

AMENDING REPUBLIC ACT NUMBERED FIFTY-FOUR HUNDRED AND NINETY-NINE, ENTITLED “AN ACT AUTHORIZING THE CONSTRUCTION OF THE UPPER PAMPANGA RIVER PROJECT, PROVIDING FOR THE FINANCING...

PRESIDENTIAL DECREE NO. 35, October 31, 1972

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WHEREAS, there were pending before Congress prior to the promulgation of Proclamation No. 1081, dated September 21, 1972, certain priority measures vital to the national development program of the Government, and which were duly certified by the President as urgent measures;

WHEREAS, one of these priority measures is a proposed amendment to Republic Act No. 5499, entitled "An Act Authorizing the Construction of the Upper Pampanga River Project, providing for the financing thereof and for other purposes";

WHEREAS, there is a need to grant authority to the National Irrigation Administration to undertake studies for bankable proposals to extend the benefits of the Upper Pampanga River Project to the Provinces of Pangasinan, Tarlac, Pampanga and Bulacan by harnessing tributaries of the Pampanga River, ground water resources and other river basins; and

WHEREAS, to achieve this end, and in order to alleviate the plight of the inhabitants who will be adversely affected by reservoir inundation of the Project, including the construction of this multi-purpose development project, additional funds need to be appropriated for lending to the displaced inhabitants, and the National Irrigation Administration (NIA) should be authorized to administer such loans;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution as Commander-in-Chief of all the Armed Forces of the Philippines and pursuant to Proclamation Order No. 1081, dated September 21, 1972, and General Order No. 1, dated September 22, 1972, as amended, do hereby adopt and make as part of the law of the land the following amendments to Republic Act No. 5499:

SECTION 1. Section one of Republic Act Numbered Fifty-four hundred and ninety-nine is hereby amended to read as follows:

"SECTION. 1. The construction of the Upper Pampanga River Project (hereinafter referred to as the 'Project', is hereby authorized for the purpose of furnishing water for irrigation, generating electric power and energy, regulating floods, providing water supply, and for other related uses. The Project shall include the preparation of feasibility studies which shall be undertaken with the end in view of extending its benefits to the Provinces of Pangasinan, Tarlac, Pampanga and Bulacan, by harnessing tributaries of the Pampanga River, ground water sources, and other river basins." SEC. 2. Section four of the same Act is hereby amended to read as follows: "SEC. 4. There is hereby appropriated for the National Irrigation Administration, out of any funds in the National Treasury not otherwise appropriated, the sum of Four hundred million pesos to finance the local currency costs of the Project. This amount shall be released to the National Irrigation Administration in the following manner:

"Nine Million pesos in the fiscal year nineteen hundred sixty-nine to nineteen hundred seventy;

"Thirty-one Million pesos in the fiscal year nineteen hundred seventy to nineteen hundred seventy-one;

"Eighty Million pesos in the fiscal year nineteen hundred seventy-one to nineteen hundred seventy-two;

"One hundred twenty Million pesos in the fiscal year nineteen hundred seventy-two to nineteen hundred seventy-three;

"One hundred Million pesos in the fiscal year nineteen hundred seventy-three to nineteen hundred seventy-four; and

"Sixty Million pesos in the fiscal year nineteen hundred seventy-four to nineteen hundred seventy-five;

"Provided, That notwithstanding the above schedule, releases in a given fiscal year shall be adjusted in accordance with the actual requirements of the project for said fiscal year: Provided, further, That releases from the general fund in a given fiscal year may be reduced to the extent that funds shall have been made actually available in-such year for the Project from the proceeds of bonds issued by the Republic of the Philippines under the provisions of Republic Act Numbered Forty-eight hundred and sixty-one which proceeds from bond issues are hereby appropriated for the project, any provisions of law to the contrary notwithstanding."

SEC. 3. The same Act is further amended by inserting between Sections seven and eight thereof a new section which shall read as follows:

"SEC. 7-A. So much as may be necessary but not to exceed twenty million pesos of the four hundred million pesos herein appropriated shall be used for loans to the inhabitants who will be moved out of the reservoir for housing, subsistence, farm development, farm implements, work animals and for such other purposes as may be necessary to effect just and equitable treatment of the inhabitants so resettled: Provided, That such loans shall be administered by the NIA and be repaid within a period of fifteen years without interest. The Administrator of the National Irrigation Administration shall prescribe and promulgate rules and regulations to implement and give effect to this provision of the Act within ninety days from the approval hereof."

SEC. 4. This Act shall take effect immediately.

Done in the City of Manila, this 31st day of October, in the year of Our Lord, nineteen hundred and seventy-two.

(Sgd.) FERDINAND E. MARCOS
President
Republic of the Philippines

By the President:

(Sgd.) ALEJANDRO MELCHOR
Executive Secretary

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