

AN ACT APPROPRIATING FUNDS FOR THE NECESSARY EXPENSES OF THE GOVERNMENT OF THE PHILIPPINE ISLANDS DURING THE FISCAL YEAR ENDING DECEMBER THIRTY-FIRST, NINETEEN HUNDRED AND THIRT...

Act No. 4074, October 19, 1933

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Be it enacted by the Senate and House of Representatives of the Philippines in Legislature assembled and by the authority of the same:

SECTION 1. Title of Act.—This Act shall be known as "General Appropriation Act for nineteen hundred and thirty-four."

SEC. 2. Appropriation of funds.—The following sums, or so much thereof as may be respectively necessary, are hereby appropriated out of any funds in the Insular Treasury not appropriated for other purposes, in compensation of the service of the Philippine Government for the fiscal year ending December thirty-first, nineteen hundred and thirty-four, unless otherwise stated:

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SEC. 3. Unexpended balance of salaries and wages.—Any provision of existing law to the contrary notwithstanding, any unexpended balance of the appropriations herein made for salaries and wages of a bureau or office is hereby made available for the payment of compensation to injured employees as contemplated by Act Numbered Thirty-four hundred and twenty-eight and, subject to the approval of the Department Head concerned, may be used to cover deficit in the appropriations for sundry expenses, furniture and equipment, and special appropriations of any bureau or office in the same Department: Provided, That in no case shall such unexpended balance or any portion thereof be transferred to the credit of the Teachers' Pension and Disability Fund, Act No. 3050.

SEC. 4. Employees under contract.—Any provision of existing law to the contrary notwithstanding, no person shall be employed under contract by the Insular Government unless this be authorized by an appropriation in this Act: Provided, however, That this provision shall not apply to persons employed under Act Numbered Thirty-four hundred and thirty-one.

SEC. 5. Disposition of old government vessels.—Upon recommendation of the proper Head of Department, the Governor-General is hereby authorized to order the sale of any old government vessel which is no longer needed by the Government. The sale shall be made by the Insular Auditor at public auction or otherwise under the terms most favorable to the Government, in which latter case the sale shall not be effective until it has been approved by the Governor-General.

SEC. 6. Application of appropriations.—No appropriation for "consumption of supplies and materials" authorized in this Act shall be used for the construction of new buildings, except buildings of light materials in emergency cases: Provided, however, That in all purchases of products, materials and supplies preference shall be given to

local manufactures, materials and products, and only in case of a difference of fifteen per centum or more in the cost of the local over the imported products, materials or supplies, or in case such products, materials or supplies made in the Philippines are not available, shall it be lawful to make purchases with these funds of non-Philippine products, materials or supplies.

SEC. 7. Reduction of appropriations.—Whenever it shall become apparent that the income of the Government for the year nineteen hundred and thirty-four will not be sufficient to cover the authorized expenditures for such year, it shall be the duty of the Secretary of Finance to bring such fact to the attention of the Governor-General who is hereby authorized to reduce the appropriations made in this Act so as to effect a saving not to exceed ten per centum (10%) of the total sum authorized herein.

SEC. 8. Purchase of automobiles.—Unless otherwise specifically authorized herein, no fund appropriated in this Act for traveling expenses or any other purposes shall be available to purchase any automobile by the method of paying for it in installments under the guise of rentals or by any other indirect method: Provided, That this provision shall not be applicable to contracts duly approved prior to November first, nineteen hundred and thirty.

SEC. 9. Allowance for use of private automobiles.—Notwithstanding the provisions of section 561 of the Administrative Code, no officer or employee of the Insular Government shall be paid any allowance, directly or indirectly, for the use of his own automobile on official business, except the following: (a) those employed under Act No. 3431; (b) officers of the Federal Government assigned for service in the Office of the Governor-General; (c) the Secretaries and Undersecretaries of Departments; (d) the chairman of the Senate Committee on Accounts; (e) the secretary and assistant secretaries to the Governor-General ; (f) Directors and Assistant Directors of bureaus and offices; (g) district commanders, provincial commanders and 15 inspectors of the Philippine Constabulary; (h) superintendents of schools assigned in the provinces; (i) the chief of the division of metropolitan sanitation and the chief of the division of provincial sanitation of the Bureau of Health; (j) the highway engineer of the Bureau of Public Works, the surveyor of the port, and the customs medical inspector; (k) the secretary and assistant secretary of the Senate and the secretary to the President of the Senate; (l) the secretary and assistant secretary of the House of Representatives and the secretary to the Speaker of the House of Representatives: Provided, however, That the automobile allowance authorized in this Act is subject to the regulations governing the payment of such allowance: And provided, further, That the rate of automobile allowance shall be determined by the proper Head of Department but it shall not exceed P60 per month.

