

[REPUBLIC ACT NO. 1010, June 12, 1954]

AN ACT GRANTING MR. FELIX R. DEL ROSARIO A TEMPORARY PERMIT TO CONSTRUCT, MAINTAIN AND OPERATE A RADIO BROADCASTING STATION IN BACOLOD CITY, PHILIPPINES.

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, as well as of Act Numbered Three thousand eight hundred forty-six, entitled "An Act providing for the regulation of radio stations and radio communications in the Philippine Islands, and for other purposes"; Act Numbered Three thousand nine hundred ninety-seven, known as the Radio Broadcasting Law; 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 Mr. Felix R. del Rosario, hereinafter referred to as the "grantee", a temporary permit to construct, maintain and operate in Bacolod City, Philippines, subject to approval of the Secretary of Public Works and Communications, a radio broadcasting station or stations: *Provided*, That the holder of the temporary permit herein granted shall start the operation thereof within one and a half years from the approval of said temporary permit. Failure to comply with this requirement shall *ipso facto* cancel and void the temporary permit.

SEC. 2. After the grantee shall have operated under this temporary permit, the same shall continue to be in force during the time that the Government has not established similar service at the places selected by the grantee.

SEC. 3.

- a. This temporary permit shall not take effect nor shall any powers thereunder be exercised by the grantee until the Secretary of Public Works and Communications shall have allotted to the grantee the frequencies and wave lengths to be used thereunder and determined the stations to and from which each such frequency and wave length may be used, and issued to the grantee a license for such use.
- b. The Secretary of Public Works and Communication reasonable notice to the grantee, may at any time change, or cancel, or modify, in whole or in part, or all of the allotments of frequencies or wave lengths to be used He may take such action: (1) whenever in his judgment such frequencies and wave lengths have been used, or there is danger that they will be used by the grantee to impair electrical communication, Or stifle competition, or to obtain a monopoly in electrical communication, or to secure unreasonable rates for such communication, or otherwise to violate the laws or public policy of the Republic of the Philippines; (2) whenever in his judgment the public interests of the Philippines require that such frequencies or wave lengths should be used for other purposes than those of the grantee, either by the Government of the

Philippines or by other individuals or corporations licensed by it; (3) whenever in his judgment for any reason the public interests of the Philippines so require.

- c. The Secretary of Public Works and Communications is authorized to appoint, employ or make use of such boards, commissions, or agents as in his discretion he may select, to investigate, and determine the facts upon which he may act as aforesaid, and such boards, commissions or agents shall have the right by compulsory process of *subpoena*, to summon witnesses, administer oaths, and take evidence.

SEC. 4. The stations of the grantee shall be so constructed and operated and the wave lengths so selected as to avoid interference with existing radio stations and to permit of the expansion of the grantee's services.

SEC. 5. A special right is reserved to the Government of the Republic of the Philippines, in time of war, insurrection, or rebellion, public calamity, disaster, or disturbance of peace and order to take over and operate the said stations upon the order and direction of the President of the Philippines.

SEC. 6. The right is hereby received to the Government of the Philippines, through the Public Service Commission, or such other office as may be thereunto duly authorized, to fix the maximum and minimum rates to be charged by the grantee.

SEC. 7.

- a. The grantee shall be liable to pay the same taxes on its real estate, buildings, and personal property, exclusive of the temporary permit, as other persons or corporations are now or hereafter may be required by law to pay.
- b. The grantee shall further be liable to pay all other taxes under the National Internal Revenue Code by reason of this temporary permit.

SEC. 8. The national, provincial and municipal governments of the Philippines shall not be liable for 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 the stations of the grantee, liability for which is assumed fully by the grantee.

SEC. 9. No private property shall be taken for any purpose by the grantee without proper condemnation proceedings and just compensation paid or tendered therefor, and any authority to take and occupy land contained herein shall not apply to the taking, use, or occupation of any land except such as is required for the actual necessary purposes for which this temporary permit is granted.

SEC. 10. It shall be unlawful for the grantee to use, employ, or contract, for the labor of persons held in involuntary servitude.

SEC. 11. The temporary permit hereby granted shall be subject to amendment, alteration, or repeal by the Congress of the Philippines, and the right to use or occupy public property and places hereby granted shall revert to the respective governments, upon the termination of this temporary permit, by repeal or by forfeiture, or expiration in due course.

SEC. 12. As a condition of the granting of this temporary permit the grantee shall execute a bond in favor the Government of the Philippines, in the sum of ten