

[REPUBLIC ACT NO. 5196, April 27, 1968]

AN ACT GRANTING FLORA CONSING A FRANCHISE TO CONSTRUCT, OPERATE AND MAINTAIN AN ICE PLANT AND COLD STORAGE IN THE CITY OF BUTUAN, AND TO SELL ICE AND SUPPLY COLD STORAGE WITHIN THE CITY AND THE MUNICIPALITIES OF CABADBARAN, NASIPIT, BUENAVISTA AND CARMEN, ALL IN THE PROVINCE OF AGUSAN.

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 Flora Consing, hereinafter referred to as the grantee, a franchise to construct, operate and maintain an ice plant and cold storage in the City of Butuan, for the purpose of manufacturing and distributing ice and supplying cold storage within the city and in the municipalities of Cabadbaran, Nasipit, Buenavista and Carmen, all in the Province of Agusan, and to charge and collect a schedule of prices and rates for the ice and cold storage furnished, which shall not exceed seven centavos a kilo.

SEC. 2. The grantee shall manufacture and supply ice up to the limit of the capacity of her plant and/or plants.

SEC. 3. The apparatus and appurtenances to be used by the grantee shall be modern, safe and first class in every respect and the grantee, whenever the Congress shall determine that public interest reasonably requires it, shall change or alter any of the apparatus and appurtenances at her expense.

SEC. 4. The franchise shall continue for a period of twenty-five years from the date said plant and cold storage is placed in operation and/or commences the manufacture and distribution of ice in the City of Butuan and municipalities of Cabadbaran, Nasipit, Buenavista and Carmen, all in the Province of Agusan, subject to the express condition that the franchise shall be null and void unless the construction of at least one 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 opened to inspection by the City Treasurer and/or his authorized representatives, and it shall be the duty of the grantee to submit to the City Treasurer quarterly report in duplicate showing the gross receipts for the past quarter, one of which shall be forwarded by the City Treasurer to the Auditor General, who shall keep the same on file.