

**[ REPUBLIC ACT NO. 2960, June 19, 1960 ]**

**AN ACT GRANTING HERMENEGILDO R. ROSALES A FRANCHISE TO CONSTRUCT, OPERATE AND MAINTAIN AN ICE PLANT IN THE CITY OF CALBAYOG, AND TO SELL ICE THEREIN.**

*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 Hermenegildo R. Rosales, hereinafter referred to as the grantee, a franchise to construct, operate and maintain an ice plant in the City of Calbayog, for the purpose of manufacturing and distributing ice therein 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.

SEC. 2. If the grantee does not commence the manufacture and distribution of ice in the City of Calbayog within one year from 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 opened to the inspection of the municipal treasurer or his authorized representative, 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 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 shall *ipso facto* become a part of the terms hereof and shall operate equally in favor of the grantee as in the case of said competing individual, association of persons, or corporation.