Philippines as the interest of the grantee may justify.

SEC. 4. No fees shall be charged by the grantee as the radio stations that may be established by virtue of this Act shall engage in communications regarding the grantee's business only.

SEC. 5. The grantee, its successors or assigns, shall so construct and operate its radio stations as not to interfere with the operation of other radio stations maintained and operated in the Philippines.

SEC. 6. The grantee, its successors or assigns, shall hold the national, provincial, city and municipal governments of the Philippines harmless from all claims, accounts, demands or actions arising out of accidents or injuries, whether to property or to persons, caused by the construction or operation of its radio stations.

SEC. 7. The grantee, its successors or assigns, shall be subject to the corporation laws of the Philippines now existing or hereafter enacted.

SEC 8. The grantee, its successors or assigns, is authorized to operate its private fixed point-to-point, coastal, aeronautical, land-based and land-mobile radio stations in the medium frequency, high frequency, and very high frequency that may be assigned to it by the Secretary of Public Works and Communications.

SEC. 9. The grantee shall not lease, transfer, grant the usufruct of, sell or assign this permit, nor the rights or privileges acquired thereunder to any person, firm, company, corporation 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 permit 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 temporary permit is sold, transferred, or assigned shall be subject to the conditions, terms, restrictions and limitations of this permit as fully and completely and to the same extent as if the permit had been originally granted to the said person, firm, company, corporation or other commercial or legal entity.

SEC. 10. A special right is hereby reserved to the President of the Philippines in time of war, insurrection, public peril, emergency, calamity or disaster to cause the closing of the grantee's radio stations or to authorize the temporary use or possession thereof by any department of the government upon payment of just compensation.

SEC. 11. This temporary permit 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 privilege herein provided for.

SEC. 12. This Act shall take effect upon its approval.

Enacted without Executive approval, June 21, 1969.

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