

ORDINANCE NO. 7927

AN ORDINANCE ALLOWING CABLE ENTERTAINMENT CORPORATION (CEC) 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 Cable Entertainment Corporation (CEC) 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 of 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 a similar period under the same terms and conditions or upon other terms and conditions as may be stipulated and mutually agreed upon by the parties;
2. CEC will pay the City of Manila a special permit fee in the amount of FIFTY THOUSAND PESOS (P50,000.00), Philippine Currency and the franchise tax provided for in Sec. 9, Art. IV of Ordinance No. 7794 (Revenue Code of Manila) exclusive of garbage fees, police fees, billboard fees and other charges;
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 CEC or to authorize the temporary use and operation thereof by any department of government upon due compensation to CEC for the use of its stations, transmitter system facilities and equipment during the period when they are so operated;
4. In the event CEC fails to operate the services continuously for at least two (2) years, this authority shall be deemed revoked ipso facto or if the operations thereof proved to be financially unprofitable, CEC 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 CEC shall undertake said intallations and attachments at its own expense; and provided furthermore, that these will not prejudice service operation by the City;

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6. CEC shall retain ownership of all construction and installations of each line and other materials directly related to the business subject of this Ordinance upon expiration of the period of authority granted herein;
7. CEC 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 after payment of the proper fees and charges for the said authorization including permits and licenses; provided, that nothing herein shall be construed as exempting CEC 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 these are not in violation of existing laws and regulations;
8. CEC 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. That CEC in the operation of its CATV facilities shall undertake to protect Filipino morals and values;
10. The Community Antennae and trunk cable system from the 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 CEC;
11. Any violation of any of the terms and conditions specified herein shall constitute sufficient ground for the City to exercise its right to withdraw the authority granted by virtue hereof.


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

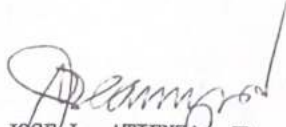
Enacted by the City Council of Manila at its regular session today, September 19, 1996.




Approved by His Honor, the Mayor, on *August 13, 1997.*


APPROVED:


ALFREDO S. LIM
Mayor
City of Manila


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

ATTESTED:


RAFAELITO M. CARAYBLAS
Secretary to the Mayor


EMMANUEL R. SISON
Secretary to the City Council

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