**SUPREME COURT**
**EN BANC**

**FREE TELEPHONE WORKERS UNION,**
***Petitioner*,**

***-versus-***

**G.R. No. L-58184**
**October 30, 1981**

**THE HONORABLE MINISTER OF LABOR AND EMPLOYMENT, THE NATIONAL LABOR RELATIONS COMMISSION, and THE PHILIPPINE LONG DISTANCE TELEPHONE COMPANY,**
***Respondents*.**
**x----------x**

**D E C I S I O N**

**FERNANDO, *J.*:**

The constitutionality of the amendment to the Article of the Labor Code regarding strikes "affecting the national interest"[1] is assailed in this petition which partakes of the nature of a prohibition proceeding filed by the Free Telephone Workers Union. As amended, the Article now reads: "In labor disputes causing or likely to cause strikes or lockouts adversely affecting the national interest, such as may occur in but not limited to public utilities, companies engaged in the generation or distribution of energy, banks, hospitals, and those

within export processing zones, the Minister of Labor and Employment may assume jurisdiction over the dispute and decide it or certify the same to the Commission for compulsory arbitration. Such assumption or certification shall have the effect of automatically enjoining the intended or impending strike or lockout. If one has already taken place at the time of assumption or certification, all striking or locked out employees shall immediately return to work and the employers shall immediately resume operations and readmit all workers under the same terms and conditions prevailing before the strike or lockout. The Minister may seek the assistance of law enforcement agencies to ensure compliance with this provision as well as with such orders as he may issue to enforce the same."[2] It is the submission of petitioner labor union that "Batas Pambansa Blg. 130 in so far as it amends Article 264 of the Labor Code delegating to the Honorable Minister of Labor and Employment the power and discretion to assume jurisdiction and/or certify strikes for compulsory arbitration to the National Labor Relations Commission, and in effect make or unmake the law on free collective bargaining, is an undue delegation of legislative powers."[3] There is likewise the assertion that such conferment of authority "may also ran (sic) contrary to the assurance of the State to the workers' right to self-organization and collective bargaining."[4]

On the CRUCIAL ISSUE PRESENTED; THE COURT holds that petitioner was not able to make out a case of an undue delegation of legislative power. There could be, however, an unconstitutional application. For while the Constitution allows compulsory arbitration, it must be stressed that the exercise of such competence cannot ignore the basic fundamental principle and state policy that the state should afford protection to labor.[5] Whenever, therefore, it is resorted to in labor disputes causing or likely to cause strikes or lockouts affecting national interest, the State still is required to "assure the rights of workers to self-organization, collective bargaining, security of tenure, and just and humane conditions of work."[6] At this stage of the litigation, however, in the absence of factual determination by the Ministry of Labor and the National Labor Relations Commission, this Court is not in a position to rule on whether or not there is an unconstitutional application. There was not even a categorical assertion to that effect by petitioner's counsel which was indicative of the care in his choice of words. He only assumed that the conferment

of such authority may run counter to the right of the workers to self-organization and collective bargaining. The petition then cannot prosper.

The facts alleged in the petition relevant for the purpose of determining whether or not there is an undue delegation of legislative power do not sustain the claim of petitioner union. On September 14, 1981, there was a notice of strike with the Ministry of Labor for unfair labor practices stating the following grounds: "1) Unilateral and arbitrary implementation of a Code of Conduct, a copy of which is attached, to the detriment of the interest of our members; 2) Illegal terminations and suspensions of our officers and members as a result of the implementation of said Code of Conduct; and 3) Unconfirmation (sic) of call sick leaves and its automatic treatment as Absence Without Official Leave of Absence (AWOL) with corresponding suspensions, in violation of our Collective Bargaining Agreement.[7] After which came, on September 15, 1981, the notification to the Ministry that there was compliance with the two-thirds strike vote and other formal requirements of the law and Implementing Rules.[8] Several conciliation meetings called by the Ministry followed, with petitioner manifesting its willingness to have a revised Code of Conduct that would be fair to all concerned but with a plea that in the meanwhile the Code of Conduct being imposed be suspended — a position that failed to meet the approval of private respondent.[9] Subsequently, respondent, on September 25, 1981, certified the labor dispute to the National Labor Relations Commission for compulsory arbitration and enjoined any strike at the private respondent's establishment.[10] The labor dispute was set for hearing by respondent National Labor Relations Commission on September 28, 1981.[11] There was in the main an admission of the above relevant facts by public respondents. Private respondent, following the lead of petitioner labor union, explained its side on the controversy regarding the Code of Conduct, the provisions of which as alleged in the petition were quite harsh, resulting in what it deemed indefinite preventive suspension — apparently the principal cause of the labor dispute. At this stage, as mentioned, it would be premature to discuss the merits, or lack of it, of such claim, the matter being properly for the Ministry of Labor to determine.

