

AN ACT APPROPRIATING NINETY SIX MILLION, THREE HUNDRED PESOS FOR PUBLIC WORKS.

Commonwealth Act No. 330, June 18, 1938

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Be it enacted by the National Assembly of the Philippines:

SECTION 1. The following sums or so much there-of, as may be necessary, are appropriated out of the pro-ceeds of the excise tax collected on coconut oil shipments to the United States now on deposit in the Treasury of the United States to the credit of the Commonwealth of the Philippines, to be at the disposal of the Director of Public Works and Communications and the provisions, hereinafter set forth, for the purposes specified hereunder:

A. SANITATION

xxx (Items omitted) xxx

B. PUBLIC BUILDINGS

xxx (Items omitted) xxx

C. ROADS

xxx (Items omitted) xxx

D. FLOOD CONTROL AND SEA PROTECTION WORKS

xxx (Items omitted) xxx

E. CONSTRUCTION AND IMPROVEMENT OF TELEGRAPH AND CABLE LINES AND RADIO STATIONS

xxx (Items omitted) xxx

F. MISCELLANEOUS

xxx (Items omitted) x x x

Total available to be paid out of the "Excise Tax Fund" P88,688,100.00

SEC. 2. The following sums or so much thereof as may be necessary, are hereby appropriated out of the general funds in the Philippine Treasury not otherwise appropriated, to be at the disposal of the Director of Public Works, subject to the approval of the Secretary of Public Works and Communications and the provisions hereinafter set forth, for the purposes mentioned here-under :

A. CONSTRUCTION, ALTERATION, AND IMPROVEMENT OF PUBLIC BUILDINGS AND OTHER UNCLASSIFIED PROJECTS

xxx (Items omitted) x x x

B. INVESTIGATION AND SURVEY OF ROADS AND BRIDGES

xxx (Items omitted) xxx

C. HYDRAULIC INVESTIGATIONS xxx (Items omitted) xxx

Total available to be paid out of the General Fund P5,263,200.00

SEC. 3. The following sums, or so much thereof as may be necessary, are hereby appropriated out of the "Port Works Fund" under Act 3592 as amended by Commonwealth Act No. 130, not otherwise appropriated, to be at the disposal of the Director of Public Works, subject to the approval of the Secretary of Public Works and Communications and the provisions, hereinafter set forth, for the purposes mentioned hereunder:

A.

INVESTIGATION CONSTRUCTION AND IMPROVEMENT OF PORTS LIGHTHOUSES, BUOYS, BEACONS, AIRPORTS. LANDING FIELDS, AND OTHER AIDS TO NAVIGATION.

(a)

For the construction and improvement of National Ports as follows:

xxx (Items omitted)

(b)

For the construction and improvement of municipal ports as follows:

xxx (Items omitted) xxx

GRAND TOTAL FOR THE APPROPRIATION MADE IN THIS ACT; Ninety-six million three hundred fifty-one thousand and three hundred pesos

P96,351,300.00

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SEC. 4. All balances of the several appropriations made in Section 1 of this Act remaining unexpended on December thirty-first, nineteen hundred forty-one, shall revert to the portion of the consolidated General Fund in the Philippine Treasury derived from the proceeds of the coconut oil excise tax collected in the United States and thereafter shall not be available for expenditure except upon appropriation by the National Assembly; all balances of the appropriations made in Section 2 hereof remaining unexpended on December thirty-first, nineteen hundred thirty-nine, shall revert to the General Fund in the National Treasury and thereafter shall not be available for expenditure, except upon appropriation by the National Assembly; and all balances of the appropriations made in Section 3 hereof remaining unexpended on December thirty-first, nineteen hundred forty-one, shall revert to the "Port Works Fund" created by Act Numbered Three Thousand Five hundred and Ninety-two, as amended by Commonwealth Act Numbered One Hundred Thirty, and thereafter shall not be available for expenditure except as provided in said Act.

SEC. 5. The President of the Philippines is authorized, whenever he shall deem it necessary for the proper maintenance of any national road to designate such road or part thereof, or any bridge, or ferry built or to be built or maintained as part thereof, as a toll road, bridge, or ferry and upon recommendation of the Secretary of Public Works and Communications, to fix the toll rates to be paid for the use thereof and to regulate the collection of such tolls. For this purpose, the Secretary of Public Works and Communications may erect toll gates or equip ferries and may employ persons necessary to operate the same. The proceeds derived from such sources shall be applied to the repair and maintenance of the roads, bridges, or ferries for which the collections are made. When the President shall decide that the collection of tolls on any road, bridge or ferry may be discontinued without injury to the public welfare, he shall order the discontinuance of the collection of such tolls, and thereafter, the

road, bridge, or ferry in question shall be free for public use.

No toll or ferriage authorized by this section shall be collected from (a) officers or enlisted men of the United States Army or Navy or other employees of the United States Government in the Philippines; (b) officers or en-listed men of the Philippine Army; (c) members of the police forces; (d) national, provincial, or municipal offi-cers on official business; (e) any person traveling on foot or mounted on an animal, bicycles, motorcycle, alone or accompanying animals; (f) vehicles engaged primarily in the carrying of mail; and (g) animal-drawn vehicles.

SEC. 6. The sums appropriated in paragraphs (a), (c), (f), (i), (n), (v), (aa), (bb), (cc), (gg), (hh), (11), and (mm), under Section one; in paragraphs (d), (f), (g), and (hj) under Section two, in paragraphs (c), (d), and (e) under Section three, shall be distributed by the Secretary of Public Works and Communications with the approval of the President of the Philippines, but those appropriated in other paragraphs of Section one shall be available for expenditure by the Director of Public Works. All sums appropriated under Section two and Section three of this Act shall be released only after certification by the Secre-tary of Finance and the Auditor General to the President of the Philippines that there are sufficient funds derived from current revenues in excess of authorized appropria-tions for the ordinary operating expenses of the National Government in the Philippine Treasury to warrant such release. The sums appropriated in paragraph (kk) under Section one and paragraph (c) under Section two, shall be distributed as directed by the President of the Philip-pines. All constructions required for the National De-fense shall be accomplished under the direction of the Chief of Staff of the Philippine Army, any provision of existing law to the contrary notwithstanding.

SEC. 7. The President of the Philippines is autho-rized to suspend or otherwise stop the expenditure of any amount herein appropriated for any purposes, or any por-tion thereof, whenever in his opinion, the public interest so requires and thereupon the funds affected by such ac-tion shall become available for any other authorized ex-penditure as the President may determine.

SEC. 8. This Act shall take effect upon its approval.

APPROVED, June 18, 1938.

Annotations: Amended by C. A .Nos. 390, 475, 506, 562, 610.

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