

[Act No. 2935, January 15, 1921]

AN ACT APPROPRIATING FUNDS FOR THE NECESSARY EXPENSES OF THE GOVERNMENT OF THE PHILIPPINE ISLANDS DURING THE FISCAL YEAR ENDING DECEMBER THIRTY-FIRST, NINETEEN HUNDRED AND TWENTY-ONE, 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:

CHAPTER I.—Appropriations for 1921.

SECTION 1. The following sums, or so much thereof as may be respectively necessary, are hereby appropriated, out of any funds in the Insular Treasury not appropriated for other purposes, in compensation of the service of the Philippine Government for the fiscal year ending December thirty-first, nineteen hundred and twenty-one, unless otherwise stated.

(See Table of ACTS No. 2935 in PUBLIC LAWS PHILIPPINES LEGISLATURE VOLUME 16 Page 6 to Page 152)

Chapter II.—Bonuses.

SEC. 2. The bonuses appropriated in this Act shall be granted to the Insular officers and employees whose salaries are fixed by acts of the Philippine Legislature or under the provisions of section five hundred and fifty-nine of the Administrative Code, with the exception of the members of said Legislature, the Department Secretaries, and the officers and employees of the Census Bureau, at the rate of twenty-five per cent of the salaries actually received if less than twenty-four hundred pesos per annum, and of fifteen per cent of the salaries actually received if twenty-four hundred pesos or more per annum: *Provided*, That the total of the salary and the bonus of an officer or employee receiving a fixed salary of less than twenty-four hundred pesos per annum shall in no case exceed twenty-seven hundred and sixty pesos: *Provided, also*, That the number of days of vacation and accrued leave provided in sections two hundred and seventy-six and two hundred and eighty-four of the Administrative Code and the amount of the retirement gratification under Act Numbered Twenty-five hundred and eighty-nine shall in no case be deemed to be increased by reason of the bonus provided for in this by Act: *Provided, further*, That the bonus provided for in this Act shall be granted, subject to the limitations herein established, to the Insular officers and employees whose salaries are fixed by the Congress of the United States, at rates not in excess of seven thousand two hundred pesos per annum: *Provided, also*, That the Secretary of the Interior may authorize the payment, from the proper funds, of bonuses at rates not in excess of those herein authorized, to officers and employees of the provinces and municipalities and the cities of Manila and Baguio whose salaries are fixed by law: *Provided, finally*, That the bonuses as established in this section shall only be effective for three months at a time, by resolution of the Council of State, which is hereby authorized to reduce or suspend the same, or any part thereof, as the interest of the public or of the Government may require.

Chapter III.—Execution of this Appropriation Act.

SEC. 3. In addition to the laws at present existing, the provisions of this chapter shall govern and be observed in the execution of this Appropriation Act, and the classifications of expenses authorized in said Act shall be construed in accordance with said provisions, aside from the ordinary meaning given to such classifications of expenses by the rules established by the Insular Auditor.

GENERAL PROVISIONS.

SEC. 4. There is hereby created an Emergency Board Emergency Board which shall consist of the Chairman of the Committee on Finance of the Senate, the Chairman of the Committee on Appropriations of the House of Representatives, the Secretary of Justice, the Insular Auditor, and the Secretary of Finance, with the latter as chairman. In the absence of the Chairman of the Committee on Finance of the Senate or the Chairman of the Committee on Appropriations of the House of Representatives, the Senator or Representative designated by the President of the respective House shall act in his stead. The Chairman of the Emergency Board, with the approval of said Board, shall designate a Government employee to act as secretary of the Board.

SEC. 5. Whenever application for additional funds is made by any Department head, certifying that the needs of the Bureau or office or the construction or repair work under his jurisdiction require the expenditure of a sum of money greater than the amount appropriated by the Legislature for such purpose, the Emergency Board shall investigate the facts set forth in such application, ascertain whether the applicant has taken the necessary measures to prevent the expenditure of a sum of money greater than that authorized by law, hear the evidence presented, and submit a report with its recommendations to the President of the Senate and the Speaker of the House of Representatives, who may, with the approval of the Governor-General, authorize the expenditure of additional funds appropriated for this purpose, in such amount as may be deemed necessary for the purposes of the work, Bureau or office concerned.

