

[REPUBLIC ACT NO. 5453, September 30, 1968]

AN ACT GRANTING TERESITA TIROL GARGANTIEL A FRANCHISE TO CONSTRUCT, OPERATE AND MAINTAIN AN ICE PLANT AND COLD STORAGE IN THE MUNICIPALITY OF BAYAWAN, PROVINCE OF NEGROS ORIENTAL, AND TO SELL ICE AND TO SUPPLY COLD STORAGE THEREIN AND TO NEIGHBORING MUNICIPALITIES.

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 Teresita Tirol Gargantiel, herein referred to as the grantee, a franchise to construct, operate and maintain an ice plant and cold storage in the Municipality of Bayawan, Province of Negros Oriental, for the purpose of manufacturing and distributing ice and supplying cold storage therein and to its neighboring municipalities, and to collect and charge a schedule of prices and rates for the ice and cold storage furnished.

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

SEC. 3. The apparatus and appurtenances to be used by the grantee shall be modern, safe and first class in every aspect and the grantee, whenever the Congress shall determine that public interest reasonably requires it, shall change or alter any of the apparatus and appurtenances at the grantee's expense.

SEC. 4. The franchise shall continue for a period twenty-five years from the date said plant and cold storage is placed in operation and/or commences the manufacture and distribution of ice in the Municipality of Bayawan and in its neighboring municipalities, subject to the express condition that the franchise shall be null and void unless the construction of at least one plant and cold storage be begun within four years from the date of the approval of this Act and completed within six years from said date, except when prevented by an act of God, *or force majeure*, martial law, riot, civil commotion, usurpation by military power or any other cause beyond the grantee's control.

SEC. 5. The books, records and accounts of the grantee shall always be open to inspection by the municipal treasurer and/or his authorized representatives, and it shall be the duty of the grantee to submit to the municipal treasurer a quarterly report in duplicate showing the gross receipts for the past quarter, one of which shall be forwarded by the municipal treasurer to the Auditor General, who shall keep the same on file.

SEC. 6. This franchise is granted subject to the provisions of the Constitution, Commonwealth Act Numbered One hundred forty-six, as amended, and Act