

AN ACT AMENDING REPUBLIC ACT NUMBERED EIGHT HUNDRED THIRTY-SIX, AND FOR OTHER PURPOSES.

REPUBLIC ACT NO. 1247, June 09, 1955

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

SECTION 1. Section three of Republic Act Numbered Eight hundred thirty-six is amended to read as follows:

"SEC. 3. The Secretary of Education shall distribute the annual allocation authorized under section one hereof as follows: sixty-five per centum to all congressional districts in proportion to the number of elementary school children not housed in permanent and semi-permanent school buildings and the remaining thirty-five per centum as additional share to congressional districts where the number of school children not housed in such buildings exceeds thirty-five per centum of the total number enrolled: Provided, That the share of each congressional district entitled thereto shall be determined by the Secretary of Education but shall be a percentage equal to at least one-half and not more than the ratio that the number of such children not housed in such buildings bears to the total number of public elementary school children in the congressional district: Provided, further, That any sum still remaining unallocated, after making the allocations as herein provided, shall be distributed in the discretion of the Secretary of Education particularly to cover any additional cost of constructing permanent school buildings in congressional districts located within the typhoon belt, and areas frequently visited by other calamities, upon certification by the division superintendent of schools of the particular congressional district. The President may authorize the use of this sum for the construction of pre-fabricated structural parts of schoolhouses and/or the purchase of Machineries to enable him to carry out plans for the pre-fabrication of schoolhouses. Children in rented buildings, in quonset huts, and in Parent-Teacher Associations buildings not owned by the government, shall be considered as not housed in permanent and semi-permanent school buildings.

"During the first fifteen days of each regular session of the Congress, the Secretary of Education shall submit a report of such allocation to the Congress, which shall contain in addition a recommendation of the public elementary school buildings in each congressional district which shall be constructed, reconstructed, improved and/or repaired as well as the amounts estimated for the execution of each of such projects based on the type of such buildings recommended for the locality. On the basis of such report, the Congress shall by law specify the public elementary school buildings that shall be constructed, reconstructed, improved and/or repaired during the ensuing fiscal year in accordance with the provisions of this section. If the Congress shall fail to enact such law for any fiscal year, the aforementioned report and recommendation of the Secretary of Education shall be deemed as having been approved by the Congress and the public elementary school building projects contained therein shall be executed: Provided however, That no release of the appropriation herein provided shall be made for any congressional district unless such release is made simultaneously for all the other congressional districts and always on the basis of the allocation for all congressional districts as provided herein: Provided, further, That the amounts allocated under this section may be used for the purchase of land on which school buildings provided herein shall be constructed."

SEC. 2. Section four of Republic Act Numbered Eight hundred thirty-six is hereby amended to read as follows:

"SEC. 4. Any provision of law to the contrary notwithstanding, any project allocated fund under the provisions hereof amounting to four thousand pesos or more shall be executed through public bidding in accordance with

the usual contract procedures of the Bureau of Public Works. If there are no bidders or if the project can be executed at a reasonably lower cost than the most advantageous bid, such project shall be executed by administration: Provided, That in such case, preference shall be given to Parent-Teacher Associations in the construction thereof and/or in the employment of laborers for such project."

SEC. 3. Section five of Republic Act Numbered Eight hundred thirty-six is hereby amended to read as follows:

"SEC. 5. The engineering surcharge for any project allocated fund under the provisions hereof shall not exceed two per centum of the actual cost thereof, which surcharge shall cover all the expenses for inspection, checking of materials, and incidental office expenses in connection with the preparation of plans, specifications, estimates and contract documents."

SEC. 4. When the amount of the construction is less than four thousand pesos, on petition of the Parent-Teacher Association concerned, and in the discretion of the district engineer concerned, the government shall furnish only the materials or the pre-fabricated parts of schoolhouses: Provided, That the labor shall be furnished free by the Parent-Teacher Association concerned.

SEC. 5. Section six of Republic Act Numbered Eight hundred thirty-six is hereby amended to read as follows:

"SEC. 6. The buildings herein referred to shall be erected only upon lands of the exclusive ownership of the municipality or city, or which shall be donated or purchased for school site."

SEC. 6. Whenever the term "province and city" is used in Republic Act Numbered Eight hundred and thirty-six, for purposes of apportionment, it shall be substituted and replaced with the term "Congressional district".

SEC. 7. The sum of forty million pesos is appropriated, out of any funds in the National Treasury not otherwise appropriated, to carry out the provisions of Republic Act Numbered Eight hundred thirty-six corresponding to the fiscal years 1953-1954 and 1954-1955 to be released at the rate of twenty million pesos every fiscal year and if the sum of twenty million pesos corresponding to the current fiscal year is not available for release, such sum as is available for release shall be released within three months after the approval of this Act by the Secretary of finance, and subsequent releases shall be made by the said Secretary as funds become available until the total sum of twenty million pesos shall have been released: Provided, however, That the distribution of any sum sums so released shall be made in accordance with the provisions of section three of the said Republic Act Numbered Eight hundred thirty-six as hereinbefore amended.

SEC. 8. This Act shall take effect upon its approval.

Approved, June 10, 1955.

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