The very next day after the filing of the petition, to be exact on September 29, 1981, this Court issued the following resolution: "Considering the allegations contained, the issues raised and the arguments adduced in the Petition for *Certiorari* with prayer for a restraining order, the Court Resolved to (a) require the respondents to file an [answer], not a motion to dismiss, on or before Wednesday, October 7, 1981; and (b) [Set] this case for hearing on Thursday, October 8, 1981 at 11:00 o'clock in the morning."[12] After the parties were duly heard, Solicitor General Estelito P. Mendoza[13] appearing for the public respondents, the case was considered ripe for decision.[14]

To repeat, while the unconstitutionality of the amendatory act has not been demonstrated, there is no ruling on the question of unconstitutional application, especially so as to any alleged infringement in the exercise of the power of compulsory arbitration of the specific modes provided in the Constitution to assure compliance with the constitutional mandate to "afford protection to labor" being at this stage premature.

1. The allegation that there is undue delegation of legislative powers cannot stand the test of scrutiny. The power which he would deny the Minister of Labor by virtue of such principle is for petitioner labor union within the competence of the President, who in its opinion can best determine national interests, but only when a strike is in progress.[15] Such admission is qualified by the assumption that the President "can make law," an assertion which need not be passed upon in this petition. What possesses significance for the purpose of this litigation is that it is the President who "shall have control of the ministries."[16] It may happen, therefore, that a single person may occupy a dual position of Minister and Assemblyman. To the extent, however, that what is involved is the execution or enforcement of legislation, the Minister is an official of the executive branch of the government. The adoption of certain aspects of a parliamentary system in the amended Constitution does not alter its essentially presidential character. Article VII on the presidency starts with this provision: "The President shall be the head of state and chief executive of the Republic of the Philippines."[17] Its last section is an even more emphatic affirmation that it is a presidential system that obtains in

our government. Thus: "All powers vested in the President of the Philippines under the 1935 Constitution and the laws of the land which are not herein provided for or conferred upon any official shall be deemed and are hereby vested in the President unless the Batasang Pambansa provides otherwise."[18] There is a provision, of course, on the Prime Minister, but the Constitution is explicit that while he shall be the head of the Cabinet, it is the President who nominates him from among the members of the Batasang Pambansa, thereafter being "elected by a majority of all the members thereof."[19] He is primarily, therefore, a Presidential choice. He need not even come from its elected members. He is responsible, along with the Cabinet, to the Batasang Pambansa for the program of government but as "approved by the President."[20] His term of office as Prime Minister "shall commence from the date of his election by the Batasang Pambansa and shall end on the date that the nomination of his successor is submitted by the President to the Batasang Pambansa. Any other member of the Cabinet or the Executive Committee may be removed at the discretion of the President."[21] Even the duration of his term then depends on the Presidential pleasure, not on legislative approval or lack of it. During his incumbency, he exercises supervision over all ministries,[22] a recognition of the important role he plays in the implementation of the policy of the government, the legislation duly enacted in pursuance thereof, and the decrees and orders of the President. To the Prime Minister can thus be delegated the performance of the administrative functions of the President, who can then devote more time and energy in the fulfillment of his exacting role as the national leader.[23] As the only one whose constituency is national it is the President who, by virtue of his election by the entire electorate, has an indisputable claim to speak for the country as a whole. Moreover, it is he who is explicitly granted the greater power of control of such ministries. He continues to be the Executive, the amplitude and scope of the functions entrusted to him in the formulation of policy and its execution leading to the apt observation by Laski that there is not one aspect of which that does not affect the lives of all. The Prime Minister can be of valuable assistance indeed to the President in the discharge of his awesome responsibility, but it is the latter who is vested with powers, aptly characterized by Justice Laurel in Planas vs. Gil,[24] as "broad and extraordinary [being] expected to

govern with a firm and steady hand without vexation or embarrassing interference and much less dictation from any source."[25] It may be said that Justice Laurel was referring to his powers under the 1935 Constitution. It suffices to refer anew to the last section of the article of the present Constitution on the presidency to the effect that all powers vested in the President of the Philippines under the 1935 Constitution remain with him. It cannot be emphasized too strongly that under the 1935 Constitution "The Executive power shall be vested in the President of the Philippines."[26]

