

[REPUBLIC ACT NO. 4188, May 04, 1965]

AN ACT CREATING THE MINDORO DEVELOPMENT BOARD FOR THE AGRICULTURAL AND INDUSTRIAL DEVELOPMENT OF THE ISLAND OF MINDORO AND THE BETTERMENT OF THE INHABITANTS THEREIN, AND AUTHORIZING THE APPROPRIATION OF FUNDS THEREFOR.

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

SECTION 1. This Act may be cited as the Mindoro Development Act of 1965.

SEC. 2. In order to provide for the agricultural and industrial development of the Island of Mindoro, provide for an adequate system of provincial and barrio feeder roads; provide for reforestation and proper use of marginal land; provide for the control and prevention of floods, the reclamation of marshy and shore lands, and the application and use of the rivers therein for irrigation, navigation, and other useful purposes; promote and encourage the fullest utilization of the resources of the island; develop and enhance recreational advantages; and in general, promote the betterment of the inhabitants therein, there is hereby created a body corporate to be known as the Mindoro Development Board, hereinafter referred to as the Corporation. It shall have its principal office in Victoria, Oriental Mindoro.

SEC. 3. All corporate powers of the Corporation shall be vested in, and exercised by, a Board of Directors consisting of a chairman and four members who shall be appointed by the President of the Philippines with the consent of the Commission on Appointments. The chairman and members of the Board shall serve for a term of four years. No member shall be removed from office except for cause. In case of vacancy for any reason, the person appointed to fill such vacancy shall serve only for the unexpired term of the member he succeeds. The chairman shall receive an annual compensation of twelve thousand pesos, and the members ten thousand pesos each. They shall not, during their continuance in office, engage in any business or the practice of any profession, or be financially interested, directly or indirectly, in any contract with the Corporation, or in any business of generating, distributing and selling electric power to the general public, or in the manufacture or distribution of fertilizer, or in any business that may adversely affect, or be adversely affected by, the success of the Corporation in any of its agricultural or industrial development projects.

SEC. 4. The Board shall meet regularly once a month and hold such other special or emergency meetings as may be necessary, upon the call of the chairman or at the request of any member. The presence of the chairman and of the two members shall constitute a *quorum*, and the two-thirds vote of the Board shall be necessary to pass a resolution or to make a resolution.

SEC. 5. The Board shall appoint a manager and such other officers and employees as may be necessary to carry out its function and objectives. All officials, agents, and employees of the Corporation shall be selected and appointed on the basis of merit and fitness in accordance with a comprehensive and progressive merit system to be established by the Board immediately upon its organization and in accordance with civil service rules and regulations. The recruitment, transfer, promotion and dismissal of all Corporation personnel, including temporary workers, shall be governed by such merit system.

The manager appointed shall receive an annual compensation of seven thousand two hundred pesos and be allowed transportation and representation allowances not exceeding two hundred pesos a month. He shall be subject to the prohibitions set forth in Section three hereof.

SEC. 6. Except as otherwise specifically provided in this Act, the Corporation:

- (a) Shall have the power of succession;
- (b) May sue or be sued in its corporate name and may settle or adjust claims held by it against other parties or held by other parties against it;
- (c) Shall have the power, in the name of the Government of the Philippines, to exercise the right of eminent domain over all properties that it may deem necessary to carry out the purposes of this Act; and
- (d) Shall have the power to enter into such contracts and agreements, and to exercise such powers and perform such functions as may be necessary or appropriate to carry out the purpose of the Corporation.

SEC. 7. The Corporation is hereby authorized: (a) To acquire by purchase, lease, condemnation, or donation, such real and personal property and any interest therein, and may sell, lease, or otherwise dispose of any real and personal property and any interest therein, as in its judgment may be necessary in carrying out the purposes of the Corporation under this Act. Title to all real property or interest therein, whether acquired by condemnation or otherwise, shall be taken in the name of the Republic of the Philippines, and thereupon such real property shall, for the purposes of this Act, be entrusted to the Corporation as agent of the Government. The Corporation shall not dispose of any real property on which is located permanent dam, hydraulic power plant, or munitions plant heretofore or hereafter constructed by or on behalf of the Government or the Corporation.

(b) To purchase and acquire such materials and other personal property as may be required to carry out the purposes and policy of this Act. All purchases and contracts for supplies or services except for personal services, made by the Corporation shall be made through public bidding: *Provided, however,* That public bidding shall not be required when (1) the Board determines that an emergency requires immediate delivery of the supplies or performance of the service; or (2) repair parts, accessories, supplemental equipment, or services are required for supplies or services previously furnished or contracted for; or (3) the aggregate amount involved in any purchase of supplies or procurement of services does not exceed five hundred pesos in which cases such purchases of supplies or procurement of services may be made in the open market in the manner common among