

[REPUBLIC ACT NO. 514, June 14, 1950]

AN ACT GRANTING THE MINDANAO COLLEGES A TEMPORARY PERMIT TO ESTABLISH A RADIO BROADCASTING STATION.

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

SECTION 1. There is hereby granted to the Mindanao Colleges, hereinafter referred to as the "grantee", a temporary permit to construct, maintain and operate in the Philippines, at such approval of the Secretary of Commerce and Industry, a radio broadcasting station for commercial and educational purposes.

SEC. 2. This temporary permit shall continue to be in force during the time that the government has not established similar service at the place selected by the grantee, and is made upon the express condition that the same shall be void unless the construction of said station be begun within one and a half years from the approval of said temporary permit.

SEC. 3. This grant and concession is likewise made upon the express condition that the grantee shall contribute to the public welfare, shall assist in the functions of public information and education, shall not use its station for the dissemination of deliberately false information or willful misrepresentation, or to the detriment of public health, or to incite, encourage or assist in subversive or treasonable acts.

SEC. 4.

- 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 issued to the grantee license for such use.
- b. The Secretary of Commerce and Industry, on reasonable 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, 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 Philippine Republic; (2) whenever in his judgment the public interest of the Philippines requires 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 requires.

- c. The Secretary of Commerce and Industry is authorized to appoint, employ or make use 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 and agents shall have the right by compulsory process of subpoena, to summon witnesses, administer oaths, and take evidence.

SEC. 5. The station of the grantee shall be constructed and operate that a minimum of interference will result and the wave lengths selected with a view to avoiding interference with existing stations and permit of the expansion of the grantee's services.

SEC. 6. A special right is reserved to the Government of the Republic of the Philippines, in time of war, insurrection, or domestic trouble, or to take over and operate the said station upon the order and direction of any authorized department of the Government of the Philippines without compensating the grantee for the use of said station during the period when they shall be so operated by the said Government.

SEC. 7. 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 charged by the grantee.

SEC. 8. The grantee shall keep an account of the gross receipts of the business transacted by it, and shall furnish to 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 the preceding year. For the purpose of auditing accounts so rendered to the Auditor General and National Treasurer, all of the books and accounts of the grantee 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, under the terms and conditions provided in the laws of the Philippines.

SEC. 9.

- a. The grantee shall be liable to pay the same taxes, unless exempted therefrom, 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 pay to the Treasurer of the Philippines each year, within ten days after the audit and approval of the accounts as prescribed in this Act, one and one-half per centum of all gross receipts from business transacted under this temporary permit by the said grantee in the Philippines.

SEC. 10 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 station of the grantee.