

LEGISLATION

SECOND CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Fourth Session)

H. No. 2855

[REPUBLIC ACT No. 946]

AN ACT TO PROHIBIT LABOR ON SUNDAY, CHRISTMAS DAY, NEW YEAR'S DAY, HOLY THURSDAY AND GOOD FRIDAY.

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

SECTION 1. Except as herein otherwise provided, no commercial, industrial or agricultural enterprise or establishment, including stores and shops of any kind, shall be open on any Sunday, Christmas Day, New Year's Day, Holy Thursday, and Good Friday, from 12:00 midnight to 12:00 midnight.

SEC. 2. Except also as herein otherwise provided, no construction or repair of any building or other kind of structure, and no public works whatsoever shall be undertaken on such holidays during the same period of time.

SEC. 3. The following establishments and undertakings are excepted from the provisions of this Act: Hospitals, dispensaries, medical and dental clinics, drug stores, stevedoring and arrastre, public utilities, including loading and unloading of cargoes, finishing and

curing of fish, cattle raising and dairy, poultry, amusement enterprises, printing and sale of periodicals, government and private telecommunications, activity connected with the embalming and burial of persons, domestic service, driving vehicles, restaurants or eating and/or drinking establishments, markets, fairs, "talipapas", "tiangues", and "saods" or "tabos": *Provided, however,* That no cockfighting, Jai Alai games, or horse racing shall be held or non-religious motion picture exhibitions or theatrical performances made on Holy Thursday and Good Friday.

SEC. 4. In cases where the work is not susceptible of interruption or is so indispensable that it cannot be delayed without causing serious prejudice or obstruction to the business of a particular enterprise or establishment, the Secretary of Labor is authorized to broaden the exceptions established in the preceding section.

Any action taken by the said Secretary under this section shall be appealable by the aggrieved party or by any resident of the Philippines to the President of the Philippines.

SEC. 5. In cases of emergency, when the performance of a particular work is peremptory, the municipal or city mayor, the municipal councilor in the absence of the mayor in the former's jurisdiction, or the barrio lieutenant in the absence of the mayor and councilor within the barrio, may issue written permits allowing such work on any of the holidays mentioned in section one. A copy of such permits shall be furnished to the chief of police and the municipal treasurer of the municipality where the same is issued within five days after the issuance thereof.

SEC. 6. It shall be unlawful for any employer to reduce the compensation of any of his employees or laborers by reason of the provisions of this Act.

SEC. 7. The Secretary of Labor shall issue such rules and regulations as may be necessary to carry out the provisions of this Act.

SEC. 8. Any violation of this Act or of the rules and regulations issued thereunder shall be punished by a fine not exceeding one hundred pesos or imprisonment for not more than one month, or both, in the discretion of the court. If any violation of this Act is committed by an association or corporation, the manager or, in his default, the person acting as such when the violation took place shall be held criminally liable. In the case of the government corporation, the managing head shall be held criminally liable, except

when it is shown that the violation was due to an act or commission of some other person, over whom the former has no control, in which case the said person who is responsible for the violation shall be held criminally liable. If any alien commits a violation of this Act for the second time, the court shall order his immediate deportation.

SEC. 9. Except as provided in this Act, all the laws relative to cockfighting, horse racing, Jai Alai, games and motion picture exhibitions shall continue in force and effect.

SEC. 10. This Act shall take effect ninety days after its approval.

Approved, June 20, 1953.

RULES AND REGULATIONS TO IMPLEMENT REPUBLIC ACT No. 946, OTHERWISE KNOWN AS THE BLUE SUNDAY LAW.

Pursuant to the authority vested in the Secretary of Labor by Section 8 of Republic Act No. 946, entitled "AN ACT TO PROHIBIT LABOR ON SUNDAY, NEW YEAR'S DAY, HOLY THURSDAY, GOOD FRIDAY AND CHRISTMAS DAY," I hereby promulgate the following rules and regulations to implement the provisions of said Act.

CHAPTER I.—DEFINITIONS

SEC. 1. *Definitions.*—The following words, terms and phrases as used herein or in the law shall have the meanings applied to them in this chapter except when the context clearly indicates otherwise.

(a) "Agricultural enterprise" is one engaged in farming in all its branches, which include, among other things, the cultivation and tillage of the soil, dairying, the production, cultivation, growing and harvesting of any agricultural or horticultural commodities, raising of livestock or poultry and any practices in conjunction with such farming operation, but does not include the manufacturing or processing of sugar, coconuts, abaca, tobacco, pineapples or other farm products.

(b) "Building," as now generally used, is an edifice, framed or constructed, designed to stand more or less permanently, covering a space of land, for use as a dwelling, storehouse, factory, shelter for beasts, or some other useful purposes.

(c) "Commercial enterprise" includes all activities relating to business intercourse.

(d) "Construction" is the process of putting together the constituent parts of something in their proper place or order; building.

(e) "Driving vehicles" refers to driving of conveyances other than public utilities.

(f) "Emergency" is an unforeseen combination of circumstances which calls for immediate action.

(g) "Fair"—festival and sale of fancy articles, etc., usually for some charitable object; a competitive exhibition of wares, farm products, etc., not primarily for purposes of sale, and usually with premiums for excellence.

(h) "Industrial enterprise" is an undertaking or hazard in any department or branch of art, occupation or business, specially one which employs much labor and capital, and is a distinct branch of trade.

(i) "Market" is a public place where residents of a locality customarily congregate for the purchase of provisions specially raw foodstuffs.

(j) "Market day" is a day when local and outside merchants (hawkers) and farmers customarily congregate in the market place of a municipality to sell their wares and products. Each municipality has usually a market day different from those of other towns. It is known as "baraca" in Batangas and Cavite; "tiangue" in Bulacan, Rizal, and Western Visayas; "mercado" in other Tagalog provinces; "aldao ti tienda," among the Ilocanos; "agaue na tienda," in Pangasinan; "saod," in the Bicol provinces; and "tabo" in other Visayan provinces and in Mindanao.

(k) "Midnight to midnight" is the period of time, generally consisting of twenty-four (24) hours and constituting the computation of one day, from 12 o'clock midnight, or middle of the night, till the following 12 o'clock midnight.

(l) "Opening an establishment or store" is rendering said enterprise available or accessible for trade, although its doors may not actually be open.

(m) "Peremptory"—imperative, urgent, pressing or unavoidable.

(n) "Public works" refers to those public undertakings borne at government expense.

(o) "Repair" signifies the restoration to a sound or good state of a building or other kind of structure after partial decay, injury, dilapidation, or destruction.