

January 26, 1951. In addition, the local excise tax on foreign exchange amounting to 17% and the increase in the local sales tax amounting to 25%, have meanwhile become effective, so that in some instances the ceiling-prices of Executive Order No. 373 are actually below today's landed costs. Failure to adjust these local ceiling-prices in accordance with increased costs to importers, has only served to create an atmosphere conducive to black-market operations. It is to be hoped that Prisco will re-align its price-ceilings in the near future so as to remove at least one of the many factors which have contributed to the increase in the prices of essential clothing items for consumers in this market.

Legislation, Executive Orders, and Court Decisions

By ROBERT JANDA

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DURING the past month the Philippine Congress enacted three bills of importance to the business community which have been approved by the President. Republic Act 604 appropriates the sum of ₱50,000,000 as the Counterpart Fund under the ECA Program. Republic Act 608 extends the Price Control Law until June 30, 1952, unless sooner terminated by proclamation of the President of the Philippines or by concurrent resolution of Congress, and modifies the procedures for enforcing the law.

Republic Act 602, to be effective as of August 13, 1951, provides for the payment of a minimum wage of ₱4 a day in Manila and its environs and ₱3 a day elsewhere for the first year, thereafter ₱4 a day when the employee is employed in enterprises other than agriculture. Agricultural enterprises subject to the act are required to pay for the first year ₱1.75 a day, for the second year ₱2.00, and for the third year and thereafter ₱2.50 a day.

The Act sets up a procedure for setting higher minimum wages in any industry upon action originated by the Secretary of Labor in his own discretion or mandatorily by the Secretary of Labor upon petition of six or more employees in any industry. The Secretary acts by establishing a Wage Board composed of two representatives of employees in the industry, two representatives of the employers, and a member representing the public. After a hearing they make recommendations as to a minimum wage for the industry to the Secretary, which recommendation must be made within 30 days. Upon the filing of their report, the Secretary gives notice to interested parties and conducts a public hearing on the report within 15 days. After the hearing the Secretary may either accept or refuse the report but may not modify it. If the report is accepted

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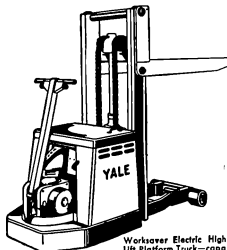
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the Secretary, by order, provides that no person engaged in the industry investigated may pay lower wages than those recommended. The Act provides that there may be a differentiation in wages between one locality and another.

An appeal to the Supreme Court lies from the order of the Secretary upon questions of law, the findings of fact of the Secretary, when supported by substantial evidence, being made conclusive.

The Act contains other provisions relating to payment of wages in legal currency directly to the employee, notification of the employee of the terms of his contract and his rights under the law, and various provisions for administering and enforcing the Act.

THE Supreme Court, on April 28, 1951, handed down its decision in the case of Legarda vs. Miaihle wherein the Court upheld an agreement made for valuable consideration not to pay a pre-war obligation during the Japanese occupation. Of basic importance to the business community, however, was the dicta of the Court indicating it would have upheld as valid a consignment in court of a sum in military currency paying a pre-war obligation contracted and payable in Philippine currency. The Court also upheld as unenforceable during the occupation a provision in the contract allowing the creditor the right to require payment in British currency.

Philippine Safety Council

By FRANK S. TENNY
Executive Director

OFFICERS for the next twelve months were elected by the Board of Directors of the Philippine Safety Council at a special meeting held on April 22. They are:

President: Joseph A. Thomas
Vice-President: Dr. Romeo Y. Atienza
Secretary: Miguel Ortigas
Treasurer: Francisco Delgado
Executive Director: Frank S. Tenny

A special committee was formed to contact the Secretary of Public Works and Communications and the Chief of the Motor Vehicles Office in regard to suggested improvements in the testing of drivers and vehicles. Members are Executive Director Tenny, Secretary Ortigas, and Treasurer Delgado.

The Executive Director was instructed to contact the M-G-M film exchange in regard to wide distribution of the current safety film, "Traffic With the Devil", now showing in a downtown theater. Activities of the Fire Prevention Board were also discussed at length at the meeting.

New members of the Council are the Philippine Packing Corporation and Gonzalo Puyat & Sons. The matter of control by the Public Service Commission over bus companies and their drivers was also discussed in detail.

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