

APPROPRIATION FOR ADDITIONAL POLICEMEN

"SIR:—The following are the answers to the "special questions" brought up in the conference held in the City of Iloilo by the Secretary of the Interior with the local officials of that province on December 6, 1948, with the request that said local officials be advised accordingly hereof:

"Question No. 1. To employ more policemen, can a municipality set aside more than 65% of its gross income for administrative expenses?

"Section 2299 of the Administrative Code limits the amount which may be expended from the municipal general fund of a municipality during any fiscal year for salaries and wages of municipal officials and employees, of every description, excluding those employed in public works, in the following percentages: 50% for first class municipalities; 60% for second class municipalities; 65% for third class municipalities; and 75% for fourth class municipalities.

"From the foregoing and, as a direct answer to the question, any municipality from 3rd class down may spend 65% of its income from the general fund for salaries and wages of its officials and employees, including policemen. Such municipalities may also set aside more than 65% of their general funds in order to employ more policemen, but the matter which is considered expenditure in excess of the

rate allowable for salaries and wages should have the previous authorization of the Provincial Board and the specific approval of the Secretary of the Interior pursuant to the provisions of Section 2299 of the Administrative Code. First and second class municipalities may also spend 65% or more of their general funds in order to employ more policemen if the need therefor is absolute, subject also to the approval of the higher authorities as indicated herein. In such cases, the local officials concerned should submit to the authorities concerned sufficient justification for the excess expenditure and should also give evidence that, based on the trend of revenue collection, the municipality concerned will not likely incur overdraft at the close of accounts of the fiscal year involved even if the excess is authorized.

"Question No. 2. If a town can not afford to pay salaries for emergency policemen, and there is need for same, what should its officials do?

"Under the provisions of our Un-numbered Provincial Circular, dated March 31, 1947, regarding the abolition of civilian guards, etc., and the organization, in lieu thereof, of a tem-

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shall be transferred or assigned except to individuals, corporations, or associations qualified to acquire or hold lands of the public domain in the Philippines.

SEC. 6. The State may, in the interest of national welfare and defense, establish and operate industries and means of transportation and communication, and, upon payment of just compensation, transfer to public ownership utilities and other private enterprises to be operated by the Government.

Compliments
of

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porary police force, which may be extended to municipalities in provinces other than those therein mentioned (Province of Iloilo not mentioned) if conditions so require for a more effective restoration of peace and maintenance of peace and order in the municipalities concerned, positions of temporary policeman may be created with a nominal compensation of ₱1 per annum, if local funds are not available for the payment of adequate compensation. The municipal mayor may also authorize the head of the temporary police force so established, or a duly authorized representative of the police force to solicit from civic-spirited citizens voluntary aid in the form of cash, rice, or other foodstuffs as compensation for their gratuitous services, but authority to do so should first be secured from this Department and the Office of the President of the Philippines.

In certain meritorious cases, National aid may be granted to municipalities which do not have enough funds for the salary of additional positions of policeman, but because of the un-

certainty of such aids, it is always advisable for such municipalities needing additional positions of policeman to look for sources other than National aid. The province may also give aid to the municipalities for peace and order campaign including salaries of policemen.

"Paragraph No. 5 of Executive Order No. 175, series of 1938, provides that: 'In case of emergency, the governor may, in consultation with the provincial inspector, mobilize policemen from different municipalities to cope with the situation, and immediately advise the President of the Philippines thereof, giving full details as to the reasons for the mobilization, and municipalities affected, the number of policemen mobilized, and other pertinent information; but no chief of police or policeman shall be mobilized from his municipality to another for a period longer than fifteen days without the express authority of the President. All expenses in connection with such mobilization shall be paid from provincial funds.'—*Letter of Sec. of the Int., dated Dec. 29, 1948, to the Prov. Gov. of Iloilo.*