

[REPUBLIC ACT NO. 3447, June 18, 1961]

AN ACT GRANTING THE SAN DIEGO FISHERY ENTERPRISES, INCORPORATED, A FRANCHISE TO CONSTRUCT, OPERATE AND MAINTAIN ICE PLANTS AND COLD STORAGE IN THE MUNICIPALITY OF SAN JOSE, PROVINCE OF MINDORO, THE MUNICIPALITY OF CORON, PROVINCE OF PALAWAN AND ZAMBOANGA CITY, AND TO SELL ICE AND TO SUPPLY COLD STORAGE THEREIN.

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 granted to the San Diego Fishery Enterprises, Incorporated, hereinafter referred to as the grantee, a franchise to construct, operate and maintain ice plants in the Municipality of San Jose, Province of Mindoro, the Municipality of Coron, Province of Palawan and Zamboanga City and to sell ice and to supply cold storage therein and to charge and collect a schedule of prices and rates for the ice and cold storage so furnished, which schedule of prices and rates 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 fifty tons and one hundred tons, respectively, for each municipality.

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 Congress of the Philippines shall determine that public interest reasonably requires it, change or alter any of its apparatus and appurtenances at grantee's expense.

SEC. 4. If the grantee shall not commence the manufacture of ice and supply cold storage in the municipalities mentioned herein within one year from the approval of this Act, unless prevented by an, act of God, or *force majeure*, martial law, riot, civil commotion, usurpation by a military power or any other cause beyond grantee's control this franchise shall become null and void.

SEC. 5. This franchise is granted subject to the provisions of commonwealth Act Numbered One hundred forty-six, as amended, only with respect to the fixing of rates, and with the understanding and upon condition that it shall be subject to amendment, alteration, or repeal by the Congress of the Philippines when public interest so requires.

SEC. 6. In the event of any competing individual, association of persons, or corporation receiving from the Congress of the Philippines a similar franchise in which there shall be any term or terms more favorable than those herein granted or tending to place the herein grantee at any disadvantage, then such term or terms