2. A later decision, Villena vs. Secretary of Interior,[27] is of greater relevance to this case. The opinion of Justice Laurel, again the ponente, made clear that under the presidential system, "all executive and administrative organizations are adjuncts of the Executive Department, the heads of the various executive departments are assistants and agents of the Chief Executive, and, except in cases where the Chief Executive is required by the Constitution or the law to act in person or the exigencies of the situation demand that he act personally, the multifarious executive and administrative functions of the Chief Executive are performed by and through the executive departments, and the acts of the secretaries of such departments, performed and promulgated in the regular course of business, are, unless disapproved or reprobated by the Chief Executive, presumptively the acts of the Chief Executive."[28] At the time of the adoption of the present Constitution on January 17, 1973, this Court had cited with approval the above ruling of Villena. In twelve cases.[29] It is particularly noteworthy that the first decision promulgated under the present Constitution reiterating the above doctrine is Philippine American Management Co. vs. Philippine American Management Employees Association.[30] For the question therein involved, as in this case, is the statutory grant of authority to the then Secretary of Labor, now Minister of Labor, by the Minimum Wage Law to refer to the then existing Court of Industrial Relations for arbitration the dispute that led to a strike. It is undisputable, according to the opinion, that in the very petition, the Secretary of Labor on January 6, 1972, pursuant to the Minimum Wage Law, "endorsed the controversy on the precise question of whether or not petitioner Philippine American

Management Company was complying with its mandatory terms. What was done by him, as a department head, in the regular course of business and conformably to a statutory provision is, according to settled jurisprudence that dates back to an authoritative pronouncement by Justice Laurel in 1939 in Villena vs. Secretary of the Interior, presumptively the act of the President, who is the only dignitary who could, paraphrasing the language of the decision, disapprove or reprobate it. What other response could be legitimately expected from respondent Court then? It could not just simply fold its hands and refuse to pass on the dispute."[31] The Villena doctrine was stressed even more in denying a motion for reconsideration by a more extensive citation from the ponencia of Justice Laurel: "Without minimizing the importance of the heads of the various departments, their personality is in reality but the projection of that of the President. Stated otherwise, and as forcibly characterized by Chief Justice Taft of the Supreme Court of the United States, 'each head of a department is, and must be, the President's alter ego in the matters of that department where the President is required by law to exercise authority.' Secretaries of departments, of course, exercise certain powers under the law but the law cannot impair or in any way affect the constitutional power of control and direction of the President. As a matter of executive policy, they may be granted departmental autonomy as to certain matters but this is by mere concession of the executive, in the absence of valid legislation in the particular field. If the President, then, is the authority in the Executive Department, he assumes the corresponding responsibility. The head of a department is a man of his confidence; he controls and directs his acts; he appoints him and can remove him at pleasure; he is the executive, not any of his secretaries. It is therefore logical that he, the President, should be answerable for the acts of administration of the entire Executive Department before his own conscience no less than before that undefined power of public opinion which, in the language of Daniel Webster, is the last repository of popular government."[32] So it should be in this case.

3. Even on the assumption, indulged in solely because of the claim earnestly and vigorously pressed by counsel for petitioner, that the authority conferred to the Minister of Labor partakes of a

legislative character, still no case of an unlawful delegation of such power may be discerned. That is the teaching from Edu vs. Ericta.[33] Thus: "What cannot be delegated is the authority under the Constitution to make laws and to alter and repeal them; the test is the completeness of the statute in all its term and provision when it leaves the hands of the legislature. To determine whether or not there is an undue delegation of legislative power, the inquiry must be directed to the scope and definiteness of the measure enacted. The legislature does not abdicate its functions when it describes what job must be done, who is to do it, and what is the scope of his authority. For a complex economy, that may indeed be the only was in which the legislative process can go forward. A distinction has rightfully been made between delegation of power to make the laws which necessarily involves a discretion as to what it shall be, which constitutionally may not be done, and delegation of authority or discretion as to its execution to be exercised under and in pursuance of the law to which no valid objection can be made. The Constitution is thus not to be regarded as denying the legislature the necessary resources of flexibility and practicability. To avoid the taint of unlawful delegation, there must be a standard, which implies at the very least that the legislature itself determines matters of principle and lays down fundamental policy. Otherwise, the charge of complete abdication may be hard to repel. A standard thus defines legislative policy, marks its limits, maps out its boundaries and specifies the public agency to apply it. It indicates the circumstances under which the legislative command is to be effected. It is the criterion by which legislative purpose may be carried out. Thereafter, the executive or administrative office designated may in pursuance of the above guidelines promulgate supplemental rules and regulations. The standard may be either express or implied. If the former, the non-delegation objection is easily met. The standard though does not have to be spelled out specifically. It could be implied from the policy and purpose of the act considered as a whole. This is to adhere to the recognition given expression by Justice Laurel in a decision [Pangasinan Transportation vs. Public Service Commission] announced not-too-long after the Constitution came into force and effect that the principle of non-delegation has been made to adapt itself to the complexities of modern governments, giving rise to the adoption, within certain limits, of the principle of "subordinate legislation"

