

AUTHORIZING THE POSTMASTER GENERAL TO SUPERVISE, REGULATE AND CONTROL THE OPERATIONS OF PRIVATE EXPRESS AND/OR MESSENGER DELIVERY SERVICE FIRMS AND TO ISSUE, GRANT, EXTEND, SUSP...

PRESIDENTIAL DECREE NO. 240, July 09, 1973

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WHEREAS, it is necessary to systematize the supervision and control over the carriage and dissemination of mailable matter for the good of the public and in the interest of national security;

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 No. 1081, dated September 21, 1972, and General Order No. 1, dated September 22, 1972, as amended, do hereby order and decree:

SECTION 1. No express and/or messenger delivery service firm shall operate in the Philippines without possessing "Authority to Operate Express and/or Messenger Delivery Service" to be issued by the Postmaster General.

SEC. 2. All express and/or messenger delivery service firms now operating under any franchise or other authority granted either by the former Congress of the Philippines or the defunct Public Service Commission or any government office, shall, within thirty (30) days from the date of approval of this Decree, secure the necessary "Authority to Operate an Express and/or Messenger Delivery Service" from the Postmaster General otherwise their present franchises and/or authority to operate such service shall be considered cancelled and of no effect after the lapse of said thirty (30) days.

SEC. 3. For the purpose of this Decree, the term "express and/or messenger delivery service firm" includes every individual, co-partnership, joint-stock company or corporation, their leases, trustees or receivers, that now or hereafter may own, operate, manage, or control in the Philippines, for hire or compensation, with general or limited clientele, whether permanent, occasional or accidental, and done for general business purposes, any service for the personal delivery for other persons of oral or written messages and any mailable matter, except telegrams. A person or his employee delivering any article owned by him is not conducting an express and/or messenger delivery service within the context of this Decree.

SEC. 4. In addition to his existing powers under present laws, the Postmaster General or his duly authorized representative, in order to prevent dissemination thru private express and/or messenger delivery service firm of articles which are harmful to national security, public welfare and interest; to insure safe and proper handling of articles sent thru private express and/or messenger delivery service firm and in order to prevent ruinous competition among private express and/or messenger delivery firms, shall have the following powers:

- Exercise jurisdiction, supervision, and control over any express and/or messenger delivery service firm, its authority to operate, equipment and other properties, and in the exercise of this power it shall have the aid of the public police force;

- To grant or issue certificates which shall be known as "Authority to Operate Express and/or Messenger Delivery Service" whenever he finds that the operation of the express and/or messenger delivery service will promote the public interest in a proper and suitable manner: Provided, That no such authority shall be issued for a period of more than 15 years;
- To extend, suspend, or cancel as the case may be, at any time any "Authority to Operate Express and/or Messenger Delivery Service" when public interest so requires or whenever the holder thereof has violated any order, rule or regulation of the Bureau of Posts or as may be prescribed by the Postmaster General;
- To promulgate such reasonable rules, regulations, and practices as will enable it to effectively exercise its powers or to safeguard public interest;
- To fix and determine rates and charges of any express and/or messenger delivery service;
- To exclude from being carried by express and/or messenger delivery service any article which the Postmaster General considers harmful to public welfare, national security, public morals and decency, and to confiscate and dispose such articles in the manner he may prescribe;
- To compel an express and/or messenger delivery service firm to maintain adequate and specific records of transactions and operations, and to exhibit the same to the Postmaster General, or his duly authorized representative upon demand.

SEC. 5. All mailable articles accepted from any client for delivery by an express and/or messenger delivery service firm shall be considered mail matter insofar as fidelity in the handling and treatment thereof is concerned, and criminal liability under existing laws shall accrue to any person who violates said mail matter.

SEC. 6. Any provision of law in conflict herewith is revoked or amended accordingly.

SEC. 7. This Decree shall take effect immediately.

Done in the City of Manila, this 9th day of July, in the year of Our Lord, nineteen hundred and seventy-three.

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

By the President:

(Sgd.) ROBERTO V. REYES
Assistant Executive Secretary

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