

AN ACT TO AMEND REPUBLIC ACT NUMBERED ELEVEN HUNDRED AND THIRTY-FIVE, ENTITLED "AN ACT ESTABLISHING THE PHILIPPINE TOBACCO ADMINISTRATION, DEFINING ITS OBJECTIVES, POWERS AND FU...

REPUBLIC ACT NO. 2233, June 11, 1959

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

SECTION 1. Paragraph (g) of section two, Article one of Republic Act Numbered Eleven hundred and thirty-five, is hereby amended to read as follows:

"(g) To supervise and control the classification and grading of leaf tobacco in the packing establishments of wholesale tobacco dealers, exporters, large plantation owners, and auction floors; and"

SEC. 2. Paragraphs (b), (h) and (k) of section three, Article two of Republic Act Numbered Eleven hundred and thirty-five, is hereby amended to read as follows:

"(b) To establish, maintain and/or subsidize a chemical tobacco research laboratory for industrialization studies on processing, fermentation and aging to produce a quality leaf for the factories and to establish and maintain and/or subsidize pilot plants for industrial studies in the manufacture of cigars and cigarettes, pipe and chewing tobacco to reduce the cost of production and develop new blends. This phase of the work shall be coordinated with, and under the supervision of, the National Science Development Board.

"(h) To buy, process, and age, and sell all tobacco leaves, as well as stabilize and guarantee prices of just cured tobacco leaves, based on grades, and to promulgate such rules and regulations governing seed selection, pest control, culture, irrigation and the marketing of native tobacco leaf.

"(k) To encourage, foster and promote the establishment and maintenance by farmers' cooperative associations of factories for the manufacture of cigars, cigarettes, chewing tobacco, and other finished tobacco products, and to establish and maintain for this purpose a pilot factory in the area for such manufacture, and to act as agent, broker or commission merchant of producers' cooperative association or act as tobacco manufacturers' agent;"

SEC. 3. Section four, Article three of Republic Act Numbered Eleven hundred and thirty-five, is hereby amended to read as follows:

"SEC. 4. Composition and Appointment.—The powers of the PTA shall be vested in, and exercised by, a Board of Directors consisting of seven members to be appointed by the President with the consent of the Commission on Appointments. The President of the Philippines shall appoint the Chairman of the Board from among its members who shall act as the General Manager. Of the seven directors first appointed as above prescribed, the President of the Philippines shall designate one to serve for one year, one for two years, two for three years, two for four years, and one for five years; and thereafter, each director appointed shall serve for five years. Whenever a vacancy shall occur among the directors, the person appointed to fill it shall hold office for the unexpired term of the member whose place he is selected to fill. Any director shall be subject to removal by the President of the Philippines. Four members of the Board of Directors shall constitute a quorum for the transaction of business. Before entering

upon the large of their duties, each of the directors shall take oath prescribed by law. The members of the Board 1 each receive a per diem of not to exceed twenty pesos for each day of meeting actually attended by them, except the General Manager who shall receive a salary not to exceed twelve thousand pesos per annum: Provided, That the meetings of the Board shall not exceed four meetings a month."

SEC. 4. Article III-A is inserted in Republic Act Numbered Eleven hundred and thirty-five which shall read as follows:

"ARTICLE III-A.—Tobacco Classification Council

"SEC. 4-A. Creation; Powers and Duties.—There shall be a Native Tobacco Classification Council which shall be under the direct supervision of the PTA to be composed of one chairman and two members, that shall have the exclusive power and authority to supervise and control the classification and grading of the native; leaf tobacco and to promulgate rules and regulations therefor not in conflict with any existing rules and regulations pertaining to and in pursuance of the authority to assess, levy or collect fees, charges or taxes on tobacco and tobacco products. The Chairman shall be designated by the General Manager of the Philippine Tobacco Administration from among its personnel, one member to be designated by the Bureau of internal Revenue, and one member to be appointed by the PTA Board of Directors, which shall predetermine the criteria for selection from among eligible native tobacco planters in the provinces where the native tobacco is produced, as well as the tenure of his office and his remuneration."

SEC. 5. Section fifteen, Article eight of Republic Act Numbered Eleven hundred and thirty-five, is hereby amended to read as follows:

"SEC. 15. Capitalization.—To carry out the purpose of this Act, there is created a special fund to be known as the 'Tobacco Industry Promotion Fund' which shall be taken from the taxes derived from the tobacco industry to be made available as follows: ten million pesos, which is hereby appropriated for the fiscal year nineteen hundred fifty-nine and nineteen hundred sixty, and, thereafter, an annual appropriation of ten million pesos is authorized for a period of five years, which shall be released not later than the end of the third quartet of every fiscal year. This fund will be apportioned the following manner: fifteen per cent will be for operating expenses; seventy-five per cent will be used for native tobacco cigar fillers trading; and ten per cent for researches to improve the tobacco industry in all its phases.

"There shall be added to the capital of the Philippine Tobacco Administration all the funds, assets and properties still available belonging to the defunct National Tobacco Corporation. In the event that there is an urgent or immediate need for funds to carry out the trading operations of the PTA and the funds herein appropriated are insufficient for such trading operations, the PTA may borrow the needed amount to be guaranteed by the Central Bank of the Philippines from any of the government financial institutions like the Philippine National Bank, the Development Bank of the Philippines and the Government Service Insurance System."

SEC. 6. This Act shall take effect upon its approval.

Approved, June 11, 1959.

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