

[REPUBLIC ACT NO. 105, June 02, 1947]

AN ACT TO AMEND SECTION THIRTEEN OF ACT NUMBERED TWENTY-ONE HUNDRED AND FIFTY-TWO, AS AMENDED, INCREASING THE FUNDS FOR THE OPERATION AND MAINTENANCE OF IRRIGATION SYSTEMS.

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

SECTION 1. Section thirteen of Act Numbered Twenty-one hundred and fifty-two, as amended by section four of Act Numbered Thirty-five hundred and twenty-three, is further amended to read as follows:

"SEC. 13. In the event of the appropriators not organizing in accordance with the provisions of the next preceding section or during the time in which the rights of using the public water which have been appropriated are being determined and adjudicated the system shall be temporarily administered under this Act as follows:

"(a) By the municipal council, when the system affects one municipality alone.

"(b) By the provincial board, when it affects two or more municipalities of a province.

"(c) By the Director of Public Works, when it affects two or more provinces.

"The regulations issued for the administration, use, and distribution of waters shall be previously approved by the Irrigation Council, and in the preparation of those regulations all the persons interested shall be given a hearing.

"The cost of this service shall be a lien upon the crops, the first place, and in the second place, upon the land of the water users and ditch owners, in accordance with the distribution thereof, as shown by the accounts of the municipal council, the provincial board, or the Director of Public Works, which distribution shall be based upon the irrigable area held by each appropriator or ditch owner, in proportion to the total area served by the system: *Provided, however,* That the funds necessary to defray the administration expenses prior to the expiration of each agricultural year (the period intervening between the beginning of the planting and the completion of the harvesting of the crops), in accordance with the appropriation, shall be advanced by the municipality or the province out of its funds, or by the Director of Public Works, out of any unappropriated funds in the National Treasury, and shall be reimbursed by the land-owner or ditch owner at the end of each year with interest at the rate of four *per centum*: *Provided further,* That the