

## [ Acts No. 4185, December 07, 1934 ]

### **AN ACT TO AMEND SECTIONS TWENTY-FIVE, TWENTY-NINE, THIRTY, AND THIRTY-TWO OF ACT NUMBERED TWENTY-ONE HUNDRED AND FIFTY-TWO AS AMENDED BY ACTS NUMBERED THIRTY-TWO HUNDRED AND EIGHT, THIRTY-FIVE HUNDRED AND TWENTY-THREE, AND FORTY HUNDRED AND NINE, AND FOR OTHER PURPOSES.**

*Be it enacted by the Senate and House of Representatives of the Philippines in Legislature assembled and by the authority of the same:*

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

"SEC. 25. Upon determination by the Secretary of Public Works and Communications that the Government construction of any irrigation project is advisable, he shall, in the manner prescribed in section fifteen hereof, give public notice of:

"(a) The land irrigable under such project.

"(b) The total annual charge per hectare which shall consist of the following items: First, the estimated cost of operation and maintenance; and second, the insurance charge provided for in section thirty-one hereof: *Provided, however,* That the total annual charge above provided shall not exceed six pesos per hectare.

"(c) A statement that protests against the construction of the project may be filed with the Governor-General within ninety days after completion of publication.

"At the beginning of the publication of the notice a map shall be filed in the office of the municipal secretary of each municipality interested, showing the land to be affected by the irrigation project, which map shall be open to inspection by the public.

"The Secretary of Public Works and Communications shall publish or cause to be published in English, and, whenever he deems advisable, in Spanish and in the local dialect, in the *Official Gazette*, the notice provided for in this section, which notice shall be published once a week for four consecutive weeks. Such notice in English, Spanish, and the local dialect shall also be posted at the usual places for posting public notices in each municipality and place affected by said project and shall also be published once a week for four consecutive weeks by *bandillos* or public criers."

SEC. 2. Section twenty-nine of Act Numbered Twenty-one hundred and fifty-two, as amended by Act Numbered Thirty-five hundred and twenty-three, is hereby further amended to read as follows:

"SEC. 29. Upon the completion of the construction of any project, or sufficient part thereof, by the Government, the Secretary of Public Works and Communications shall issue a second public notice, which shall be posted and published in the same manner as provided in section fifteen hereof.

"This notice shall announce:

"(a) The land irrigable under such project, or part thereof;

"(b) The total annual charge per hectare which shall consist of the following items: First, the estimated cost of operation and maintenance; and second, the insurance charge provided for in section thirty-one hereof: *Provided, however,* That the total annual charge above provided shall not exceed six pesos per hectare.

"(c) The payment of the annual charge corresponding to any year shall be made not later than August thirty-first of the succeeding year: *Provided, however,* That no charge shall be collected from the landowners benefited during the first year of operation; that the cost of operation and maintenance alone shall be collected during the second year of operation; and that the collection of the total annual charge shall begin during the third year of operation.

"(d) The date on which the official test of the system is to be made in the presence of the persons interested for their satisfaction.

"(e) Failure to pay the annual charge within the period prescribed by paragraph (c) shall subject the landowners to a penalty of ten per centum of the original charge due if paid not later than December thirty-first of every year, the penalty to be increased to twenty per centum thereafter.

"If the annual charge and penalties above provided shall remain unpaid on the dates specified in paragraphs (c) and (e), the same shall become a lien against the delinquent land and the crops raised thereon, which lien shall have preference and be collectible, as prescribed in section thirteen hereof."

SEC. 3. Section thirty of Act Numbered Twenty-one hundred and fifty-two, as amended by Act Numbered Thirty-five hundred and twenty-three and Act Numbered Forty hundred and nine, is hereby further amended to read as follows:

"SEC. 30. Whenever by reason of shortage of water or other fortuitous event, a failure or shortage of crops shall occur on lands included in any irrigation system, or any portion of said system, and whenever any land included as irrigable is found to be not benefited by irrigation and duly certified as such by the committee created in this section, the Secretary of Public Works and Communications may, at his discretion, waive the total annual charge provided for in section twenty-nine hereof: *Provided, however,* That the Governor-General may, in his discretion increase or decrease the irrigable area of any irrigation system constructed by the