Federal Government on and after July 1, 1947, which may have been transferred to general funds, shall be transferred to the special trust fund hereby created; And provided, further, That the payments and disbursements for personal services shall preferentially be made chargeable to this fund; and the Commissioner of Education is hereby authorized and empowered to pay, as he is hereby directed to pay, chargeable to the said fund, any expenditures or obligations heretofore or hereafter incurred for the development of this program for the training of veterans."

Section 2.—All laws or parts of laws in conflict herewith are hereby repealed.

Section 3.—This Act, being of an urgent and necessary character, shall take effect immediately after its approval.

Approved, December 3, 1947.

[No. 2]
[Approved, December 3, 1947]

AN ACT

TO AMEND THE TITLE AND SECTIONS 3 AND 7 OF ACT NO. 417 ENTITLED: "AN ACT TO REGULATE PRIVATE EMPLOYMENT AGENCIES; TO DEFINE CERTAIN PHRASES HEREBIN; TO PROVIDE FOR THE ISSUANCE OF LICENSES TO EMPLOYMENT AGENCIES BY THE COMMISSIONER OF LABOR UPON PAYMENT OF CERTAIN FEES AND THE GIVING OF BOND; TO FIX THE DUTIES, POWERS, AND PRIVILEGES OF THE COMMISSIONER OF LABOR AND HIS SUBORDINATES IN CONNECTION WITH THIS ACT; TO DETERMINE THE FEES TO BE CHARGED BY EMPLOYMENT AGENCIES; TO DETERMINE THE RESPONSIBILITY AND DUTIES OF PERSONS WHO DO NOT COMPLY WITH THEIR PROVISIONS OR ORDERS OR WHO VIOLATE THE TERMS OF THIS ACT; TO EMPOWER THE COMMISSIONER OF LABOR TO ADOPT RULES AND REGULATIONS NECESSARY TO EFFECTUATE THE PROVISIONS OF THIS ACT, AND FOR OTHER PURPOSES," APPROVED MAY 14, 1947.

Be it enacted by the Legislature of Puerto Rico:

Section 1.—The title of Act No. 417 entitled "An Act to regulate private employment agencies; to define certain phrases herein; to provide for the issuance of licenses to employment agencies by the Commissioner of Labor upon payment of certain fees and the giving of bond; to fix the duties, powers, and privileges of the Commissioner of Labor and his subordinates in connection with this Act; to deter-
mine the fees to be charged by employment agencies; to determine the responsibility and duties of persons who do not comply with their provisions or orders or who violate the terms of this Act; to empower the Commissioner of Labor to adopt rules and regulations necessary to effectuate the provisions of this Act, and for other purposes,” approved May 14, 1947, is hereby amended to read as follows:

“An Act to regulate private employment agencies; to authorize the Commissioner of Labor to issue licenses to private employment agencies upon payment of certain fees and the giving of bond; to fix the duties, powers, and prerogatives of the Commissioner of Labor and his subordinates in connection with the enforcement of this Act; to determine the fees which may be charged by private employment agencies; to empower the Commissioner of Labor to adopt rules and regulations for the operation of this Act; to vest jurisdiction on the Tribunal of the Judicial District of San Juan to issue and grant, on petition of the Commissioner of Labor, writs of injunctions and other legal remedies, for the enforcement of this Act and the regulations, rules, and directives issued hereunder, and to fix responsibilities, duties, and penalties for all persons who violate the provisions of this Act or of the regulations and rules promulgated by the Commissioner of Labor.”

Section 2—Section 3 of Act No. 417, approved May 14, 1947, is hereby amended to read as follows:

“Section 3.—Bond.—(a) No license for the operation of an employment agency shall be issued unless the applicant therefor has given in favor of The People of Puerto Rico, and has deposited with the Commissioner, a bond in the amount determined by said official according to the importance of the business undertaken by the employment agency or which it may plan to undertake. Each bond shall be approved by the Commissioner and shall be executed by a surety company duly authorized to do business in Puerto Rico, or given in money by the interested party upon a certified check made out in favor of the Commissioner of Labor of Puerto Rico or upon a mortgage collateral approved by the Commissioner of Labor. The bond shall be conditioned that the applicant or licensee shall comply with every provision of this Act and with the rules and regulations promulgated by the Commission of Labor.”

