

AN ACT TO AMEND SEVERAL SECTIONS OF ACT NUMBERED TWENTY-EIGHT HUNDRED AND THIRTY-TWO ENTITLED "AN ACT CREATING A PUBLIC CORPORATION DENOMINATED THE METROPOLITAN WATER DISTRICT, ..."

Commonwealth Act No. 384, September 05, 1938

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Be it enacted by the National Assembly of the Philippines:

SECTION 1. Subsections (g) and (i) of section two of Act Numbered Twenty-eight hundred and thirty-two, as amended by Act Numbered Forty hundred and seventy-nine, are further amended so as to read as follows:

"SEC. 2. Powers and general functions of the District. The powers, functions, and activities of the Metropolitan Water District of Manila shall be the following:

"(g) To construct all such storm drains as may be needed in the City of Manila and requested by the City, and to maintain and operate all existing drains, the City of Manila to appropriate sufficient funds for this purpose: Provided, however, That should the National Government set aside any sum or sums for the improvement of the drainage system of the City of Manila, such sum or sums shall constitute a special fund of the District to be disbursed subject to the approval of the Secretary of Public Works and Communications.

"(i) To acquire, purchase, hold, transfer, sell, lease, rent, mortgage, encumber, and otherwise dispose of real and personal property, including rights and franchises, within or without the Metropolitan Water District, as authorized by the purpose for which the district was created and reasonably and necessarily required for the transaction of the lawful business of the same, unless otherwise provided in this Act. When real property belonging to the private domain of the Commonwealth of the Philippines is needed by the Metropolitan Water District for its purposes and uses, the President of the Philippines may execute in favor of the District, a proper conveyance thereof by way of sale, lease, exchange, or otherwise, and upon such terms as shall seem to him most convenient."

SEC. 2. Paragraph four of section four of Act Numbered Twenty-eight hundred and thirty-two, as amended by Act Numbered Forty hundred and seventy-nine, is further amended so as to read as follows:

"SEC. 4. First meeting of the District Board; 'quorum'; votes necessary, in general, for adopting resolutions; appeal; per diem and compensation of members; secretary of the board and his salary.—The members of the Board shall receive their necessary expenses while attending the meetings of the Board, which shall not exceed the sum of five pesos per day for each member: Provided, That in addition to the foregoing per diems, the members of the Board who are not Government officers may, in the discretion of the President of the Philippines, be allowed to receive compensation payable from the funds of the District at rates to be fixed by him and subject to such conditions as he may prescribe."

SEC. 3. Section seven of Act Numbered Twenty-eight hundred and thirty-two, as amended by Act Numbered Forty hundred and seventy-nine, is further amended so as to read as follows:

"SEC. 7. Manager, assistant manager, chief engineer, treasurer and comptroller of the District; their functions; salaries.—The manager, the assistant manager, the chief engineer, the treasurer, and the comptroller of the

Metropolitan Water District shall each receive an annual salary which shall be fixed by the District Board with the approval of the President. The manager shall represent the District in all its business matters; shall submit to the District Board his annual report and such partial reports as he may be required or see fit to render from time to time, regarding the condition of the business, or of any part of the business, of the District, and shall perform such other executive duties as may be prescribed by law or be required of him by resolution of the Board. The assistant manager shall perform such duties as may be required of him by the Board or the manager. He shall act as manager in case of the temporary absence or disability of the manager.

"The comptroller shall be the representative of the Auditor General who is hereby designated ex officio auditor of the Metropolitan Water District. The comptroller shall be chief of its accounting and auditing department. He shall audit, examine and settle all accounts of the District according to law and regulations and shall perform such other duties as the Auditor General or the District Board may require of him from time to time. The employees of the comptroller's office shall be appointed by the comptroller with the approval of the Auditor General, who with the approval of the District Board, shall fix the number and salaries of the said employees. The operating expenses ex the office of the comptroller and the salaries and travelling expenses of the employees thereof shall be payable by the District, and the District Board shall make the necessary appropriation therefor."

SEC. 4. Section nine of Act Numbered Twenty-eight hundred and thirty-two, as amended by Act Numbered Forty hundred and seventy-nine, is further amended so as to read as follows:

"SEC. 9. Possession by the District of all sewer and water . systems within its territory; charging and collection of uniform rates.—The Metropolitan Water District shall own and control all the sewer and water distributing systems of the City of Manila and of the municipalities comprising the District and shall charge and collect a uniform rate for all services rendered, whether to any person, corporation, firm, government body, municipal entity, religious or charitable institution: Provided, That the Public Service . Commission shall exercise no control, supervision or jurisdiction whatsoever over the Metropolitan Water District whether in the promulgation of rules and regulations, in the fixing of rates or over its properties."

SEC. 5. Section ten of Act Numbered Twenty-eight hundred and thirty-two, as amended by Act Numbered Forty hundred and seventy-nine, is further amended so as to read as follows:

"SEC. 10. Letting of contract for 'public works of the District.—Except in the case of construction or repair of water and sewer pipe lines or storm drains and such other projects as in the discretion of the Board should be under-taken by the District, all public works of construction or repair of the district involving an estimated cost of ten thousand pesos or more should be let by the manager with the approval of the District Board to the lowest and most advantageous bid of a responsible bidder. Notice to bid-ders shall be published in the Official Gazette as required by law. In case no satisfactory bid is received, the man-ager may proceed to advertise anew or with the approval of the Board, he may proceed to execute the work. Before award of contract is made the manager shall require the contractor to give an adequate bond to secure the proper accomplishment of the work to be done and/or to satisfy all of the obligations for materials used and labor employed upon the same."

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

Approved, September 5, 1938.

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