

[REPUBLIC ACT NO. 4416, June 19, 1965]

AN ACT GRANTING MACTAN ICE AND COLD STORAGE A FRANCHISE FOR THE CONSTRUCTION, OPERATION AND MAINTENANCE OF AN ICE AND REFRIGERATION PLANT IN THE CITY OF LAPU-LAPU AND TO SELL ITS PRODUCE AND SERVICES IN THE SAID CITY AND NEIGHBORING MUNICIPALITIES AND TO ALL THE NEIGHBORING ISLANDS.

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 Mactan Ice and Cold Storage, hereinafter referred to as the grantee, for a period of twenty-five years a franchise for the construction, operation and maintenance of an ice and refrigeration plant at the City of Lapu-Lapu for the purpose of manufacturing and distributing ice in said city and its neighboring municipalities and also to all neighboring islands, as well as to accept for a fee the refrigeration and cold storage of such goods and foodstuffs requiring such service in the City of Lapu-Lapu: *Provided*, That the schedule of prices for the ice so produced and sold and the fees for refrigeration service shall at all times be subject to regulation by the Public Service Commission.

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

SEC. 3. All the apparatus and appurtenances to be used by the grantee shall be modern, safe and first class in every respect, and the grantee shall, whenever the Public Service Commission shall determine that public interest reasonably requires it, change or alter any of its plant apparatus and appurtenances at grantee's expense.

SEC. 4. If the grantee does not commence the manufacture and distribution of ice and/or construction and operation of cold storage facilities within one year from the approval of this Act, this franchise shall be null and void, unless such failure has been caused by *force majeure* or any other cause beyond the grantee's control.

SEC. 5. This franchise is granted subject to the provisions of the Constitution and of Commonwealth Act Numbered One hundred forty-six, as amended, insofar as the rates are concerned.

SEC. 6. The books, records and accounts of the grantee shall be open to the inspection of the city treasurer or his authorized representative, and it shall be the duty of the grantee to submit to the said treasurer quarterly reports in duplicate showing the gross receipts for the preceding quarter, one of which shall be forwarded by the said treasurer to the Auditor General, who shall keep the same on