sonas que contravengan sus disposiciones ó órdenes o infrinjan los preceptos de esta Ley; facultando al Comisionado del Trabajo para adoptar reglas y reglamentos que fueren necesarios para llevar a cabo las disposiciones de esta Ley, y para otros fines”, aprobada en 14 de mayo de 1947, queda por la presente enmendada de manera que se lea como sigue:

“Ley para reglamentar las Agencias Privadas de Empleos; autorizar al Comisionado del Trabajo a expedir licencias a agencias privadas de empleos previo el pago de ciertos derechos y la prestación de fianza; fijar los deberes, facultades y prerrogativas del Comisionado del Trabajo y sus subalternos en relación con el cumplimiento de esta Ley; determinar los honorarios que podrán cobrar las Agencias Privadas de Empleos; facultar al Comisionado del Trabajo para adoptar reglas y reglamentos para el funcionamiento de esta Ley; para conferir jurisdicción al Tribunal del Distrito Judicial de San Juan para que a instancia del Comisionado del Trabajo, expida autos de injunciones y conceda otros remedios legales para hacer que se cumpla esta Ley y los reglamentos, reglas y órdenes promulgados bajo sus disposiciones, y fijar responsabilidades, deberes y penalidades a las personas que infrinjan las disposiciones de esta Ley o de los reglamentos y reglas que promulgue el Comisionado del Trabajo.”

Artículo 2.—La Sección 3 de la Ley Núm. 417, aprobada en 14 de mayo de 1947, queda por la presente enmendada de manera que se lea como sigue:

“Sección 3.—Fianza.—(a) No se expedirá licencia para operar una agencia de empleos a menos que el solicitante haya prestado a favor de El Pueblo de Puerto Rico, y depositado con el Comisionado, una fianza por la suma que dicho funcionario determine, de acuerdo con la importancia de los negocios que la agencia de empleo emprenda o proyecte emprender. Dicha fianza será aprobada por el Comisionado y deberá ser otorgada por una compañía de seguros debidamente autorizada para hacer negocios en Puerto Rico, o prestada por el interesado en efectivo, en cheque certificado expedido a favor del Comisionado del Trabajo de Puerto Rico o con garantía hipotecaria aprobada por el Comisionado del Trabajo. La fianza deberá contener la condición de que el solicitante o la persona que obtiene la licencia, cumplirá con todas las disposiciones de esta Ley y con las reglas y reglamentos que en consonancia con la misma fueren promulgados y que pagará cualquier pérdida o daño que se ocasione a cualquier persona por razón del incumplimiento de las disposiciones
issued hereunder, and shall pay any loss or damages occasioned to any person because of non-compliance with the provisions of this Act, or of the regulations or directives issued hereunder. Such bond shall be further conditioned that the revocation of a license to operate an employment agency shall not affect the coverage of such bond as to claims arising out of acts which occurred prior to the date of such revocation. The Commissioner may at any time serve notice on the person obtaining the license, to file a new or supplementary bond in a form and amount necessary to conform with the provisions of this Section, whenever the Commissioner shall deem the surety of such bond to be unsatisfactory, or the amount thereof insufficient to satisfy all claims accrued or contingent against the licensee. Should the licensee fail to comply with this requirement of the Commissioner within ten days after such notice, such non-compliance shall operate as an automatic revocation of the license, unless the Commissioner grants him an extension to comply with the requirements.

"(b) Any person suffering loss or damage by reason of the failure of an employment agency to comply with any provision of this Act, or of any rule or directive issued hereunder, may bring action against the insurance company, if the bond was given by an insurance company, or directly against the employment agency if the latter has given its bond in cash or with mortgage collateral, to recover the amount of such loss or damage. The action may be brought in any district court by the People of Puerto Rico, or by any one or more persons suffering such loss or damage, for and in behalf of himself or themselves or by any agent designated by such person or persons, or by the Commissioner for the benefit of such person or persons. The jurisdiction of the court shall not be limited by the amount involved in the claim or by the amount of the bond."
compliance with these provisions, issue subpoenas, and compel the attendance of witnesses and the production of documental or other evidence; he may visit and inspect the premises or buildings wherein an employment agency is installed, and he may also examine and make copies of books, records, and any other documents or papers of said agency, as well as request any other information in order to comply with the provisions of this Act. He may also utilize for his summonses and investigations the services of justices of the peace and municipal judges, district attorneys, marshals of the municipal and district courts, and members of the police force.

