

[Act No. 3002, March 07, 1922]

AN ACT TO CREATE A HARBOR BOARD FOR THE PORT OF MANILA

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

SECTION 1. There is hereby created a Board which shall be designated and known as the Manila Harbor Board, which shall be vested with powers and duties hereinafter specified. Said Board shall consist of five persons, citizens of the Philippine Islands, or of the United States, residents of the city of Manila, Philippine Islands, each of whom shall be at least thirty years of age, and who shall be appointed by the Governor-General by and with the advice and consent of the Senate: *Provided*, That the Insular Collector of Customs shall be appointed one of the members of the Harbor Board, and shall be permanent chairman of the same.

SEC. 2. The members of the Manila Harbor Board first appointed, with the exception of the Insular Collector of Customs, shall hold office as follows:

One for four years, one for three years, one for two years, and one for one year, said periods to be computed from the date on which a member of said Board shall first qualify; and at the expiration of their respective terms a successor shall be appointed for the term of four years from the date of such expiration. All vacancies, except through expiration of the term, shall be filled for the unexpired term only. The Governor-General may remove a member of said Board for neglect of duty or misconduct

in office, giving him a copy of the charges against him and opportunity of being publicly heard in person or by counsel in his defense upon not less than ten days notice.

SEC. 3. The members of said Board shall serve without compensation.

SEC. 4. The Board shall, immediately after its appointment, organize itself by electing one of its members as vice-chairman empowered to assume the duties of the permanent chairman in his absence, and two of its members as secretary and treasurer, respectively. The Board is hereby authorized to appoint such other employees as it may deem necessary and fix their duties, compensation, and terms of service.

SEC. 5. The secretary shall keep full and correct minutes of all the transactions and proceedings of the Board, and shall perform such other duties as may be required of him by the Board. The treasurer shall pay out of the funds in his charge all properly approved accounts and toun shall, in general, manage the funds entrusted to him by and on behalf of the Board as authorized by law. He shall execute a bond in favor of the Board, conditioned upon the faithful performance of all the duties of his office and covering all money that may officially come into his possession, which bond shall be approved by the Board and be in such amount as the latter may determine.

SEC. 6. The Board shall have its office in the city of Manila at such place as may be designated by the Governor-General, and shall meet at such time and place within

the city of Manila as it may provide by rules or otherwise.

SEC. 7. The Board shall have the power to make needful rules for its government and other proceedings not inconsistent with this Act.

SEC. 8. Any three of the members of said Board shall form a quorum and may transact any of the business of the Board; and in the absence of a *quorum* the members present may adjourn the Board from time to time until there shall be a quorum; the concurrence of at least three of the members of the Board shall be necessary to the making of any order.

SEC. 9. The Board shall report annually, as soon as practicable, after the first of January of each year, to the Governor-General, making such recommendations as it may deem proper, which report shall be put before the Legislature.

SEC. 10. The Board shall have general supervision and regulation of, and control over the receiving, handling, custody, and delivery of merchandise on the wharves and piers of the port of Manila and shall fix the rates to be charged for the service, both for the merchandise imported and for that exported; and in the exercise of its functions it is hereby authorized to take over, operate, and superintend such plants as may have been established or may hereafter be established by the Government of the Philippine Islands for the receiving, handling, custody, and delivery of merchandise.

SEC. 11. It shall be the duty of the Board, in the exercise of its functions as prescribed in the last preceding¹ section, to furnish the Insular Collector of Customs with a complete and correct list of the amount and kind of cargo discharged by each vessel entering Manila harbor, whether such cargo be discharged at the pier or elsewhere. It shall further be the duty of the Board to report to the Insular Collector of Customs any damage, destruction or loss by theft, fire or any other cause, suffered by the merchandise in its custody.

SEC. 12. All consigned merchandise remaining on hand for ninety days without being dispatched shall be delivered by the Board to the Insular Collector of Customs who shall dispose of it according to law.

SEC. 13. Said Board is hereby authorized, whenever in its judgment the receiving, handling, custody, and delivery of merchandise intended for importation or exportation in the port of Manila can be carried on with greater efficiency, to sell, lease or otherwise dispose of any plant and equipment owned or which may hereafter be acquired by the Government of the Philippine Islands for the receiving, handling, custody, and delivery of merchandise in the port of Manila, to private persons, associations, or corporations, on such terms as may be deemed most advantageous, subject to the approval of the Governor-General; and to make contracts with such persons, associations, or corporations for the receiving, handling, custody, and delivery of merchandise in the port of Manila, which contracts shall contain conditions regarding access to the customs premises, subjection to the control of the customs authorities, charges for the services rendered by the contractor, security to be given for the efficient handling, custody, and delivery of the merchandise and the prompt payment of all losses thereof, as may be agreed upon between the Board and the contractor, subject to the approval of the Governor-General.