AN ACT GRANTING ARCEGA’S DEPARTMENT STORES A FRANCHISE TO CONSTRUCT, OPERATE AND MAINTAIN PRIVATE FIXED POINT-TO-POINT AND LAND-BASED AND LAND-MOBILE RADIO STATIONS FOR THE RECE...

REPUBLIC ACT NO. 5861, 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 the Arcega's Department Stores, its successors or assigns, a franchise to construct, operate and maintain in the Philippines, at such places as the said grantee may select, subject to the approval of the Secretary of Public Works and Communications, private fixed point-to-point and land-based and land-mobile radio stations, for the reception and transmission of wireless messages on radiotelegraph or radiotelephone, or both, each station to be provided with a radio transmitting and a radio receiving apparatus.

SEC. 2. This franchise shall continue to be in force during the time that the Government has not established a similar service at the places selected by the grantee, and is granted upon the express condition that the same shall be void unless the construction of at least one 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 shall not engage in domestic business of telecommunications in the Philippines without furtheir special assent of the Congress of the Philippines, it being understood that the purpose of this franchise is to secure to the grantee the right to construct, establish, operate and maintain private fixed point-to-point and land-based and land-mobile radio stations in such places within the Philippines as the interest of the grantee and of its trade and business 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 regarding1 the grantee's business only.

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

SEC. 6. The grantee shall hold the national, provincial, city and municipal governments of the Philippines free 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 shall be subject to the corporation laws of the Philippines now existing or which may hereafter be enacted.

SEC. 8. The grantee is authorized to operate its private fixed point-to-point and 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 franchise or the rights or

privileges acquired thereunder to any person, firm, company, corporation or other commercial or legal entity, nor merge with any other person, firm, company, or corporation organized for the same purpose, without the previous approval of the Congress of the Philippines. 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 conditions, terms, restrictions and limitations of this franchise as fully and completely and to the same extent as if the franchise 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. Whenever in this franchise the term "grantee" is used it shall be held and understood to mean Arcega's Department Stores, its representatives, successors or assigns, unless the context indicates otherwise.

SEC. 12. This franchise 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 to mean an exclusive grant of the privileges herein provided for.

SEC. 13. This Act shall take effect upon its approval.

Enacted without Executive approval, June 21, 1969.

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