

AN ACT PROVIDING FOR THE IMPORTATION OF RICE DURING THE CALENDAR YEAR NINETEEN HUNDRED SIXTY-FOUR IN THE EVENT OF SHORTAGE IN LOCAL SUPPLY.

REPUBLIC ACT NO. 3848, April 13, 1964

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Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

SECTION 1. Any provision of existing laws to the contrary notwithstanding, upon certification by two-thirds vote of the National Economic Council that there is a shortage of the local supply of rice during the calendar year nineteen hundred sixty-four, the importation of rice is hereby authorized from any source, including the United States under the provisions of Public Law 480 of the United States, equivalent to the certified shortage but in no case to exceed three hundred thousand metric tons, two hundred thousand metric tons to be imported directly by the Government and the right to import not more than one hundred thousand metric tons shall be awarded through public bidding which shall be held within fifteen days after the approval of this Act by the Government to private enterprises willing and capable to undertake the said importation. In the granting of the award the determining consideration shall be the best terms as to prices, quality, schedule of delivery and manner of financing: Provided, however, That the Government may reject all bids and undertake the importation if the terms and conditions of the winning bidder cannot equal or better those that can be obtained if the importation were to be undertaken by the Government. All contracts to import rice under the authority herein granted shall be perfected, and all letters of credit or other media of payment therefor (unless imported under Public Law 480 of the United States or under a deferred payment plan) shall be issued or released, not later than September 30, 1964: Provided, however, That the letters of credit or such other media of payment as may be availed of shall be issued in favor of the Government of any government agency duly designated by the exporting country: Provided, further, That samples of the rice to be imported under such contracts shall be submitted upon signing of the contract to the contracting official representing the Philippine Government Which samples shall be used for the purposes of comparison and verification upon receipt of the shipment and prior to the acceptance of delivery of the same: And provided, finally, That no rice imported under such contracts shall be allowed to enter the country after October 30, 1964, unless the delay is caused by fortuitous event.

The rice importation authorized under this Act, whether by the Government or by private enterprises, shall be exempt from duties, taxes, and special charges, and shall be sold by the Rice and Corn Administration to the consumers at not less than one peso and ten centavos and not more than one peso and thirty centavos per ganta, through duly licensed retail store in the locality who had registered as Filipino rice retailers or dealers with the Rice and Corn Board on or before January 2, pursuant to general Circular No. 2, Series of 1961 of the said Board and in places where there is no distribution of rice by said retailers or where the distribution is unsatisfactory or does not result in the stabilization of the price of rice, then through the barrio councils: Provided, That before any imported rice sold or delivered to any distributor, whether retailer, or barrio council representative, he shall first bind himself, in writing, to sell the imported rice to consumers at the price fixed by the Rice and Corn Administration: Provided, further, That whatever price is fixed shall be uniform throughout the Philippines. No rice imported hereunder shall be distributed free to the consumers by any agency or instrumentality.

SEC. 2. Any member of the National Economic Council or of the Congress of the Philippines is authorized to examine all the records of the Rice and Corn Administration pertaining to rice imported under the provisions of this Act. It shall be the duty and responsibility of the Rice and Corn Administration to make available at all times to make any such member of the National Economic Council and members of Congress such records and information he may desire or call for.

SEC. 3. The Rice and Corn Administration shall not sell or dispose of any rice imported under this Act after December 29, 1964, but shall hold or unsold stock thereof for further disposition by legislation, except upon certification of the National Economic Council upon two-thirds vote of all the members thereof as to the occurrence of a fire, flood, earthquake or calamity in which eventuality this rice may be made available to the victims of said fire, flood, earthquake or calamity at a price of not less than one peso and ten centavos nor more than one peso and thirty centavos; and for this purpose, it shall submit to the Congress of the Philippines a true accurate and complete report subscribe under oath and duly certified as audited by the General Auditing Office on the rice imported and sold under this Act as well as the exact quantity, condition, value and specific location of all unsold stocks of said imported rice within fifteen after the opening of its next regular session. Violation of any provision of this section shall render the members of the Board of Administrators, officers or employees of the Rice and Corn Administration who may be responsible therefor liable and shall be punished as provided for in the next succeeding section.

SEC. 4. Any person who violates any provision of this Act: any retailer or barrio council who sells or disposes of the imported rice to consumers for a price higher than that fixed by the Rice and Corn Administration under this Act; and any person whatsoever who in selling or disposing of the imported rice, whether to ultimate consumers or to retailers and barrio councils, discriminates against any person or uses the same for political or personal ends, shall be punished with a fine of not less than one thousand pesos and not more than five thousand pesos and with imprisonment for not less than one year and not more than five years. If the offender is a corporation or association, the penalty shall be imposed upon the president, director, manager, and/or other officers thereof responsible for the offense. Prosecution for any violation of Republic Acts Numbered Twenty-two hundred seven and Thirty-four hundred fifty-two shall in no way be affected by this Act.

SEC. 5. The Government of the Philippines, through the President of the Philippines, is hereby authorized to avail of financing from government financial institutions, or to borrow therefrom, or to secure advances from the Central Bank, of such amount, which shall not exceed one hundred sixty million pesos, as may be necessary, to cover the cost of the rice importation herein authorized; said financing, borrowings or advances to be repaid out of the proceeds of the sale of the rice imported by the government; and the sum of fifty million pesos, or so much thereof as may be necessary, is hereby appropriated out of any funds in the National Treasury not otherwise appropriated, to be used exclusively to cover the cost of distribution and financing charges of said imported rice, and the difference between the amount financed, borrowed or advanced and the actual proceeds of the sale thereof. All proceeds from the sale of rice imported by the Government here-under shall upon receipt by the Rice and Corn Administration, its officers, employees or agents, immediately accrue to a special fund, which shall be held in the National Treasury for immediate repayment of funds that may have been borrowed, or for further disposition by legislation and any unexpended and unobligated balance of this appropriation on December thirty-first, nineteen hundred and sixty-four, shall revert to the National Treasury.

SEC. 6. Except as provided in this Act, no other agency or instrumentality of the Government shall be allowed to purchase rice from abroad.

SEC. 7. This Act shall take effect upon its approval.

Approved, April 13, 1964.

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