

FOURTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

7 JUL -2 AIC :27

SENATE

RECEIVED BY: 

S.B. No. 345

Introduced by Senator JINGGOY EJERCITO ESTRADA

EXPLANATORY NOTE

Presidential Decree No. 26 dated 21 October 1972 extends franking privilege to judicial tribunals, one of which was the Court of Industrial Relations (CIR), with respect to correspondence connected with judicial proceedings. This is to enable said court to act swiftly, since one of the causes for the delay of judicial proceedings is the lack of postage stamps.

Two years after, the National Labor Relations Commission (NLRC) was created under PD 442 on November 1, 1974 and, in effect, abolished the Court of Industrial Relations and the interim NLRC. However, the NLRC inherited the same functions and adjudicatory jurisdiction of the abolished agencies.

The foregoing is even bolstered by the fact that the abolished CIR which was then handling similar cases and exercising similar functions as what the NLRC under PD 442 is handling and exercising right now, was categorically classified as a "court of justice" in the landmark case of Metropolitan Transportation Service vs. Parades et al., G.R. No. L-1232, January 12, 1948.

Indeed, the grant of franking privilege would be of great help to the NLRC considering that its funds basically depend upon the appropriated budget and it is not allowed to disburse any income it may earn. Earnings of the NLRC are remitted to the National Treasury.


On the basis of the foregoing observation, early passage of the bill is hereby earnestly sought.


JINGGOY EJERCITO ESTRADA
Senator

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**AN ACT GRANTING FRANKING PRIVILEGE TO THE NATIONAL LABOR
RELATIONS COMMISSION AND FOR OTHER PURPOSES**

*Be it enacted by the Senate and House of Representatives of the Philippines in
Congress assembled:*

SECTION 1. This Act shall be known as "*NLRC Franking Privilege Act.*"

SEC. 2. All official communications and papers of the National Labor Relations Commission (NLRC) addressed for delivery within the Philippines shall be received, transmitted and delivered in the mails of the Philippines free of postage: *Provided*, that such privilege shall only be utilized to assist and expedite the conduct of the official businesses, activities and duties of the National Labor Relations Commission and shall not be used for matters which are of a purely personal nature.

SEC. 3. All official mail matters availing of this franking privilege must be sealed in an official envelope or wrapper indicating therein the name of the National Labor Relations Commission with its official seal on the upper left hand corner and the printed penalty clause on the lower right hand corner which reads: "Private or unauthorized use to avoid payment of postage is penalized by fine or imprisonment or both."

SEC. 4. There is hereby appropriated annually, out of any funds in the National Treasury not otherwise appropriated, such sums as may be necessary to carry out the purposes of this Act.

SEC. 5. The National Labor Relations Commission shall issue the necessary rules and regulations to implement this Act.

SEC. 6. Penal Provision. - Any person who shall violate the provisions of this Act shall be punished by a fine of not less than Five Thousand Pesos (Php5,000.00) nor more than Ten Thousand Pesos (Php10,000.00) and/or imprisonment of not less than One (1) month nor more than Six (6) Months or both such fine and imprisonment, at the discretion of the Court. Prosecution under this provision shall preclude prosecution for the same act under the Revised Penal Code, and vice versa.

SEC. 7. Separability Clause. - All laws, decrees, executive orders, rules and regulations, or parts hereof inconsistent with the provision of this Act are hereby repealed, amended or modified accordingly.

SEC. 8. Effectivity. - This Act shall take effect after fifteen (15) days following the completion of its publication in the *Official Gazette* or in at least two (2) newspapers of general circulation.

APPROVED,