not only in the United States and England but in practically all modern governments.' He continued: 'Accordingly, with the growing complexity of modern life, the multiplication of the subjects of governmental regulation, and the increased difficulty of administering the laws, there is a constantly growing tendency toward the delegation of greater powers by the legislature and toward the approval of the practice by the courts.' Consistency with the conceptual approach requires the reminder that what is delegated is authority non-legislative in character, the completeness of the statute when it leaves the hands of Congress being assumed. Our later decisions speak to the same effect. Thus from Justice J.B.L. Reyes in People vs. Exconde: 'It is well established in this jurisdiction that, while the making of laws is a non-delegable activity that corresponds exclusively to Congress, nevertheless the latter may constitutionally delegate authority to promulgate rules and regulations to implement a given legislation and effectuate its policies, for the reason that the legislature often finds it impracticable (if not impossible) to anticipate and provide for the multifarious and complex situations that may be met in carrying the law into effect. All that is required is that the regulation should be germane to the objects and purposes of the law; that the regulation be not in contradiction with it; but conform to the standards that the law prescribes.'"[34] Batas Pambansa Blg. 130 cannot be any clearer, the coverage being limited to "strikes or lockouts adversely affecting the national interests."

4. The strict rule on non-delegation was enunciated by Justice Laurel in People vs. Vera,[35] which declared unconstitutional the then Probation Act.[36] Such an approach, conceded by some constitutionalists to be both scholarly and erudite, nonetheless aroused apprehension for being too rigid and inflexible. While no doubt appropriate in that particular case, the institution of a new mode of treating offenders, it may pose difficulty for social and economic legislation needed by the times. Even prior to the above-cited Pangasinan Transportation decision, Justice Laurel himself in an earlier decision, People vs. Rosenthal in 1939, promulgated less than two years after Vera, pointed out that such doctrine of non-delegation "has been made to adopt itself to the complexities of modern governments, giving rise to the adoption, within certain

limits, of the principle of 'subordinate legislation' not only in the United States and England but in practically all modern governments. The difficulty lies in the fixing of the limit and extent of the authority. While courts have undertaken to lay down general principles, the safest is to decide each case according to its peculiar environment, having in mind the wholesome legislative purpose intended to be achieved."[37] After which, it came the even more explicit formulation in Pangasinan Transportation appearing in the quoted excerpt from Edu vs. Ericta. There is no question therefore that there is a marked drift in the direction of a more liberal approach. It is partly in recognition of the ever-increasing needs for the type of legislation allowing rule-making in accordance with standards, explicit or implicit, discernible from a perusal of the entire enactment that in Agricultural Credit and Cooperative Financing Administration vs. Confederation of Unions in Government Corporations and Offices[38] the then Justice, now the retired Chief Justice and presently Speaker, Makalintal had occasion to refer to "the growing complexities of society" as well as "the increasing social challenges of the times."[39] It would be self-defeating in the extreme if the legislation intended to cope with the grave social and economic problems of the present and foreseeable future would founder on the rock of an unduly restrictive and decidedly unrealistic meaning to be affixed to the doctrine of non-delegation. Fortunately with the retention in the amended Constitution of some features of the 1973 Constitution as originally adopted leading to an appreciable measure of concord and harmony between the policy-making branches of the government, executive and legislative, the objection on the grounds of non-delegation would be even less persuasive. It is worth repeating that the Prime Minister, while the choice of the President, must have the approval of the majority of all members of the Batasang Pambansa.[40] At least a majority of the cabinet members, the Ministers being appointed by the President, if heads of ministries, shall come from its regional representatives.[41] So, also, while the Prime Minister and the Cabinet are responsible to the Batasang Pambansa for the program of government, it must be one "approved by the President."[42] While conceptually, there still exists a distinction between the enactment of legislation and its execution, between formulation and implementation, the fundamental principle of separation of powers of which non-

