

[Act No. 3192, November 29, 1924]

AN ACT TO AMEND AND REPEAL CERTAIN PROVISIONS OF THE ACT CREATING A PUBLIC UTILITY COMMISSION, 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 one of Act Numbered Thirty-one hundred and eight is hereby amended by adding at the end of said section the following words: "and shall have the rank and all prerogatives and privileges of judges of Courts of First Instance and shall belong to the Judiciary of the Philippine Islands."

SEC. 2. The last sentence of section two of Act Numbered Thirty-one hundred and eight is hereby repealed and the following inserted in its stead: "The Public Utility Commissioner and the Assistant Public Utility Commissioner may be removed from office for the following reasons and no others: for physical incapacity, misconduct, incompetency, negligence, and irregularity in the performance of their duties, or any act constituting a misdemeanor, in accordance with the procedure prescribed by section one hundred and seventy-three of Act Numbered Twenty-seven hundred and eleven, known as the Administrative Code."

SEC. 3. Section ten of Act Numbered Thirty-one hundred and eight is hereby amended by adding to said section a new proviso to read as follows: "*Provided*, That during the months of May and June of each year, only one of the Public Utility Commissioners shall be on duty and the other shall be on vacation, in such manner that the Public Utility Commissioner shall be on duty as Commissioner during the vacation months in even years and the Assistant Public Utility Commissioner shall be on duty as Commissioner during the vacation months in odd years: *Provided, further*, That nothing hereinbefore provided shall prevent either of the Public Utility Commissioners from rendering service and remaining on duty during the vacation months when the interest of the public service requires it: *Provided, finally*, That the foregoing provisions shall not prevent the Public Utility Commissioners from the enjoyment of accrued leave privileges in the manner prescribed for judges of Courts of First Instance."

SEC. 4. Section twenty-three of Act Numbered Thirty-one hundred and eight is hereby amended by adding at the end thereof the following proviso: "*Provided*, That either of the Public Utility Commissioners may summarily punish for contempt, by a fine not to exceed two hundred pesos or imprisonment not to exceed ten days, or both, any person guilty of misconduct in the presence of the Commission or Commissioner or so near them as to interrupt the hearing or sessions or any other proceedings of a Public Utility Commissioner, including refusal by any person present at a trial, session or investigation conducted by either of the Commissioners to be sworn as a witness or answer as such when legally requested to do so."

SEC. 5. This Act shall take effect on its approval.

Approved, November 29, 1924.