

AN ACT TO AMEND SECTIONS TWO, THREE, FOUR, SIX, EIGHT AND NINE OF ACT NUMBERED FORTY-ONE HUNDRED AND THIRTY BY PLACING THE PHILIPPINE CHARITY SWEEPSTAKE OFFICE ON AN EQUAL FOOTI...

Commonwealth Act No. 301, June 09, 1938

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Be it enacted by the National Assembly of the Philippines:

SECTION 1. Sections two, three, four; six, eight and nine, of Act Numbered Forty-one hundred and thirty are amended so as to read as follows:

"SEC. 2. As an emergency measure the holding of charity horse race sweepstakes is authorized under the conditions provided in this Act. At least two of these races shall be held in the Philippines and in them only horses which have not run on any race course shall participate, and all said races shall be held under the direction and management of a public corporation to be known as Philippine with the Charity Sweepstake Office and to be under the supervision of a Board of Directors composed of five members, to be appointed by the President of the Philippines with the consent of the Commission on Appointments of the National Assembly, and their compensation and term of office shall be fixed by the President.

"The corporation shall have power to sue and be sued, acquire property, make contracts, and in general, exercise the power prescribed for corporations by the Corporation Law and necessary or incidental to the carrying out of the purposes for which it has been created subject to the power of the National Assembly to amend or repeal this Act or any part thereof at any time.

"The chief of the Philippine Charity Sweepstake Office, who shall be known as General Manager, his assistants and the necessary personnel shall be appointed and their salaries shall be fixed by the Board of Directors: Provided, however, That the auditor of the office, his assistants and clerks shall be appointed by the Auditor General.

"The salaries and wages of the personnel and the expenses of the organization and operation of the Philippine Charity Sweepstake Office shall be paid from the receipts thereof. The total disbursements of the Philippine Charity Sweepstake Office for carrying out the purposes of this Act shall in no case exceed the percentage fixed by section four hereof. The General Manager shall during the first half of the month of December of each year submit to the Board of Directors an estimate of the expenses of his office for the ensuing year, including the salaries and wages of the personnel and the estimated expenses of the holding of the sweepstakes for said year, and said estimate shall not take effect until it has been approved by the Board of Directors.

"SEC. 3. The Board of Directors shall promulgate regulations for the holding of horse race sweepstakes; shall fix the number and price of the tickets for the same and the number of tickets usually given gratis to the ticket vendors; fix the number and amount of the prizes; fix the date when the sale of tickets shall close; and designate the dates and place or places, in the Philippines or abroad, where said races shall be held.

"SEC. 4. The Board of Directors shall apply and apportion the receipts from the sale of the tickets for said races as follows:

"Out of the gross receipts from the sale of tickets, sixty-five per centum shall be deducted for the payment of the prizes, including those to be paid to owners of winning horses and their jockeys, and ten per centum for the expenses of the management and holding of races. The prizes for winning horses and horses placed second and third shall be in direct proportion to the three main prizes for winning tickets and shall be ten per cent thereof. The remaining twenty-five per centum shall be apportioned by the Board of Directors, with the approval of the President of the Philippines, after due consideration of the recommendations of the Commissioner of Health and Public Welfare and shall be paid over by said Board to the following organizations: The Philippine Tuberculosis Society; the Philippine Amateur Athletic Federation; the hospitals of the National Government; the Boy Scouts of the Philippines; Leper Colonies and Leprosaria; and other institutions or organizations engaged in charitable, relief, and health work or work for the improvement of the conditions of the indigent Filipino masses in this country or abroad: Provided, however, That out of the sixty-five per centum intended for the payment of prizes, including those to be paid to the owners of winning horses and their jockeys, there shall be deducted ten per centum thereof which shall be allotted to the provinces and cities in the Philippines, excepting the City of Manila, in proportion to the collections therein made and under such rules and regulations as the Board of Directors may prescribe, the amounts so allotted to be expended by the corresponding provincial and city governments for the maintenance of provincial, city, and municipal hospitals and for other health, social welfare, civic, and charitable works in their respective jurisdictions.

"No aid from the proceeds of the sweepstakes herein authorized shall be given to any charitable organization not granted a special charter by law, unless it shall have first complied with the rules and regulations issued by the Board of Directors and approved by the President of the Philippines governing the disposition of the sweepstakes fund and unless provision is contained in its by-laws to the effect that any property acquired or which it may acquire from the funds given to it under this Act shall not be sold or otherwise disposed of without the approval of the President of the Philippines, and that in the event of its dissolution all its properties shall be transferred to and shall automatically become the property of the Philippine Government.

"The funds given to any institution by virtue of this section shall be used for no other purpose than those authorized by the Board of Directors.

"SEC. 8. In all cases in which the cost of any construction work for the purpose of this Act shall be in excess of three hundred thousand pesos, the Board of Directors shall hold competitions, promulgate conditions and fix the amount of the prize or prizes to be awarded for the best plan presented. All work to be undertaken for the purposes of this Act the cost whereof is over three thousand pesos shall be awarded to the best bidder, subject to such conditions as the Board of Directors shall prescribe.

"SEC. 9. The Board of Directors created by this Act shall submit an annual report during the month of January of each year to the President of the Philippines and the National Assembly."

SEC. 2. Section six of Act Numbered Forty-one hundred and thirty is amended by adding the following paragraphs:

"The penalty of imprisonment for not less than one month nor more than three years shall be imposed upon the following:

"(1) Any person who, without being a duly authorized agent of the corporation, sells tickets of the said corporation or being such agent, sells tickets, fractions or coupons thereof not issued by the corporation, representing or tending to represent an interest in tickets issued by the corporation.

"(2) Any person who sells tickets issued by the corporation at a price greater than the price stated on the ticket.

"(3) Any officer or employee of a hospital or other charitable or hygienic institution or organization who uses funds obtained from the corporation under this Act for purposes other than those herein authorized."

SEC. 3. Sections Jive and seven of Act Numbered Forty-one hundred and thirty are repealed.

SEC. 4. This Act shall take effect on January first, nineteen hundred and thirty-nine.

Approved, June 9, 1938.

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