The Secretary of Finance, within the first fifteen days of January, shall send to each House of the Legislature a the statement of the additional appropriations made under the provisions of this section.

SEC. 6. Unless otherwise authorized by law, all sums, set aside in the appropriations for the various Bureaus, offices, and provinces shall be expended solely for the specific purpose for which appropriated, and for no other, and no amount appropriated for any of the four general items of "salaries and wages," "miscellaneous expenses," "furniture and equipment," and "special appropriations," shall be available for the payment of expenses coming under any other of the said items: *Provided*, That at the request of a Department head, the Emergency Board may authorize of the transfer of all or part of the appropriations made for any item under "miscellaneous expenses" to any other item thereunder of the same Bureau or office, if the interest of the public service requires it. And for the purposes of this proviso, the Friar Lands Division, the San Lazaro Estate Division, the Industrial Division of the Bureau of Prisons, the Division of Cold Storage and Ice Plant, and the Marine Railway and Repair Shops, shall be considered as separate and distinct Bureaus and offices.

SEC. 7. Every requisition for furniture and equipment for the service of the Insular Government must be approved by the Emergency Board. But no fund of the Insular Government, general or special, and no appropriation made by the Legislature shall be available, directly or indirectly, for the purchase of automobiles, unless specifically authorized in this Act or any subsequent Act of the Legislature; and the item of miscellaneous expenses, contributions, transportation equipment, motor vehicles or other equipment shall not be understood to include automobiles.

SEC. 8. Unless otherwise specified, whenever a specific number of employees is authorized in any item of the Appropriation Act, the sum appropriated in such item shall be understood to be equally divided among the number of positions authorized, and the maximum rate of compensation per annum of each is thereby determined.

SEC. 9. The subsistence, quarters, laundry, and fuel allowances authorized by appropriation acts may be commuted by the proper Department head when, in his judgment, the good of the service requires it, except when specifically declared to be in kind; but in the absence of a resolution of the Council of State to the contrary, the rates of commutation of quarters and subsistence shall not in any case exceed those fixed for per diems by section three hundred of the Administrative Code.

SEC. 10. No allowance shall be paid to any employee for the maintenance of means of transportation owned by him but used on official business in excess of twenty pesos per month in the case of a horse or forty pesos per month in the case of a motorcycle, or seventy-five pesos per month in the case of an automobile or motor launch.

SEC. 11. Whenever a vacancy shall occur in any position not mentioned in Act Numbered Twenty-six hundred and sixty-eight, for which a salary of three thousand pesos per annum or more has been appropriated, such position shall be filled at a salary not to exceed three thousand pesos per annum, unless the Council of State, after due investigation of the needs of the service, shall determine otherwise; but such salary shall in no case be greater than authorized by law.

SEC. 12. Subject to the approval of the proper Department head, the appropriations authorized in the General Appropriation Act shall be available for advancing the cost of the instruction of those employees who, having rendered at least two years of continuous, faithful and satisfactory service to the Government, shall take a course in matters related with the activities of the office in which they serve in any correspondence school or other school or college, and a monthly deduction of not less than ten per cent shall be made of their salaries until the sum advanced shall be completely paid.

SEC. 13. The appropriation for the special provinces as aid granted by the Legislature for the general expenses of said provinces shall be in the nature of an incidental contribution of the Insular Government for the support of the governments of said provinces, and shall be disbursed in the discretion of the provincial boards concerned, subject to the approval of the Secretary of the Interior.

SEC. 14. Unless otherwise provided, all income accruing to Bureaus and offices by virtue of provisions of law shall be deposited with the general unappropriated funds of the Insular Government.

All funds collected by virtue of the provisions of Act Numbered Nineteen hundred and fifty-nine, as amended by Act Numbered Twenty-four hundred and fourteen; of Act Numbered Twenty-one hundred and fifty-nine, as amended by Act Numbered Twenty-five hundred and eighty-seven; of section eighteen hundred and fifty-seven of the Administrative Code; and of section two thousand and fifty-three of said Code, shall be deposited with the general unappropriated funds of the Insular Government.

