

MALACAÑAN PALACE  
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 192

REPRIMANDING SUGAR QUOTA ADMINISTRATOR VICENTE G. BUNUAN.

This is an administrative case against Sugar Quota Administrator Vicente G. Bunuan concerning his actions in connection with the issuance by him of certain orders regarding "C" sugar.

On January 3, 1952, respondent was instructed by my office that "sugar produced by individual regular quota planters or millers, in excess of their total 'A' or U. S. export and 'B' or domestic allotments, and sugar produced by non-quota planters, known as emergency planters, may be considered 'C' or reserve sugar to be used by the holder of the quota thereof during the 1951-52 crop year, for export to the United States or to countries other than the United States, or to fill shortages in domestic allotments." He was also instructed to "advise the Export Control Committee of the exportable 'C' sugar as above described which should be taken only from the sugar crop of 1951-52 and from the sugar that has automatically become non-status sugar from the 1950-51 crop."

It appears, however, that in implementing the above directive respondent provided in his Sugar Order No. 4, dated January 18, 1952, that non-status sugar from the 1950-51 crop should be considered part of the 1951-52 crop of the planter or miller thereof for the purpose of filling up completely his or its "A" and "B" quotas, after which any excess should be considered as "C" sugar and available for export or for the filling of shortages in domestic allotments. This was in contravention of my instruction, his order having the effect of diminishing, if not eliminating, the available "C" sugar.

Explaining his failure to consult my office before issuing Sugar Order No. 4, respondent stated that he thought he was merely following the directive, that he had sufficient discretion in the premises and that said order was approved by the Secretary of Commerce and In-

dustries. As his order withdrew from availability for exportation to countries other than the United States, a portion however negligible, of non-status and, what is more important, as the matter involved a national policy, the more discreet course for him to have taken, before issuing the disputed order, was to ascertain from my office the correctness of his interpretation of the instructions given him. His omission to do what was reasonably expected of him amounts to negligence in the performance of his duties. Considering, however, that respondent appears to have acted in good faith, he deserves some measure of leniency.

Wherefore, Mr. Vicente G. Bunuan is hereby reprimanded and warned to be more careful in the discharge of his duties in the future; otherwise, a more drastic action will be taken against him in case of repetition of the same or similar irregularity. His suspension is hereby lifted and he is reinstated in office, effective as of August 9, 1952, without right to receive salary equivalent to one month's pay during the period of his suspension.

Done in the City of Manila, this 10th day of Sept., in the year of Our Lord, nineteen and fifty-two, and of the Independence of the Philippines, the seventh.

(SGD.) ELPIDIO QUIRINO  
President of the Philippines

By the President:

(SGD.) MARCIANO ROQUE  
Acting Executive Secretary

gpb  
9-12-52