AN ACT GRANTING PROGRESSIVE DEVELOPMENT CORPORATION A TEMPORARY PERMIT TO CONSTRUCT, ESTABLISH, OPERATE AND MAINTAIN PRIVATE FIXED POINT-TO-POINT, PRIVATE AERONAUTICAL, PRIVATE ...

REPUBLIC ACT NO. 5953, 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. Subject to the provisions of the Constitution and the provisions of Act Numbered Three thousand 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." Commonwealth Act Numbered One hundred forty-six, known as the Public Service Act, and their amendments, and other applicable laws, there is hereby granted to Progressive Development Corporation a temporary permit to construct, establish, 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, private aeronautical, private coastal and private land-based and land-mobile radio stations, for the reception and transmission of wireless messages on radiotelegraphy or radiotelephony, each station to be provided with a radio transmitting apparatus and a radio receiving apparatus.

SEC. 2. The President of the Philippines shall have the power and authority to permit the location of said private fixed point-to-point, private aeronautical, private coastal, and private land-based and land-mobile radio stations or any of them on lands of the public domain upon such terms as he may prescribe.

SEC. 3. This temporary 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, and is granted upon the express condition that the same be void unless the construction of at least one of the said stations be begun within one and one-half years from the date of approval of this Act.

SEC. 4. The grantee 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 temporary permit is to secure to the grantee the right to construct, establish, maintain and operate private fixed point-to-point radio stations, private aeronautical radio stations, private coastal radio stations and private land-based and land-mobile radio units at such places in the Philippines as the interest of the corporation and of its business may justify.

SEC. 5. This temporary permit shall not take effect until the Secretary of Public Works and Communications shall have allotted to the grantee the frequencies and wave lengths to be used thereunder, but the grantee may use the international distress frequency of five hundred kilocycles and the high distress frequency of eight thousand two hundred eighty kilocycles whenever necessary.

SEC. 6. No fees are chargeable, as the radio stations that may be established by virtue of this Act shall engage in communications regarding the grantee's business only.

SEC. 7. The grantee 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. 8. The grantee shall hold the national, provincial, and municipal governments of the Philippines harmless from all claims, accounts, demands, or actions arising1 out of accidents or injuries, whether to property or to persons, caused by the construction or operation of its radio stations.

SEC. 9. The grantee shall not lease, transfer, grant the usufruct of, sell or assign this temporary permit, or the rights or privileges acquired thereunder to any person, firm, company, corporation or other commercial or legal entity without approval of the Congress of the Philippines first had. Any corporation to which this temporary 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 all the conditions, terms, restrictions and limitations of this temporary permit as fully and completely and to the same extent as if the temporary 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 stations or to authorize the temporary use or possession thereof by any department of the Government upon payment of just compensation.

SEC. 11. The grantee shall file a bond in the amount of fifty thousand pesos to guarantee the full compliance and fulfillment of the conditions under which this temporary permit is granted. If after four years from the date of the approval of this Act the grantee shall have fulfilled said conditions or as soon thereafter as the grantee shall have fulfilled the same, the aforesaid bond shall be cancelled by Government.

SEC. 12. Whenever in this temporary permit the term "grantee" is used, it shall be held and understood to mean "Progressive Development Corporation" its representatives, successors, or assigns, unless the context indicates otherwise.

SEC. 13. 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 privileges herein provided for.

SEC. 14. This Act shall take effect upon its approval.

Enacted without Executive approval, June 21, 1969.

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