

# [ Commonwealth Act No. 87, October 26, 1936 ]

## **AN ACT GIVING THE PRESIDENT AUTHORITY TO ADMINISTER THE IRRIGATION SYSTEMS CONSTRUCTED BY THE GOVERNMENT UNDER ACT NUMBERED TWENTY-ONE HUNDRED AND FIFTY-TWO, AS AMENDED, AND TO EFFECT ADJUSTMENTS IN THE PAYMENTS OF IRRIGATION CHARGES, TO SUSPEND PENDING JUDICIAL PROCEEDINGS FOR THE COLLECTION OF UNPAID CHARGES AND PENALTIES, AND TO GRANT THE RIGHT OF REPURCHASE.**

*Be it enacted by the National Assembly of the Philippines:*

SECTION 1. The President is hereby authorized to administer through the Director of Public Works the irrigation systems in the Philippines which were constructed, and those which may hereafter be constructed by the Government, in accordance with the provisions of Act Numbered Twenty-one hundred and fifty-two, as amended. The President may, by executive order, effect such changes and reforms in the administration of the irrigation systems, increase or decrease the irrigable area of any irrigation system or close any or all of those that are already existing, fix the rate of the irrigation charges and the manner of payment thereof, and exempt from the payment of irrigation charges any land or lands included within the irrigation systems which are not benefited by said irrigation annual irrigation systems: Provided, however, That on fixing the annual irrigation charge per hectare, which shall include the cost of operation, maintenance, equipment, insurance and a reasonable amortization on the cost of construction, the President shall take into consideration the economic situation and ability to pay of the persons owning lands within a given irrigation system.

SEC. 2. Pursuant to the authority granted him under this Act, the President may provide for the collection of part or all of the unpaid irrigation charges for any or all the years prior to the approval of this Act, in installments within such time and under such conditions as in his discretion he may deem proper: Provided, however, That whenever, by reason of shortage of water or other fortuitous event, a failure or shortage of crops had occurred or shall occur on the lands within the irrigation systems or any portion of said system, the President may extend the time of, or reduce, or waive, the payment of part or all of the unpaid, or part of all of the current, irrigation charges.

SEC. 3. To facilitate the exercise by the President of the powers granted him under this Act, all cases pending in court, for the collection of unpaid irrigation charges and penalties thereon, which have been filed in accordance with the provisions of section thirteen of Act Numbered Twenty-one hundred and fifty-two, shall be suspended, until otherwise ordered by the President, and the owners of those parcels of lands for which the irrigation charges were not paid shall be allowed to make payments as may be provided for by the President: Provided, however, That the owners of those lands which have been levied and sold on execution for failure to pay the irrigation charges shall be granted the privilege to repurchase their lands from the Government in the manner and under such conditions as the President may provide, respecting in all cases the rights acquired by third persons over said lands: *Provided, further,* That the repurchase price of said lands shall not be less than the