

24

BY-LAWS  
OF THE  
METROPOLITAN WATERWORKS AND SEWERAGE SYSTEM

Pursuant to Section 3(b) and Sections 4 and 6 of Republic Act No. 6234, as amended by Presidential Decree Nos. 425, 1269 and 1406, Executive Order No. 796, Presidential Decree No. 1940 and Executive Order No. 1036, the Board of Trustees of the Metropolitan Waterworks and Sewerage System hereby promulgates the following By-Laws and adopts internal procedures, as set hereunder, for the Metropolitan Waterworks and Sewerage System hereinafter referred to, interchangeably, as "the System" or "the MWSS".

ARTICLE I

Section 1. Incidental Powers of the System - The System shall, in addition to the functions and powers specifically enumerated in Section 3 of Republic Act No. 6234, as amended, have the following incidental powers which shall be exercised through the Board of Trustees:

- (a) Generally, to exercise all the powers of a corporation under the Corporation Law insofar as they are not inconsistent with the provisions of Republic Act No. 6234, as amended;
- (b) To do such other acts and to transact all such business directly or indirectly necessary, incidental or conducive to the attainment of the functions of the System; and
- © To administer and control the National Waterworks Fund.

ARTICLE II

Section 1. The Board of Trustees; Additional Powers and Duties - The MWSS Board of Trustees shall exercise the corporate powers and perform the functions of the System as prescribed in Section 3 of Republic Act No. 6234, as amended, and Article I of these By-Laws. To this end, in addition to the specific power and functions of the Board as enumerated in Section 4 of Republic Act No. 6234, as amended, and in other Sections thereof, it shall likewise have the following powers and duties:

the Government in general, as may be required by the exigencies of the System; and

- (k) To issue such rules and regulations and to exercise such powers and to perform such duties as may reasonably be necessary in the conduct of the business of the System.

Section 2. Method of Performance – The Board shall exercise and perform its duties by the adoption of resolutions and/or directives. The Trustees shall collectively act only as a Board; and an individual Trustee shall have no power as such unless he, singly or through a committee, is expressly given authority by the Board to act for and on its behalf.

Section 3. Meetings – The regular meetings of the Board shall be held without notice every second and fourth Thursdays of the month at 8:00 a.m. and, if a legal holiday, on the next business day thereafter, at the Main Office of the System or at such other place or places as the Board may from time to time designate. The date of the regular meeting may be advanced or postponed at the convenience of the Board. Special meetings may be held any time as the exigencies of the service may warrant.

The Chairman shall preside over all regular and special meetings of the Board, and, in case of his absence or disability, the Vice-Chairman shall preside. In the event of the absence or disability of both, the members present may choose from among themselves the one who shall preside.

Section 4. Per Diems and Allowances – For actual attendance at meetings, the Chairman, the Vice-Chairman and the Members of the Board shall each receive a per diem of not less than Five Hundred Pesos for every regular or special meeting; Provided, that the total number of said meetings shall not exceed five a month; Provided, further, that all the members of the Board shall be entitled to reasonable transportation, representation and/or other allowances as shall be fixed by the Board.

Section 5. Order of Business – The order of business of the meetings of the Board shall be as follows:

- (a) Determination of a quorum as the term is defined in Section 6 of Republic Act No. 6234, as amended;
- (b) Reading and confirmation of the minutes of the previous meeting;
- © Action arising from the previous minutes;