

ORDINANCE NO. 7917

AN ORDINANCE AUTHORIZING GLOBAL CABLE, INC., TO CONSTRUCT, INSTALL, OPERATE AND MAINTAIN A COMMUNITY ANTENNAE TELEVISION SYSTEM (CATV) IN THE CITY OF MANILA.

Be it ordained by the City Council of Manila, THAT:

SECTION 1. The Global Cable, Inc., is hereby authorized to construct, install, operate and maintain a Community Antennae Television System (CATV) within the City of Manila, subject to the following terms and conditions:

1. The period of authority hereby granted shall be for fifteen (15) years from the date the CATV System is first placed in operation in the City of Manila, which shall be within two (2) years from the date of issuance of all necessary permits from concerned government agency, renewable for the same terms and conditions or upon other terms and conditions as they may stipulate and mutually agree upon;
2. Global Cable, Inc. will pay the City of Manila an annual license fee in the amount of FIFTY THOUSAND PESOS (P50,000.00), Philippine Currency, exclusive of garbage, police and billboard fees;
3. A special right is reserved the President of the Republic of the Philippines in times of war, rebellion, public peril, calamity, emergency, disaster or disturbance of peace and order to take over and to operate the stations, transmitter systems, facilities and equipment of Global Cable, Inc. or to authorize the temporary use and operation thereof by any department of government upon due compensation to Global Cable, Inc. for the use of its stations, transmitter system facilities and equipment during the period when they are so operated;
4. In the event Global Cable, Inc. fails to operate the services continuously for at least two (2) years, this approval shall be deemed revoked ipso facto and/or if the operations thereof prove to be financially unprofitable, Global Cable, Inc. may be authorized by the City Council to discontinue the service after at least three (3) months notice to the City;
5. The right-of-way over all city properties is hereby granted by the City of Manila for the construction, installation, operation and maintenance of the CATV; including the right to install its cable on all proper places and the right to attach its facilities to all city facilities provided the same is in accordance with law; and provided further, that Global Cable, Inc. shall undertake said installations and attachments at its own expense; and provided furthermore, that these will not prejudice service operation by the City;


6. Global Cable, Inc. shall retain ownership of all construction and installation of each line and other materials directly related to the business subject of this Ordinance upon expiration of the term granted herein;
7. Global Cable, Inc. shall be granted all necessary authorities, permits and licenses in order to construct, install, operate and maintain its CATV subject to existing laws on the matter and the payment of the proper fees and charges for the said authorization including permits and licenses; provided that nothing herein shall be construed as exempting Global Cable, Inc. from compliance with the Building Code and related rules and regulations; provided further that the exemptions shall include construction which are directly needed in the operation of the CATV System such as buildings, roads and others; provided finally, that they are not in violation of any existing laws and regulations;
8. Global Cable, Inc. shall secure the requisite clearances and/or certificate of public convenience from the Department of Transportation and Communications, as well as, from the National Telecommunications Commission and shall charge its subscribers such rates, installation charges, monthly subscription fees, deposits and/or other charges consistent with its right to a fair and reasonable return on investment as may be determined by the said Commission;
9. The Global Cable, Inc. in the operation of CATV facilities shall undertake to protect Filipino morals and values;
10. The Community Antennae and trunk cable system from head-end of central station to within the City as shown in the plan of cable distribution shall be filed with the City Engineer's Office within one (1) year from the date this Ordinance is approved and a copy is received by Global Cable, Inc.;
11. In case of any violation by Global Cable, Inc. of any of the terms and conditions specified herein, the City may, after due hearing and deliberation, exercise its rights to withdraw the authority granted by virtue hereof.


SEC. 2. This Ordinance shall take effect upon its approval.

Enacted by the City Council of Manila at its regular session today, August 13, 1996.


Approved by His Honor, the Mayor, on *December 19, 1996.*


APPROVED:


ALFREDO S. LIM
Mayor
City of Manila


JOSE L. ATIENZA, JR.
Vice-Mayor and Presiding Officer
City Council, Manila

ATTESTED:


RAFAELITO M. GARAYBLAS
Secretary to the Mayor


EMMANUEL R. SISON
Secretary to the City Council

PRINCIPAL AUTHOR: HONORABLE DANILO V. ROLEDA

ILT:rsb/rmd/naa