

AN ACT AMENDING AND REPEALING CERTAIN SECTIONS OF REPUBLIC ACT NUMBERED FIVE HUNDRED AND THIRTEEN.

REPUBLIC ACT NO. 982, May 26, 1954

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

SECTION 1. Sections one, three, five, eight, twelve, thirteen, fourteen, fifteen and sixteen of Republic Act Numbered Five hundred and thirteen, entitled "An Act granting Loreto F. de Hemedes a temporary permit to establish radio stations for broadcasting," are amended as follows:

"SEC. 1. There is hereby granted to Loreto F. de Hemedes, hereinafter referred to as the 'grantee', a franchise for a period of twenty-five years from the approval of this act to construct, maintain and operate in the Philippines, at such places as the said grantee may select, subject to approval of the Secretary of Public Works and communications, stations for radio and television broadcasting together with their corresponding microwavelink relay station: Provided, That the holder of the franchise herein granted shall start the operation of at least one radio broadcasting station or one television station within and a half years from the approval of said franchise.

Failure to comply with this requirement shall ipso facto cancel and void the franchise.

"SEC. 3. The provisions of Act Numbered Thirty-eight hundred and forty-six, entitled 'An Act providing for the regulation of radio stations and radio communications in the Philippine Islands, and for other purposes'; Act Numbered Thirty-nine hundred and ninety-seven, known as the Radio Broadcasting Law; Commonwealth Act Numbered One hundred and forty-six, known as the Public Service Act, and their amendments, as well as the regulations issued thereunder, shall govern the construction, maintenance and operation of the stations referred to in section one.

"SEC. 5. A special right is reserved to the Government of the Republic of the Philippines, in time of war, insurrection, or domestic trouble, to take over and operate the said stations upon the order and direction of the President of the Philippines, upon payment of just compensation to the grantee, for the use of the said stations during the period when they shall be so operated by the Philippine Government.

"SEC. 8. (a) The grantee shall be liable to pay the same 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 be liable to pay all other taxes imposable by the National Internal Revenue Code by reason of this franchise.

"SEC. 12. The franchise hereby granted shall be subject to amendment, alteration, or repeal by the Congress of the Philippines, and the right to use and occupy public property and places hereby granted shall revert to the respective governments, upon the termination of this franchise, by such repeal or by forfeiture, or expiration in due course.

"SEC. 13. As a condition of the granting of this franchise the grantee shall execute a bond in favor of the Government of the Philippines, in the sum of twenty thousand pesos, in a form and with sureties satisfactory to

the Secretary of Public Works and Communications conditioned upon the faithful performance of the grantee's obligations hereunder during the first three years of the life of this franchise. If, after three years from the date of acceptance of this franchise, the grantee shall have fulfilled said obligations or soon thereafter as the grantee shall have fulfilled the same, the bond aforesaid shall be cancelled by the Secretary of Public Works and Communications.

"SEC. 14. Acceptance of this franchise shall be given in writing within six months after the approval of this Act. When so accepted by the grantee and upon the approval of the bond aforesaid by the Secretary of Public Works and Communications the grantee shall be empowered to exercise the privileges granted thereby.

"SEC. 15. The grantee is hereby authorized to organize a corporation the majority stock of which shall be owned by the grantee to which he is empowered to sell or assign this franchise, but thereafter the said corporation shall not lease, transfer, grant the usufruct of, sell or assign this franchise nor the rights and privileges acquired thereunder to any person, firm, company, corporation or other commercial or legal entity, nor merge with any other company or corporation organized for the same purpose, without the approval of the Congress of the Philippines first had. Any corporation to which this franchise 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 franchise is sold, transferred, or assigned shall be subject to all the conditions, terms, restrictions and limitations of this franchise, as fully and completely and to the same extent as if the franchise has been originally granted to the said person, firm, company, corporation or other commercial or legal entity.

"SEC. 16. This franchise shall not be interpreted to mean an exclusive grant of the privileges herein provided for."

SEC. 2. Section two of the same Act is hereby repealed.

SEC. 3. A new section is hereby inserted between sections sixteen and seventeen of the same Act, to be known as SECTION 16-A, which shall read as follows:

"SEC. 16-A. In the event any individual, partnership or corporation receive from the Congress a similar franchise in which there shall be term or terms more favorable than those herein granted or tending to place the herein grantee at a disadvantage, such term or terms shall, ipso facto, become a part of this franchise and shall operate equally in favor of the grantee as in the case of said individual, partnership or corporation."

SEC. 4. The title of the same Act is hereby amended to read as follows:

"An Act granting Loreto F. de Hemedes, a franchise to construct, maintain and operate stations for television and radio broadcasting in the Philippines."

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

Approved, May 26, 1954.

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