

PENALIZING CONTRACTORS AND SUB-CONTRACTORS WHO VIOLATE ANY MATERIAL PROVISIONS OF CONTRACTS INVOLVING PUBLIC WORKS PROJECTS OF THE GOVERNMENT, AND PUBLIC OFFICIALS WHO ALLOW SUC...

PRESIDENTIAL DECREE NO. 1759, January 02, 1981

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WHEREAS, it has been observed that many government projects involving public works are being constructed below specifications as to materials, quality and quantity of work in violation of substantial provisions and requirements of the contract;

WHEREAS, the government has suffered tremendous losses as a result of said violations; and

WHEREAS, there is a necessity to curb this flagrant irregularities in the prosecution or execution of government projects;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President/Prime Minister of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order and decree:

SECTION 1. Any provisions of law to the contrary notwithstanding, contractors and sub-contractors who violate any material provisions of contracts involving public works projects to the prejudice of the government, shall suffer the penalty of from twelve (12) years to life imprisonment at the discretion of the Court and shall, in addition suffer perpetual disqualification from participating in any government contracts.

The offending contractor or sub-contractor shall further be liable for the cost of reconstructing such public works project in accordance with the specifications agreed upon.

In case of corporations, partnerships or associations, the President, General Manager or any responsible chief executive officer/officers shall be liable.

SEC. 2. Any public official who, by reason of the duties of his office, shall consent, or through abandonment or negligence, permit the contractor or sub-contractor to commit the violations mentioned in Section 1 hereof, shall suffer the penalty of from twelve (12) years to life imprisonment and perpetual disqualification to hold any public office.

SEC. 3. Any provisions of law, decree, executive order or any issuance inconsistent herewith are hereby repealed and/or modified accordingly.

SEC. 4. This Decree shall take effect immediately.

Done in the City of Manila, this 2nd day of January, in the year of Our Lord, nineteen hundred and eighty-one.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President:

(Sgd.) JOAQUIN T. VENUS, JR.

Deputy Presidential Executive Assistant

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