

AN ACT FURTHER AMENDING SECTION TWO THOUSAND FOUR HUNDRED SIXTY-FIVE OF THE REVISED ADMINISTRATIVE CODE, AS LAST AMENDED BY COMMONWEALTH ACT NUMBERED FIVE HUNDRED AND THIRTY-SEVEN.

REPUBLIC ACT NO. 272, June 15, 1948

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

SECTION 1. Section two thousand four hundred and sixty-five of the Revised Administrative Code, as last amended by Commonwealth Act Numbered Five hundred and thirty-seven, is hereby further amended to read as follows:

"SEC. 2465. The fiscal of the city—His assistants—His duties.— The law department shall consist of the fiscal of the city and of thirty-seven assistant fiscals, who shall discharge their duties under the general supervision of the Secretary of Justice. The fiscal of the city shall be the chief legal adviser of the city and all offices and departments thereof; shall represent the city in all civil cases wherein the city or any officer thereof in his official capacity is a party; shall attend, when required, meetings of the Board, draw ordinances, contracts, bonds, leases, other documents involving any interest of the city inspect and pass upon all such documents already drawn; shall give his opinion in writing when requested by the mayor or board upon any question relating to the city, or the rights or duties of any city officer; shall, whenever it is brought to his knowledge that any city officer or employee is guilty of neglect or misconduct in office, or that any person, firm, or corporation holding or exercising any franchise or public privilege from the city has failed to comply with any condition, or to pay any consideration mentioned in the grant of such franchise or privilege, investigate the same and report to the mayor; shall, when directed by the mayor, institute and prosecute in the city's interest a suit on any bond, lease, or other contract, and upon any breach or violation thereof; and shall prosecute and defend all civil actions related to or connected with any city office or interest. He shall also have charge of the prosecution of all crimes, misdemeanors, and violations of the city ordinances, in the Court of First Instance and the municipal courts of the city, and shall discharge all the duties in respect to the criminal prosecutions enjoined by law upon provincial fiscals.

"The fiscal of the city shall cause to be investigated all charges of crimes, misdemeanors and violations of ordinances, and have the necessary informations or complaints prepared or made against the persons accused. He or any of his assistants may conduct such investigations by taking oral evidence of reputed witnesses, and for this purpose may issue subpoena, summon witnesses to appear and testify under oath before him, and the attendance or evidence of an absent or recalcitrant witness may be enforced by application to the municipal court or the Court of First Instance. No witness summoned to testify under this section shall be under obligation to give any testimony tending to incriminate himself and no testimony elicited from a witness by such examination under oath before the fiscal of the city or his assistants under this section shall be used against such witness in any prosecution pending or thereafter instituted against him.

"The fiscal of the city shall also cause to be investigated the cause of sudden deaths which have not been satisfactorily explained and when there is suspicion that the cause arose from the unlawful acts or omissions of other persons or from foul play. For that purpose, he may cause autopsies to be made, and shall be entitled to demand and receive for purposes of such investigations or autopsies, subject to the rules and conditions

previously established by the Secretary of Justice, the aid of the medico-legal section of the National Bureau of Investigation. In case the fiscal of the city deems it necessary to have further expert assistance for the satisfactory performance of his duties in relation with medico-legal matters or knowledge, including the giving of medical testimony in the courts of justice, he shall request the same, in the same manner and subject to the same rules and conditions as above specified from the medico-legal officer of the said Bureau who shall thereupon furnish the assistance required, in accordance with his powers and facilities. He shall at times render such professional services as the mayor or board may require, and shall have such powers and perform such other duties as may be prescribed by law or ordinance.

"The fiscal of the city and his assistants shall receive the salaries hereinafter set forth, which shall be paid by the City of Manila:

"(a) Fiscal of the city, nine thousand six hundred pesos per annum;

"(b) One assistant fiscal, eight thousand four hundred pesos per annum;

"(c) Two assistant fiscals, seven thousand two hundred pesos per annum each;

"(d) Two assistant fiscals, six thousand six hundred pesos per annum each;

"(e) Two assistant fiscals, six thousand pesos per annum each;

"(f) Two assistant fiscals, five thousand seven hundred pesos per annum each;

"(g) One assistant fiscal, five thousand four hundred pesos per annum;

"(h) Two assistant fiscals, five thousand one hundred pesos per annum each;

"(i) Two assistant fiscals, four thousand eight hundred pesos per annum each;

"(j) Two assistant fiscals, four thousand five hundred pesos per annum each;

"(k) Two assistant fiscals, four thousand two hundred pesos per annum each;

"(l) Two assistant fiscals, three thousand nine hundred sixty pesos per annum each;

"(m) Two assistant fiscals, three thousand six hundred pesos per annum each;

"(n) Fifteen assistant fiscals, three thousand pesos per annum each: Provided, That the present positions of deputy fiscals are hereby abolished, and the Municipal Board shall not create positions of deputy fiscal hereafter."

SEC. 2. This Act shall take effect upon its approval.

Approved, June 15, 1948.

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