SEC. 15. Whenever the Secretary of Finance shall be of the opinion that the probable revenues will not be sufficient to cover the expenditures provided for, he shall immediately call a meeting of the Emergency Board to consider without delay the condition of the funds existing in the Insular Treasury, the expenditures already made and to be made, and the probable revenues until the end of the current fiscal year, and to propose adequate measures to reduce the expenditures in order that they may be met out of the resources of the public treasury.

In accordance with the deliberations and resolutions of the Emergency Board, the Secretary of Finance may propose the temporary or definitive suspension to the end of the fiscal year concerned of the payment of the expenses of any Bureau or office in such proportion as circumstances may require, and such proposition shall have the effect of law as soon as it shall have been approved by the presiding officers of both Houses and concurred in by the Governor-General.

SEC. 16. Unless otherwise provided, the net surplus of all appropriations made in the Appropriation Act shall revert to the general funds as of December thirty-first of the year in which such appropriations end, and shall not thereafter be available for expenditure except by subsequent legislative enactment.

SEC. 17. Employees engaged in any authorized work in places where ordinary medical attendance is not available shall be entitled to the necessary expenses of transportation, medicine, and medical attendance, as authorized by the Department Secretary, in cases of illness contracted in the line of duty.

SPECIAL PROVISIONS FOR VARIOUS BUREAUS AND OFFICES.

SEC. 18. The following rules are hereby established regarding the appropriations for the Legislature and the Departments, Bureaus, offices or dependencies of the Insular Government, and shall not be understood to be repealed by any other law unless expressly repealed:

LEGISLATURE.

1. In case the office of secretary of the Senate or of the House of Representatives becomes vacant during the recess of the Legislature by death, resignation or other cause, the presiding officer of the House concerned may fill the office by appointment until a successor shall have been duly elected.

2. The appropriation for "supplementary force" shall be understood to be available for the payment of officers appointed in accordance with section one hundred of the Administrative Code; of employees rendering service before, during, and several days after a session, and employees within and outside the Philippine Islands; of officers and employees of other departments of the Government, who, at the

request of either of the Houses or of the presiding officer thereof, and with the consent of their respective chiefs, have rendered service to said House; and for additional compensation to such officers and employees as may be designated to render service by the presiding officers of the Houses, at rates fixed by them.

3. The appropriation for "traveling expenses of personnel" shall include the following items: traveling expenses of the presiding officers as heretofore authorized, and transportation expenses of the same in Manila; traveling expenses of the members of the Legislature and their expenses for board and lodging, at ten pesos per diem, during the period of, and in connection with, the sessions of the Legislature, any provision of existing law to the contrary notwithstanding; expenses of investigations authorized by the respective Houses or committees thereof on official business; and traveling expenses of officers and employees within and outside the Philippine Islands.

4. The item "postal, telegraph, telephone, and cable service" shall include expenses of dispatches sent or received by the presiding officers of the Houses by or without order of said Houses, to or from either of the Resident Commissioners to the United States.

5. The item "other services" shall include the funeral expenses of members of the Legislature and other expenses not specifically provided for in the appropriations for the Houses, but authorized by resolution of the House concerned.

6. The item "consumption of supplies and materials" shall include stationery and postage for members of the Legislature and uniforms for pages, chauffeurs, and messengers.

7. The presiding officers of both Houses shall have power to create, abolish, divide, or consolidate positions or items of the appropriations authorized for their respective Houses; grant the bonuses authorized by law to the positions so created, divided or consolidated; transfer the appropriations for any item, or part thereof, to another, or use any unexpended balances of previous appropriations made for their respective Houses by general or special act, for other purposes, in the interest of the efficiency of the service, any other provisions of law to the contrary notwithstanding.

EXECUTIVE.

8. The per diems for the aide-de-camp of the Governor-General shall be paid to the officer of the Army, Navy, Philippine Constabulary or National Guard detailed as such.

9. The item "for contracting for the services of the technical personnel" shall be available only for such contracts as may be deemed necessary by the Council of State, in accordance with the provisions of section three of Act Numbered Twenty-six hundred and sixty-eight.

10. The subordinate employees of the Department Secretaries shall not be necessarily subject to the provisions of the Civil Service Act and Rules.

11. The appropriation "for contracting vessels for the coastwise trade" shall be available only for contracting vessels for the coastwise trade of the Philippine Islands