

MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 238

AUTHORIZING, UNTIL FURTHER ORDERS, THE SECRETARY TO THE PRESIDENT OF THE PHILIPPINES TO ALLOCATE AND REALLOCATE THE QUOTAS FOR ALL ARTICLES ESTABLISHED FOR THE PHILIPPINES BY PUBLIC ACT NO. 127 OF THE CONGRESS OF THE UNITED STATES, APPROVED MARCH 24, 1934, AS AMENDED, AND TO ISSUE EXPORT PERMITS THEREFOR.

WHEREAS, pursuant to the provisions of section 6 of Public Act No. 127 of the Congress of the United States, approved March 24, 1934, as amended by Public Act No. 300, approved August 7, 1939, the Government of the Commonwealth of the Philippines is authorized to allocate and reallocate the quotas for all articles established for the Philippines under the terms thereof; and

WHEREAS, Commonwealth Act No. 510, approved November 14, 1939, authorizes the President of the Philippines, either directly or through any department, bureau, office or instrumentality of the National Government which he may designate for the purpose, to make the allocation and reallocation of the quotas established for the Philippines by said Public Act No. 127, as amended, and to issue and promulgate such rules and regulations as may be necessary for the proper allocation, reallocation and administration of said quotas;

Therefore, pursuant to the authority herein stated, it is hereby ordered that:

1. The allocation and reallocation of the quotas for all articles established for the Philippines under the terms of Public Act No. 127 of the Congress of the United States, approved March 24, 1934, as amended by Public Act No. 300, approved August 7, 1939, shall, until further orders, be under the charge of the Secretary to the President of the Philippines who is hereby authorized to appoint, subject to such approval as may be required by law or regulation, such technical, clerical and other personnel as may be necessary for the effective performance of the duties which shall devolve upon him under the provisions of this Order.

2. By virtue of this designation, the Secretary to the President shall, in addition to his present duties, make the allocation and reallocation of the quotas for all articles, except sugar, established for the Philippines by said Public Act No. 127, as amended, among the manufacturers thereof and on the bases specified in said Act, and shall enforce such rules and regulations as may be issued and promulgated by the President of the Philippines for the purpose.

In the exercise of his powers and duties under this Order, the Secretary to the President shall issue export permits covering shipments to the United States of all articles, except sugar, in respect of which quotas are established for the Philippines by the Acts hereinabove mentioned, and may charge for the issuance of such permits such fees as shall be determined by the President. The amount so collected shall be kept as a special fund to be expended by the Secretary to the President for the enforcement of this Order.

3. No person, firm, corporation or combination thereof shall ship or export to the United States any of the articles, except sugar, in respect of which quotas are established for the Philippines by said

Acts, unless the same are covered by permits issued, upon proper application, by or under the authority of the Secretary to the President of the Philippines.

4. The Insular Collector of Customs shall, on or after January 1, 1940:

(a) Prevent the loading of any article of a class or kind in respect of which a quota is established by Public Act No. 127 of the Congress of the United States, approved March 24, 1934, as amended, except sugar, on any high seas vessel on or after January 1, 1940, for shipment to the United States unless the number, quantity, or net weight of such article, as the case may be, is fully covered by permits for an equivalent number, quantity, or net weight of the class of such article issued by the Secretary to the President under the provisions of this Order;

(b) Collect and cancel by perforation all permits as described in paragraph (a), above, immediately after the article covered is placed aboard vessel;

(c) Cause to be made on a special form to be provided for that purpose, a record of each shipment made under permit, said report to include:

(i) An abstract of the bill of lading and invoice covering the shipment and containing the following information:

- (1) Name of consignor;
- (2) Name of consignee;
- (3) Number, quantity, or net weight in pounds of the article;
- (4) Date of completion of loading the article on vessel;
- (5) Name of vessel;
- (6) Name of shipping line or company operating vessel;
- (7) Port or subport of loading;
- (8) Port at which vessel cleared from Philippine waters;
- (9) Date of clearance from Philippine waters;
- (10) Ports of call in the United States prior to unloading; and
- (11) Port of discharge.

(ii) A list of the serial numbers, numbers, quantities and net weights appearing on permits or coupons of permits covering the shipment.

(d) Certify and dispose of copies of the list prescribed in paragraph (c), above, in the following manner:

(i) The original to be certified and, together with the cancelled permits pertinent to the shipment concerned, to be forwarded immediately to the Office of the Secretary to the President;

(ii) The duplicate to be certified and attached to the certificate of origin;

(iii) Such additional copies as may, in the opinion of the Insular Collector of Customs, be desired to conform to the practices and requirements of commerce and navigation.

5. The allocation and reallocation of quotas for sugar exported to the United States shall continue to be undertaken by the Philippine Sugar Administration and shall continue to be governed by existing laws, rules and regulations applicable thereto.

Done at the City of Manila, this fourteenth day of December, in the year of Our Lord, nineteen hundred and thirty-nine, and of the Commonwealth of the Philippines, the fifth.

MANUEL L. QUEZON
President of the Philippines

By the President:
JORGE B. VARGAS
Secretary to the President

Source: Presidential Museum and Library

Bureau of Printing. (1941). Executive Order No. 238. *Messages of the President*, 5(1), 939.