

PROMULGATING REGULATIONS TO GOVERN THE ADMINISTRATION AND COLLECTION OF DELINQUENT IRRIGATION FEES FROM LANDOWNERS UNDER IRRIGATION SYSTEMS CONSTRUCTED UNDER THE PROVISIONS OF A...

EXECUTIVE ORDER NO. 142, February 15, 1938

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Whereas, Commonwealth Act Numbered Eighty-seven authorizes the President to administer irrigation systems constructed under the provisions of Act Numbered Two thousand one hundred fifty-two, as amended, and to effect adjustments in the irrigation charges to be paid by landowners under said systems, including the suspension of judicial proceedings for the collection of such charges;

Now, therefore, I, Manuel L. Quezon, President of the Philippines, by virtue of the powers in me vested by said Commonwealth Act Numbered Eighty-seven, do hereby promulgate the following regulations:

- (1) Irrigation systems constructed under the provisions of Act Numbered Two thousand one hundred fifty-two, as amended, shall be administered in accordance with rules and regulations to be prepared by the Director of Public Works and approved by the President.
- (2) Landowners delinquent in the payment of irrigation fees for all years prior to nineteen hundred and thirty-six shall be allowed until December thirty-first, nineteen hundred and thirty-eight to pay said fees without interest or penalties, provided that the operation and maintenance charges with interest and the insurance charge for the years nineteen hundred and thirty-six, nineteen hundred and thirty-seven, and nineteen hundred thirty-eight shall be due and payable on or before August thirty-first of the following years as prescribed by existing law.
- (3) All cases now pending in the courts for the collection of irrigation fees for years prior to nineteen hundred and thirty-six shall be suspended until January first, nineteen hundred and thirty-nine, without prejudice to the reinstatement of such cases for the collection of fees remaining unpaid on that date.
- (4) The owners of lands that have been forfeited to or purchased by the Government through judicial proceedings to satisfy the nonpayment of irrigation fees, and which lands now remain in the possession of the Government, shall be allowed until August twenty-third, nineteen hundred and thirty-eight to file applications for the repurchase of such lands under the conditions prescribed in Executive Order Numbered One hundred eight, dated August twenty-fourth, nineteen hundred and thirty-seven.
- (5) The irrigation fees to be paid, beginning January first, nineteen hundred and thirty-nine, by landowners under irrigation systems constructed under the provisions of Act Numbered Two thousand one hundred fifty-two, as amended, and operated and maintained by the Director of Public Works, with the exception of the San Miguel System in Tarlac Province, shall consist of the following items:
 - (a) Actual cost of operation and maintenance with interest of four per cent.
 - (b) An insurance charge at the rate of fifty centavos per hectare.

(c) A construction charge of not to exceed five pesos per hectare to apply on the cost of construction, provided that the total annual charge for land under any system shall not exceed eight pesos per hectare.

(6) The irrigation fees as fixed under paragraph (five) for any year shall be due and payable on or before August thirty-first of the following years, after which date the penalty shall be ten per cent additional to December thirty-first and twenty per cent thereafter as prescribed by existing law. Landowners delinquent in the payment of said irrigation fees for one year or longer shall be subject to court action for the collection of same as provided in section thirteen of Act Numbered Two thousand one hundred fifty-two, as amended.

This Order shall take effect on July first, nineteen hundred and thirty-eight.

Done at the City of Manila, this fifteenth day of February, in the year of Our Lord, nineteen hundred and thirty-eight, and of the Commonwealth of the Philippines, the third.

MANUEL L. QUEZON
President of the Philippines

By the President:

JORGE B. VARGAS
Secretary to the President

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