

AN ACT TO AMEND SECTIONS FOUR, FIVE, SIX, TEN, AND FORTY OF COMMONWEALTH ACT NUMBERED ONE HUNDRED FORTY-SIX, AS AMENDED, OTHERWISE KNOWN AS THE PUBLIC SERVICE ACT, AND FOR OTHER...

REPUBLIC ACT NO. 3792, June 22, 1963

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

SECTION 1. Section four of Commonwealth Act Numbered One hundred forty-six, otherwise known as the Public Service Act, as amended by Republic Act Numbered Twenty-six hundred and seventy-seven, is hereby further amended to read as follows:

"SEC. 4. The Public Service Commissioner shall receive an annual compensation of thirteen thousand pesos; and each of the Associate Commissioners an annual compensation of twelve thousand pesos. The Commissioners shall be assisted by one chief attorney, one finance and rate regulation officer, one chief utilities regulation engineer, one chief accountant, one transportation regulation chief, one secretary of the Public Service Commission, and three public utilities advisers who shall receive an annual compensation of not less than ten thousand eight hundred pesos each; five assistant chiefs of division who shall receive an annual compensation of not less than nine thousand six hundred pesos each; twelve attorneys who shall receive an annual compensation of not less than nine thousand pesos each; and a technical and confidential staff to be composed of two certified public accountants, two electrical engineers, two mechanical or communication engineers, and two special assistants who shall receive an annual compensation of not less than seven thousand two hundred pesos each."

SEC. 2. Section five of the same Act is hereby amended to read as follows:

"SEC. 5. The Public Service Commissioner, the Associate Public Service Commissioners, and all other officers and employees of the Public Service Commission shall enjoy the same privileges and rights as the officers and employees of the classified civil service of the Government of the Philippines. They shall also be, entitled to receive from the Government of the Philippines their necessary traveling expenses while traveling on the business of the Commission, which shall be paid on proper voucher therefor, approved by the Secretary of Justice, out of funds appropriated for the contingent expenses of the Commission.

"When the exigency of the service so requires, and With the approval of the Secretary of Justice, and subject to the provisions of Commonwealth Act Numbered Two hundred forty-six, as amended, funds may be set aside from the appropriations provided for the Commission and/or from the fees collected under Section forty of this Act to defray the expenses to be incurred by the Public Service Commissioner or any of the Associate Commissioners, officers or employees of the Commission to be designated by the Commissioner, with the approval of the Secretary of Justice, in the study of modern trends in supervision and regulation of public services."

SEC. 3. Section six of the same Act, as amended by Republic Act Numbered One hundred seventy-eight, is further amended to read as follows:

"SEC. 6. The Secretary of Justice, upon recommendation of the Public Service Commissioner, shall appoint all subordinate officers and employees of the Commit as may be provided in the Appropriation Act. The Public Service Commissioner shall have general executive control, direction, and supervision over the work of the Commission and of its members, body and personnel, and over all administrative business."

SEC. 4. Section ten of the same Act, as amended by Republic Act Numbered Twenty-six hundred and seventy-seven, is hereby further amended to read as follows:

"SEC. 10. The Commission shall have its office in the City of Manila or at such other place as may be designated, and may hold hearings on any proceedings at such times and places, within the Philippines, as it may provide by order in writing: Provided, That during the months of April and May of each year, at least three Commissioners shall be on vacation in such manner that once every two years at least three of them shall be on duty during April and May: Provided, however, That in the interest of public service, the Secretary of Justice may require any or all of the Commissioners not on duty to render services and perform their duties during the vacation months."

SEC. 5. Section forty of the same Act, as amended by Commonwealth Act Numbered Four hundred fifty-four, is hereby further amended to read as follows:

"SEC. 40. The Commission is authorized and ordered to charge and collect from any public service or applicant, as the case may be, the following fees as reimbursement of its expenses in the authorization, supervision and/or regulation of public services:

"(a) The charge of fifty pesos for the registration of:

"(1) Applications under the provisions of Sections sixteen (a), (b), (c), and (d), and twenty (a), (b), (c) (e), (f), (g), and (h): Provided, however, That in case of transportation services, an additional filing fee of five pesos shall be charged for each additional unit or vehicle in excess of five units or vehicles applied for: and provided, finally, That no filing fee shall be collected for the reduction of rates if the same does not alter or modify in any way the basic rates of the schedule.