"In case any person refuses to appear after being so summoned in writing, and does not offer just cause for his failure to appear, it shall be the duty of the district judge of the district of the domicile of the person summoned, to institute, at the request of the Commissioner or of his authorized representative, contempt proceedings as in the case of a person summoned to testify or to appear before said court, and said person shall, upon conviction, be found guilty of a misdemeanor and punished by a fine of not less than fifty (50) dollars or by imprisonment in jail for a term of thirty (30) days.

"Jurisdiction is hereby vested on the Tribunal of the Judicial District of San Juan to issue and grant, on petition of the Commissioner of Labor, writs of injunction and any other legal remedies as may be necessary to effectuate the provisions of this Act, and enforce such regulations, rules, directives, and findings as the Commissioner of Labor may have made while in the exercise of the power conferred upon him by this Act."

Section 4.—All laws or parts of laws in conflict herewith are hereby repealed,

Section 5.—This Act, being of an urgent and necessary character, shall take effect immediately after its approval.

Approved, December 3, 1947.

[No. 3]

[Approved, December 3, 1947]

AN ACT

TO AMEND SUBDIVISION 1 OF SECTION 553 OF THE PENAL CODE OF PUERTO RICO, 1937 EDITION, AS SUBSEQUENTLY AMENDED.

[Leyes de Puerto Rico]

miento de estas disposiciones podrá extender citaciones bajo apercibimiento de desacato, y hacer obligatoria la comparecencia de testigos y la presentación de evidencia documental y de cualquier otra clase; podrá visitar y examinar los locales o edificios donde se encuentre localizada una agencia de empleos, y podrá, además, examinar y copiar libros, "records" y cualesquiera documentos o papeles de dicha agencia y solicitar cualquier otra información con el objeto de cumplir los preceptos de esta Ley; y podrá además, valerse para sus citaciones y sus investigaciones, de los servicios de los jueces de paz y municipales, fiscales de distrito, marshals de las cortes municipales y de distrito y de la fuerza policial.

En el caso de que una persona se negare a comparecer a requerimiento que por escrito se le hiciere-y no presentare causa justificada de su incomparecencia, será deber del juez de distrito del domicilio de la persona citada, a requerimiento del Comisionado o de su representante autorizado, incoar procedimiento de desacato, como en el caso de que una persona fuese citada para declarar o comparecer ante dicho tribunal, y convierta que fuere se le declarará culpable de un delito menos grave (misdemeanor) y será castigada con una multa no menor de cincuenta (50) dólares o cárcel por un término de treinta (30) días.

Por la presente se confiere jurisdicción al Tribunal del Distrito Judicial de San Juan para que, a instancia del Comisionado del Trabajo, expida autos de injunctions y conceda cualesquiera otros remedios legales que fueren necesarios para hacer efectivos los términos de esta Ley y hacer que se cumplan los reglamentos, reglas, órdenes y determinaciones que hubiera dictado el Comisionado del Trabajo en uso de los poderes que le confiere esta Ley."

Artículo 4.—Toda ley o parte de ley que se oponga a la presente, queda por ésta derogada.

Artículo 5.—Esta Ley, por ser de carácter urgente y necesaria, empezará a regir inmediatamente después de su aprobación.

Aprobada en 3 de diciembre de 1947.

[Leyes de Puerto Rico]

[No. 3]

[Approved, December 3, 1947]

LEY

PARA ENMENDAR EL INCISO 1 DEL ARTÍCULO 553 DEL CÓDIGO PENAL DE PUERTO RICO, EDICION DE 1937, SEGÚN HA QUEDADO SUBSIGUIENTE-MENTE ENMENDADO.