

AN ACT TO PROVIDE FOR THE ISSUANCE OF BONDS OF THE GOVERNMENT OF THE COMMONWEALTH OF THE PHILIPPINES IN THE AMOUNT OF ONE MILLION PESOS, TO CREATE A REVOLVING FUND FOR PUBLIC MA...

Commonwealth Act No. 216, November 24, 1936

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Be it enacted by the National Assembly of the Philippines;

SECTION 1. Upon the recommendation of the Secretary of Finance, the President of the Philippines is hereby authorized to issue in the name and in behalf of the Government of the Commonwealth of the Philippines bonds in the amount of one million pesos. The proceeds of the sale of such bonds shall be credited to a special fund which is hereby constituted to be known as the "Public Markets Revolving Fund," and which shall be expended as provided in this Act. The bonds so authorized to be issued shall be sold in the Philippines through the Treasurer of the Philippines on such terms as in the judgment of the President of the Philippines are most favorable to the Government of the Commonwealth of the Philippines. The bonds shall be issued in the manner and be in such form as the President may determine, and shall run for such time and bear such rate of interest not exceeding five per centum per annum payable on such dates as he may determine. The bonds may be coupon bonds or registered bonds, convertible, in the discretion of the President of the Philippines, into either form, and shall be registered in the Treasury of the Philippines at Manila, where both principal and interest shall be payable in legal tender currency of the Philippines or its equivalent in legal tender currency of the United States at the discretion of the Treasurer of the Philippines.

Said bonds shall be exempt from taxation by the Government of the Commonwealth of the Philippines or of any political or municipal subdivision thereof, which fact shall be stated upon their face.

SEC. 2. A sinking fund is hereby created for the payment of the bonds issued under the provisions of this Act, in such a manner that the total amount thereof at each annual due date of the bond issued shall be equal to the total of an annuity of nineteen hundred and thirty-seven pesos and thirteen centavos for each one hundred thousand pesos of bonds outstanding, accrued at the rate of interest of three and one-half per centum per annum. Such sinking fund shall be under the custody of the Treasurer of the Philippines who shall invest it in such manner as the Secretary of Finance may approve, in accordance with the provisions of Act Numbered Three thousand and fourteen which governs the investment of sinking funds; shall charge all the expenses of such investment to said sinking fund, and shall credit to the same the interest on investments and other income accruing to it.

SEC. 3. A standing annual appropriation is hereby made out of the general funds in the Philippine Treasury not otherwise appropriated, of such sums as may be necessary to provide for the sinking fund mentioned in the last preceding section and the interest on the bonds issued by virtue of this Act.

SEC. 4. An appropriation is hereby made out of the funds in the Philippine Treasury not otherwise appropriated of a sum sufficient to cover the expenses of the issue and sale of the bonds issued by virtue of this Act.

SEC. 5. The Public Markets Revolving Fund as herein constituted shall be expended exclusively for the

construction of permanent public markets, and disbursements therefrom shall be under the supervision of a board composed of the Secretary of Finance as chairman, and the Secretary of the Interior and the Secretary of Public Works and Communications as members. Such markets shall be declared reimbursable public markets for a period not exceeding fifteen years. The Board shall fix the rates of charges to be collected by the Government for admission to and the use of said markets.

SEC. 6. Upon the request of any municipality, township or municipal district, the Public Markets Board shall cause a survey and investigation to be made by the Director of Public Works for the purpose of determining the feasibility and advisability of carrying out any project, and if the results be favorable to submit an estimate of the cost and the plan of the proposed market building together with his recommendation, through the Secretary of Public Works and Communications, to the Public Markets Board for its consideration, and whenever the Board should deem it advisable it shall authorize the release of such sum from the revolving fund herein constituted as is necessary for the construction of the project: Provided, however, That the construction of a project shall not be started until the municipal council concerned shall have adopted a resolution guaranteeing the annual payment of such amount as may be fixed by the Board in the event that market collections, in any year, are not sufficient to cover the instalment corresponding to that year for the reimbursement of the sum invested from the revolving fund, including annual interest thereon. The resolution shall further undertake to guarantee that the municipality will not build nor permit the building of any other market within its jurisdiction pending reimbursement in full of the total cost of the project.

SEC. 7. The municipal treasurer of the municipality wherein a market building is constructed under this Act shall be in charge of the collection of charges for admission to and use of the market, and with the approval of the Public Markets Board, the respective provincial treasurer shall appoint duly bonded collectors. After deducting such expenses for the maintenance and operation of the market as may be authorized by the provincial treasurer and approved by the Public Markets Board, the balance of collections shall be turned over to the Philippine Treasury for the account of the Public Markets Revolving Fund, and shall be available for investment in the construction of other market buildings: Provided, That if the collections are not sufficient to cover the annual payment of such amount as is calculated to reimburse the Public Markets Revolving Fund within the period set therefor not to exceed fifteen years, the municipal council concerned shall appropriate the necessary funds to cover the deficiency.

SEC. 8. The municipal treasurer of the municipality concerned shall be in charge of the operation of the market constructed under this Act, subject to such regulations as may be promulgated by the Public Markets Board.

SEC. 9. The Public Markets Board may, at any time after construction work is completed, permit the municipality concerned to reimburse the funds invested in the building of the market by the National Government, including accrued interest at four per centum per annum, and in such event such municipality shall acquire the ownership of, and shall accordingly manage and operate the said market

SEC. 10. When the total amount invested in a market building by the Government of the Commonwealth, including interest at four per centum per annum, has been fully reimbursed, the Public Markets Board shall so certify to the President of the Philippines, who, by means of an Executive Order, shall yield the ownership of such market to the municipality concerned, thereafter to maintain and operate it as owner in accordance with law.

SEC. 11. The construction of public markets under this Act shall be carried out in accordance with section nineteen hundred and seventeen of the Revised Administrative Code.

SEC. 12. This Act shall take effect upon its approval.

Approved, November 24, 1936.

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