SEC. 10. Schedule of per diems for insular officers and employees.—Per diems of insular officers and employees, when traveling on official business, may be allowed in accordance with the following schedule, any provision of existing law to the contrary notwithstanding:

- (a) Officers and employees receiving a salary of P1,800 or less per annum, a per diem of not to exceed P1.
- (b) Those receiving more than P1,800, but not exceeding P2,400 per annum, a per diem of not to exceed P2.
- (c) Those receiving more than P2,400, but not exceeding P6,000 per annum, a per diem of not to exceed P3.
- (d) Those receiving more than P6,000 per annum and United States Army and Navy officers detailed without salary to the Insular Government, a per diem of P4.
- (e) Those whose rates of compensation are not stated on a yearly basis may be allowed the amount of per diems authorized for officers and employees receiving an equivalent pay on a yearly basis.

SEC. 11. Inhibition against increases in salary.—No provincial auditor, district health officer, justice of the peace, or any other official or employee paid in whole or in part from insular funds shall, during the year 1934, receive

an increase in salary due to the reclassification of provinces and municipalities, neither shall the number of deputy sheriffs be increased on account of such reclassification, the provisions of existing law to the contrary notwithstanding.

SEC. 12. Simplification of Government organization.—For the purpose of promoting efficiency and effecting economy in the service, the proper Head of Department is hereby authorized to eliminate any activity which is not indispensable, transfer any activity from one division to another, add a new authorized activity to any division, or consolidate into one or more divisions all activities and functions of a similar nature of the different bureaus and offices of the Department: Provided, That no office or division created or consolidated by executive or administrative order by virtue of Act No. 4007 known as the Reorganization Act shall be consolidated or abolished except by appropriate legislative enactment, the provision of existing law to the contrary notwithstanding: Provided, further, That no transfer, addition, or consolidation shall be made if it will result in duplication of work: Provided, further, That the personnel of such divisions, sections, or services as may be placed under the immediate supervision of the Department Head, in accordance with the provisions of this Act, shall be subject to all the provisions of the Civil Service Law, rules and regulations governing the classified service: And provided, finally, That no new activity, division, office, or unit in any branch of the Insular Government shall be created; and any activity, division, office, or unit which may be suspended or abolished in this Act or in any other Act shall not be revived or recreated except by appropriate legislative enactment.

SEC. 13. Lower salary shall prevail.—When the amount appropriated herein for salary is larger than the salary fixed in the Classification and Standardization Act, or in any special Act fixing the salary of a position, the latter salary shall prevail; but when the amount appropriated herein for salary is less than the salary fixed in the Classification and Standardization Act, or in any special Act fixing the salary of a position, the salary fixed herein shall prevail.

SEC. 14. Manufacture of vaccines, sera, etc.—Any provision of existing law to the contrary notwithstanding, whenever the appropriations for the Bureau of Science become insufficient, any appropriation authorized herein for the Bureau of Health and the Bureau of Public Welfare may be used for the manufacture of vaccines, sera, and other biological products in the Bureau of Science.

