

INTEGRATING THE INVESTIGATION AND RECOVERY OFFICE INTO THE OFFICE OF THE SOLICITOR GENERAL, PROVIDING MEANS TO MAKE THE SOLICITOR GENERAL'S INVESTIGATIVE JURISDICTION MORE EFFEC...

PRESIDENTIAL DECREE NO. 1347, April 11, 1978

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WHEREAS, the litigation, administrative proceedings, naturalization by decree, investigations and other legal work handled by the Office of the Solicitor General continue to increase in volume, complexity and importance;

WHEREAS, the complete integration of the Investigation and Recovery Office into the Office of the Solicitor General is necessary to promote simplicity, economy and efficiency;

WHEREAS, adjustments in the compensation of personnel are necessary to maintain the effectiveness of the Office of the Solicitor General as the law office of the Government and to sustain and further upgrade the quality of its personnel;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Republic of the Philippines, by virtue of the powers in me vested by the Constitution, do hereby order and decree:

SECTION 1. The office of the Solicitor General shall be headed by a Solicitor General whose qualifications for appointment, rank, prerogatives, and privileges, without prejudice to special orders of the President on these matters, shall be the same as those of the Presiding Justice of the Court of Appeals. He shall be assisted by ten (10) Assistant Solicitors General who shall have the same qualifications for appointment, rank, prerogatives and privileges as the Judges of Courts of First Instance. When the Solicitor General is unable to perform his duties or in the case of vacancy in the Office, one of the ten (10) Assistant Solicitors General designated by the Department Head shall temporarily perform in the functions of the said officer.

The Solicitor General and the Assistant Solicitors General who must be officers learned in the law and the Solicitors shall be appointed by the President. No person shall be appointed Solicitor unless he is a citizen of the Philippines, a member of the Philippine Bar, of recognized competence, with experience in the practice of law for at least four (4) years, and except in cases of promotion within the office, must not be more than forty five (45) years old.

The Solicitor General shall organize his legal and administrative staff in such manner as he may deem best to promote the efficiency of the service and the administration of justice.

SEC. 2. The number of positions and the annual salaries of the other members of the Legal and Administrative Staff of the Office of the Solicitor General shall be fixed by the President upon the recommendation of the Commissioner of the Budget, pursuant to P.D. No. 985.

The Trial Attorneys and administrative personnel in the Office of the Solicitor General shall be appointed by the Secretary of Justice upon recommendation of the Solicitor General.

SEC. 3. The Solicitor General and the Assistant Solicitors General shall also receive the same monthly allowances which are received by the Associate Justices of the Court of Appeals and the Judges of Courts of First Instance, respectively, under the regular budget of the judiciary.

SEC. 4. The Solicitor General, Assistant Solicitors General and Solicitors are authorized to administer oaths in matters of official business, to take testimony in any matter or investigation within the competency of the office of the Solicitor General, and to issue subpoenas and subpoenas duces tecum and punish for contempt, in accordance with the provisions of and penalties prescribed by the Rules of Court, in proceedings or investigations properly before them.

SEC. 5. The investigation and Recovery Office is hereby abolished. Its powers, functions, properties, assets, cases, records and unexpended appropriations are transferred to and integrated with the Office of the Solicitor General. Any official or employee of the Investigation and Recovery Office whose employment is terminated as a result of the abolition of said office may be considered for appointment to an appropriate item in the Office of the Solicitor General provided he or she meets the qualifications and other requirements for appointment to said position. Permanent officials and employees of the Investigation and Recovery Office who are not absorbed in the Office of the Solicitor General or who cannot transfer to other government agencies shall be given gratuities equivalent to one month salary for every year of service with the Investigation and Recovery Office without prejudice to other benefits from the Government to which they may be entitled under existing laws and regulations.

SEC. 6. The salary differentials resulting from any salary adjustments as provided in this Decree, the allowances under Section 3, and the gratuities to terminated employees provided in the next preceding section shall be paid, for Fiscal Year 1978, from the funds of the Special Committee on Naturalization. For this purpose, the amount of P685,000.00 is hereby segregated from said funds and the same shall be disbursed for the coming fiscal year period. Thereafter, the funds needed to implement the provisions of this Decree shall be included in the annual Appropriations Decree. The salary adjustments and the payment of the salary differentials provided in this Decree shall be implemented pursuant to implementing directives of the Solicitor General, subject to the approval of the President.

SEC. 7. This Decree shall take effect on January 1, 1978 except Section 5 hereof which shall take effect on June 1, 1978.

Done in the City of Manila, this 11th day of April, in the year of Our Lord, nineteen hundred and seventy-eight.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President:

(Sgd.) JACOBO C. CLAVE
Presidential Executive Assistant

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