

**[ REPUBLIC ACT NO. 513, June 14, 1950 ]**

**AN ACT GRANTING LORETO F. DE HEMEDES A TEMPORARY PERMIT TO ESTABLISH RADIO STATIONS FOR BROADCASTING.**

*Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:*

SECTION 1. There is hereby granted to Loreto F. de Hemedes, hereinafter referred to as the "grantee", a temporary permit to construct, maintain and operate in the Philippines, at such places as the said grantee may select, subject to approval of the Secretary of Commerce and Industry, stations for broadcasting: *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. This temporary permit 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 Commerce and Industry 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 Commerce and Industry, on readable notice to the grantee, may at any time change, or cancel, or modify, in whole or in part, any 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, 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 Commerce and Industry 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 as to effect a minimum of interference with the wave lengths selected with a view to avoiding interference with existing 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 domestic trouble, to take over and operate the said stations upon the order and direction of any authorized department of the Government of the Philippines without compensating the grantee for the use of said stations during the period when they shall be so operated by the said Government.

SEC. 6. The right is hereby reserved 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 charge by the grantee.

SEC. 7. The grantee shall keep a separate account of the gross receipts of the business transacted by it in the Philippines, and shall furnish the Auditor General and the Treasurer of the Philippines a copy of such account not later than the thirty-first day of January of each year for later the preceding year. For the purpose of auditing the accounts so rendered to the Auditor General and National Treasurer, all the books and accounts of the grantee, or duplicates thereof, so far as they relate to the business transacted in the Philippines shall be kept in the Philippines, and shall be subject to the official inspection of the Auditor General or his authorized representatives, and the audit and approval of such accounts shall be final and conclusive evidence as to the amount of said gross receipts, except that the grantee shall have the right to appeal to the courts of the Philippines, under the terms and conditions provided in the laws of the Philippines.

SEC. 8.

- 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 imposable by the National Internal Revenue Code by reason of this temporary permit.

SEC. 9. The grantee shall hold the National, provincial and municipal governments of the Philippines harmless 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 the stations of the grantee.

SEC. 10. No private property shall be taken for any purpose by the grantee without proper condemnation proceedings and just compensation paid or tendered therefor,