

**[ REPUBLIC ACT NO. 5099, June 17, 1967 ]**

**AN ACT GRANTING JOSE O. MARTINEZ A FRANCHISE TO  
CONSTRUCT, OPERATE AND MAINTAIN AN ICE PLANT AND COLD  
STORAGE IN THE MUNICIPALITY OF MALANGAS, PROVINCE OF  
ZAMBOANGA DEL SUR**

*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 Jose O. Martinez, herein referred to as the grantee, for a period of twenty-five years from the date of approval of this Act, a franchise to construct, operate and maintain an ice plant and cold storage in the Municipality of Malangas, Province of Zamboanga del Sur, for the purpose of manufacturing and distributing ice in said municipality and in the Province of Zamboanga del Sur, and to charge and collect a schedule of prices for the ice so sold, which schedule of prices shall at all times be subject to regulation by the Public Service Commission. Said grantee shall manufacture and supply ice up to the limit of the capacity of his plant the maximum productive capacity of which shall not be greater than fifty tons.

SEC. 2. If the grantee does not commence the manufacture and distribution of ice within two years from the date of the approval of this Act, this franchise shall be null and void, unless he was prevented from doing so by an act of God, *force majeure* or any other cause beyond the grantee's control.

SEC. 3. This franchise is granted subject to the provisions of the Constitution, and of Commonwealth Act Numbered One hundred forty-six, as amended, only insofar as rates are concerned.

SEC. 4. The books, records and accounts of the grantee shall be open to the inspection of the municipal treasurer or his authorized representatives, and it shall be the duty of the grantee to submit to the said treasurer quarterly reports in duplicate showing the gross receipts for the preceding quarter, one of which shall be forwarded by the said treasurer to the Auditor General, who shall keep the same on file.

SEC. 5. The grantee, with the approval of the Congress of the Philippines first had, may sell, lease, grant, convey, assign, give in usufruct, or transfer this franchise and all property and rights acquired thereunder to any qualified individual, association or corporation competent to operate the business hereby authorized.

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