delegation is a logical corollary becomes even more flexible and malleable. Even in the case of the United States, with its adherence to the Madisonian concept of separation of powers, President Kennedy could state that its Constitution did not make "the Presidency and Congress rivals for power but partners for progress [with the two branches] being trustees for the people, custodians of their heritage."[43] With the closer relationship provided for by the amended Constitution in our case, there is likely to be even more promptitude and dispatch in framing the policies and thereafter unity and vigor in their execution. A rigid application of the non-delegation doctrine, therefore, would be an obstacle to national efforts at development and progress. There is accordingly more receptivity to laws leaving to administrative and executive agencies the adoption of such means as may be necessary to effectuate a valid legislative purpose. It is worth noting that a highly-respected legal scholar, Professor Jaffe, as early as 1947, could speak of delegation as the "dynamo of modern government."[44] He then went on to state that "the occasions for delegating power to administrative offices [could be] compassed by a single generalization."[45] Thus: "Power should be delegated where there is agreement that a task must be performed and it cannot be effectively performed by the legislature without the assistance of a delegate or without an expenditure of time so great as to lead to the neglect of equally important business. Delegation is most commonly indicated where the relations to be regulated are highly technical or where their regulation requires a course of continuous decision."[46] His perceptive study could rightfully conclude that even in a strictly presidential system like that of the United States, the doctrine of non-delegation reflects the American "political philosophy that insofar as possible issues be settled [by legislative bodies], an essentially restrictive approach" may ignore "deep currents of social force."[47] In plainer terms, and as applied to the Philippines under the amended Constitution with the close ties that bind the executive and legislative departments, certain features of parliamentarism having been retained, it may be a deterrent factor to much-needed legislation. The spectre of the non-delegation concept need not haunt, therefore, party caucuses, cabinet sessions or legislative chambers.

5. By way of summary, this Court holds that Batas Pambansa Blg. 130 insofar as it empowers the Minister of Labor to assume jurisdiction over labor disputes causing or likely to cause strikes or lockouts adversely affecting the national interest and thereafter decide it or certify the same to the National Labor Relations Commission is not on its face unconstitutional for being violative of the doctrine of non-delegation of legislative power. To repeat, there is no ruling on the question of whether or not it has been unconstitutionally applied in this case, for being repugnant to the regime of self-organization and free collective bargaining, as on the facts alleged, disputed by private respondent, the matter is not ripe for judicial determination. It must be stressed anew, however, that the power of compulsory arbitration, while allowable under the Constitution and quite understandable in labor disputes affected with a national interest, to be free from the taint of unconstitutionality, must be exercised in accordance with the constitutional mandate of protection to labor. The arbiter then is called upon to take due care that in the decision to be reached, there is no violation of "the rights of workers to self-organization, collective bargaining, security of tenure, and just and humane conditions of work."[48] It is of course manifest that there is such unconstitutional application if a law "fair on its face and impartial in appearance [is] applied and administered by public authority with an evil eye and an unequal hand."[49] It does not even have to go that far. An instance of unconstitutional application would be discernible if what is ordained by the fundamental law, the protection of labor, is ignored or disregarded.

**WHEREFORE**, the Petition is dismissed for lack of merit. During the pendency of the compulsory arbitration proceedings, both petitioner labor union and private respondent are enjoined to good-faith compliance with the provisions of Batas Pambansa Blg. 130. No costs.

**Barredo, Makasiar, Concepcion Jr., Fernandez, Guerrero, Abad Santos, de Castro and Melencio-Herrera, *JJ.*, concur. Teehankee, and Aquino, *JJ.*, concur in the result.**

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[1] Article 264, Batas Pambansa Blg. 130.