SEC. 15. Reduction of salaries, wages and allowances.—The salaries, wages and allowances of all officers and employees payable from any lump-sum appropriation authorized either in this Act or in any other special Act, including those payable from any special or trust fund created by an Act of the Legislature, shall be reduced according to the following schedule, the reduction to be based upon the rates of salaries, wages and allowances prior to the reduction prescribed in the Memorandum Order of the Governor-General, dated April 8, 1932:

More than P1,200 a year, more than P100 a month, or more than P4 a day 15%

P1,200 a year, P100 a month, or P4 a day, or less, but more than P300 a year, P25 a month, or P1 a day 10%

Allowances 20 %

Provided, That the officer or employee whose fixed salary is P300 a year, P25 a month, or P1 a day or less shall suffer no reduction: Provided, further, That the officer or employee whose fixed salary has been reduced by 15% shall not receive less than P1,080 a year, P90 a month, or P3.60 a day, and the officer or employee whose fixed salary has been reduced by 10% shall not receive less than P300 a year, P25 a month, or P1 a day: And provided, further, That this provision shall not apply to the salaries of those officers whose compensations are fixed in Acts of the United States Congress and also to the salaries of insular teachers contracted prior to January 1, 1933, by

virtue of the provisions of section 697 of the Revised Administrative Code, but the difference between the contract salary and the appropriation available shall be offset by corresponding savings in any item or items of the appropriation of the Bureau of Education for salaries and wages.

SEC. 16. Reduction to be made on actual salary.—Whenever an employee is not receiving the maximum salary authorized for his position, the salary which he is actually receiving shall be reduced in accordance with the schedule prescribed in section 15 hereof.

SEC. 17. Compensation of persons receiving life pension.—A person receiving life pension, annuity or gratuity from the Philippine Government, who is reemployed in any branch of the Government of the Philippine Islands, including the municipalities and the provinces, and who receives pay or compensation on account of such reemployment, shall have the option to receive, during the period of such reemployment, either the pay or compensation for the position, or the pension, gratuity, or annuity; but in no case shall he receive both: Provided, however, That the provisions contained in this section shall not be applicable to employees receiving both pension and salary on the date of the approval of this Act.

SEC. 18. Extra compensation for overtime work.—Any provision of existing law to the contrary notwithstanding, the officers and employees of the Budget Office, Department of Finance, and those detailed therein from other bureaus and offices, when working overtime on Saturdays, Sundays, holidays, or during half-day sessions, and after six o'clock p. m. on regular days, in connection with the Budget and the General Appropriation and Public Works Bills, shall each be paid from any unexpended balance of the appropriations made under this Act an overtime pay at a rate to be fixed by the Secretary of Finance.

SEC. 19. Use of lump-sum appropriations for salaries and wages.—Hereafter, any provision of existing law to the contrary notwithstanding, whenever lump-sum appropriations under the general heading "I.—Salaries and Wages" in the General Appropriation Act are used for the payment of salaries and wages, such appropriations shall be limited only to the employment of laborers paid by the day or by the hour, and of emergency employees other than laborers: Provided, That said emergency employees shall in no case be paid a salary in excess of P36 a month, nor shall their employment continue for more than one year: Provided, further, That these limitations shall not be applicable to the House of Representatives, to the Bureau of Health, to craftsmen, helpers, and other employees of the Bureau of Printing, to justices of the peace, to officers and employees of the Bureau of Public Works whose salaries and wages are payable from projects, to officers and employees of the Quarantine Service, to officers and employees of the Marine Railway and Repair Shops, and to emergency employees appointed on or before July 1, 1933.

SEC. 20. Positions of retired employees.—With the exception of the positions of the debate stenographers of the Senate and House of Representatives and those expressly authorized under Act No. 4051, the positions of officers or employees retired under the said Act, shall be considered automatically abolished even if they are included in this Act.

SEC. 21. Pensionados.—Any provision of existing law to the contrary notwithstanding, no institution or office receiving financial aid from the Insular Government shall send any new pensionado abroad unless specifically authorized in this Act or any subsequent Act of the Legislature.

SEC. 22. Allotment of appropriations.—The appropriations for sundry expenses, furniture and equipment, and special appropriations for the bureaus and offices under the control of the Governor-General and for the Executive Departments shall be allotted, respectively, by the Governor-General and the proper Head of Department among the bureaus and offices under their respective control as the needs of the service may require.

SEC. 23. This Act shall take effect on January first, nineteen hundred and thirty-four.

Approved, October 19, 1933.

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