

AN ACT TO FURTHER AMEND ACT NUMBERED THREE THOUSAND FOUR HUNDRED TWENTY-EIGHT, ENTITLED "AN ACT PRESCRIBING THE COMPENSATION TO BE RECEIVED BY EMPLOYEES FOR PERSONAL INJURIES, D...

REPUBLIC ACT NO. 889, June 19, 1953

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

SECTION 1. Section fifty-four of Act Numbered Three thousand four hundred and twenty-eight, as added by section twenty-four of Republic Act Numbered Seven hundred and seventy-two, is hereby amended to read as follows:

"SEC. 54. Contribution of insurance carriers and uninsured employees.—The Commissioner is hereby authorized to collect yearly from insurance carriers not more than three per centum of their gross receipts on premiums collected from insurance of workmen's compensation liabilities for the year immediately preceding and from uninsured employers not more than three per centum of what they would have paid in premiums if their employees were all insured for the same period to cover administration costs: Provided, That the total amount of contribution of each shall not be less than five pesos. Employers whose employees and laborers are not fully covered in insurance, shall be considered uninsured to the extent of the amount not so covered.

"If any insurance carrier or any uninsured employer fails to pay the contribution herein provided within sixty days from the time notice is served upon him, the collection of said contribution may be made in like manner as an award of compensation.

"However, nothing contained in this Act shall prevent the Government from requiring employees from obtaining insurance policies from the Government for the purposes of this Act."

SEC. 2. Section fifty-five of Act Numbered Three thousand four hundred and twenty-eight as added by section twenty-four of Republic Act Numbered Seven hundred and seventy-two, is hereby amended to read as follows:

"SEC. 55. Expenses of administration.—There is hereby created a special fund to be known as the Workmen's Compensation Fund, which shall be under the custody and control of the Workmen's Compensation Commissioner, and shall be used exclusively for the payment of the expenses of the administration of this Act. All monies collected under sections thirty-one, forty-four, forty-seven (b), fifty-four, and fifty-six of this Act shall be paid into said fund: Provided, however, That the expenses of the Workmen's Compensation Commission shall be included in the annual budget of the Department of Labor: And provided, further, That the surplus amounts of the Workmen's Compensation Fund shall accrue to the fund for the rehabilitation of crippled men in industry.

"For every final decision or letter computation awarding compensation, the uninsured employer or insurance carrier against whom the decision or letter computation is made shall pay into the Fund the sum of one peso and an additional charge of one peso for every one hundred pesos of the entire amount of compensation to be paid: Provided, That the total amount to be paid under this paragraph shall not be less than five pesos.

"For every adjourned hearing, and for every decision of a referee affirmed by the Commissioner on review, the

uninsured employer or insurance carrier making the request for adjournment or seeking such review shall pay into the Fund the sum of five pesos.

"If the monies in the Fund are not sufficient to cover the expenses of administration in any fiscal year, the Commissioner shall determine as soon as possible the amount of the deficiency. The Commissioner shall then assess upon and collect from each insurance carrier and each uninsured employer the proportion of such deficiency that the total premium collected by an insurance carrier for the year immediately preceding or the total insurance premium an uninsured employer would have paid for the same period bears to the total insurance premiums collected by all insurance carriers plus the total premiums that would have been paid by the uninsured employers for the year immediately preceding. The amounts so collected shall be used to reimburse the National Treasury for the appropriations therefor made by the Government for the payment of the expenses for administering this Act.

"There is hereby created a committee composed of the Workmen's Compensation Commissioner as chairman, two representatives of insurance carriers, and two representatives of uninsured employers, who shall be appointed by the Secretary of Labor which shall have the duty of advising the Workmen's Compensation Commissioner in carrying out the purposes of this section.

"The members, unless government officials, shall be entitled to ten pesos per diem every time the committee meets."

SEC. 3. Sections fifty-six and fifty-seven are hereby added to said Act to read as follows:

"SEC. 56. Registration of employers.—Every employer within the purview of this Act must register the name and residence of the owner and/or manager of the establishment, the name, location and nature of the business, the name and address of the insurance carrier if insured, the number, classification and salaries of employees; the kinds of machineries used, and the amount of capital invested, with the Office of the Workmen's Compensation Commissioner within six months from the date of the approval of this amendment and every year thereafter not later than the twentieth day of January. The Commissioner may require employers to submit additional information in a form to be prescribed by him. For each registration, the employer shall pay a fee of ten pesos.

"SEC. 57. General penalty.—Any person who knowingly violates any provision of the Workmen's Compensation Act, as amended, for which no penalty is provided, shall" upon conviction be punished by a fine not exceeding five hundred pesos or by imprisonment not exceeding six months or by both such fine and imprisonment in the discretion of the court."

SEC. 4. This Act shall be effective as of June twenty, nineteen hundred and fifty-two.

Approved, June 19, 1953.

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