"(2) Applications for the approval or modification of maximum rates under Section fourteen.

"(b) Thirty pesos shall be collected from any operator of land transportation for the registration of;

"(1) Applications under Section seventeen (f).

"(2) Applications for the extension of time covering a period of thirty days for the registration of motor vehicles previously authorized by the Commission.

"(c) The charge of thirty pesos for the filing of other applications by any public service operator not specifically provided for in the preceding paragraphs of this section other than motions of a temporary or incidental character : Provided, however, That fifteen pesos only shall be collected for each certificate of public convenience or certificate of public convenience and necessity in diploma form issued to a public service operator.

"(d) For annual reimbursement of the expenses incurred by the Commission for the supervision and regulation of the operations of motor vehicle services:

"(1) For each automobile, ten pesos.

"(2) For each motor vehicle, truck, or trailer of less than two tons gross transportation capacity, ten pesos.

"(3) For each motor vehicle, truck, or trailer of two tons or more, but less than three tons gross transportation capacity, twenty pesos.

"(4) For each motor vehicle, truck, or trailer of three tons or more but less than four tons gross transportation capacity, thirty pesos.

"(5) Motor vehicles, trucks, trailers or buses of four tons or more gross capacity shall pay at the rate ten pesos per ton gross.

"The fees provided in paragraphs (d) and (e) hereof shall be paid on or before September thirtieth of each year with a penalty of fifty per centum in case of delinquency: Provided, further, That if the fees or any balance thereof

are not paid within sixty days from the said date, the penalty shall be increased by one per centum for every, month thereafter of delinquency: Provided, however, that motor vehicles registered in the Motor Vehicles Office after September thirtieth shall be exempt from payment for said year.

"(e) For annual reimbursement of the expenses incurred by the Commission in the supervision of other public services and/or in the regulation or fixing of their rates twenty centavos for each one hundred pesos or fraction thereof, of the capital stock subscribed or paid, or if no shares have been issued of the capital invested, or of the property and equipment, whichever is higher.

"(f) For the issue or increase of capital stock, twenty centavos for each one hundred pesos or fraction thereof, of the increased capital.

"(g) For each permit authorizing the increase of equipment, the installation of new units or authorizing the increase of capacity, or the extension of means or general extensions in the services, twenty centavos for each one hundred pesos or fraction of the additional capital necessary to carry out the permit. "(h) For the inspection or certification made in the meter laboratory of the Commission of each apparatus or meter used by any public service, four pesos, and for examination made outside the meter laboratory of the Commission, the additional expenses as may be incurred in making the examination shall also be paid. "(i) For certification of copies of official documents in the files of the Commission, fifty centavos plus fifty centavos for each page or folio so certified.

"This section shall not be applicable to the Republic of the Philippines, nor to its instrumentalities.

"Aside from the appropriations for the Commission under the annual General Appropriation Act, any unexpended balance of the fees collected by the Commission under this section shall be constituted receipts automatically appropriated each year, and together with any surplus in standardizing meter laboratory revolving fund under Commonwealth Act Numbered Three hundred forty-nine, shall be disbursed by the Public Service Commissioner in accordance with special budgets to be approved by the Department of Justice, the Budget Commission and the Office of the President of the Philippines for additional needed personal services, maintenance and operating expenses, acquisition of urgently needed vehicles, furniture and equipment, maintenance of an adequate reference library, acquisition of a lot and building for the Commission, and other expenses necessary for efficient administration and effective supervision and regulation of public services."

SEC. 6. In addition to the sums to be appropriated for the Commission under the General Appropriation Act for the fiscal year following the approval of this Act, the sum of one hundred and fifty thousand pesos, or so much thereof as may be necessary, is hereby appropriated, out of any funds in the National Treasury not otherwise appropriated, for carrying out the provisions of this Act: Provided, however, That any savings in the appropriation of the Commission for the current fiscal year may also be used for this purpose. Thereafter, the same sum or so much as may be necessary shall be included in the appropriation for the Commission in subsequent annual General Appropriation Acts.

SEC. 7. If any part, section or provision of this Act shall be held invalid or unconstitutional, no other part, section or provision thereof shall be affected thereby.

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

Approved, June 22, 1963.

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