[2] Ibid.
[3] Petition, 3.
[4] Ibid.
[5] The first sentence of Article II, Sec. 9 of the Constitution reads as follows: "The State shall afford protection to labor, promote full employment and equality in employment, ensure equal work opportunities regardless of sex, race, or creed, and regulate the relations between workers and employers.
[6] Ibid, second sentence.
[7] Petition, par. 9.
[8] Ibid, par. 9, obviously a failure to number the paragraph correctly.
[9] Ibid, par. 10 [11].
[10] Ibid, par. 11 [12].
[11] Ibid, par. 12 [13].
[12] Resolution dated September 29, 1981.
[13] He was assisted by Assistant Solicitor General Reynato S. Puno and Solicitor Jesus V. Diaz.
[14] Subsequently in view of an ex-parte motion which was for the issuance of a temporary restraining order by private respondent with an opportunity granted to the petitioner to comment , this Court on October 22, 1981 issued a temporary restraining order limited to "enjoining the union, its officers, directors, stewards and members for engaging and/or continuing to engage in the above-described concerted activities or in any and all forms of work stoppages, slowdowns, mass leaves, sit downs and similar or analogous concerted activities;"
[15] Petition, Argument, IV b.
[16] The 1973 Constitution, Article VII, Sec. 8.
[17] Ibid, Sec. 1.
[18] Ibid, Sec. 16.
[19] Ibid, Article IX, second paragraph of Section 1.
[20] Ibid, Sec. 2.
[21] Ibid, Sec. 4.
[22] According to Article IX, Sec. 10 of the Constitution: "The Prime Minister shall have supervision of all ministries."
[23] Cf. Koenig, The Chief Executive, 158-187 (1964). It is noteworthy that while the American system of government is indisputably Presidential, the author could speak of its President as the Chief Executive.
[24] 67 Phil. 62 (1939).
[25] Ibid, 77.
[26] Article VII, Section 1 of the 1935 Constitution.
[27] 67 Phil. 451 (1939).
[28] Ibid, 463. It is to be noted that even under the 1935 Constitution, the reference was to the Chief Executive.
[29] Cf. Donnelly and Associates vs. Agregado, 95 Phil. 142 (1954); Cabansag vs. Fernandez, 102 Phil. 152 (1957); Collector of Customs vs. Court of Tax Appeals, 102 Phil. 244 (1957); Commissioner of Customs vs. Auyong Hian, 105 Phil. 561 (1959); People vs. Jolliffe, 105 Phil. 677 (1959); Demaisip vs. Court of Appeals, 106 Phil. 237 (1959); Juat vs. Land Tenure

Administration, 110 Phil. 970 (1961); Tulawie vs. Provincial Agriculturist of Sulu, 120 Phil. 595 (1964); Lacson-Magallanes Co. vs. Pano, L-27811, Nov. 17, 1967, 21 SCRA 895; Tecson vs. Salas, L-27524, July 31, 1970, 34 SCRA 275; Lim Sr. vs. Secretary of Agriculture and Natural Resources, L-26990, August 31, 1970, 34 SCRA 751; Barte vs. Dichoso, L-28715, Sept. 28, 1972, 47 SCRA 77.

[30] L-35254, January 29, 1973, 49 SCRA 194.
[31] Ibid, 205.
[32] Philippine American Management Co. vs. Philippine American Management Employees Association, L-35254, May 25, 1973, 51 SCRA 98, 104. Cf. Roque vs. Director of Lands, L-25373, July 1, 1976, 72 SCRA 1.
[33] L-32096, October 24, 1970, 35 SCRA 481.
[34] Ibid, 496-498. In this case, the standard is "public safety." It could be "public welfare," Mun. of Cardona vs. Binangonan, 36 Phil. 547 (1917): "necessary in the interest of law and order," Rubi vs. Prov. Board, 39 Phil. 660 (1919); "public interest," People vs. Rosenthal, 68 Phil. 328 (1939); and "justice and equity and substantial merits of the case," Int. Hardwood vs. Pangil Fed. of Labor 70 Phil. 602 (1940). The Pangasinan Transportation decision is reported in 70 Phil. 221, the excerpt being found in 229, a 1970 decision. People vs. Exconde is reported in 101 Phil. 1125, a 1957 Decision.
[35] 65 Phil. 56 (1937).
[36] Act No. 4221 (1935).
[37] 68 Phil. 328, 343 (1939).
[38] L-21484, November 29, 1969, 30 SCRA 649.
[39] Ibid, 662.
[40] Cf. Article IX, Sec. 1.
[41] Cf. Ibid.
[42] Cf. Ibid, Sec. 2.
[43] Kennedy, the Second State of the Union Message (1962), in Nevins ed., The Burden and the Glory, 3 (1964).
[44] Jaffe, An Essay on Delegation of Legislative Power, 47 Col. Law Review, 359 (1947).
[45] Ibid, 361.
[46] Ibid.
[47] Ibid.
[48] Article II, Section 9 of the Constitution.
[49] Yick Wo vs. Hopkins, 118 US 356, 372 (1886).