

PROVIDING FOR THE APPOINTMENT, REMOVAL OR SUSPENSION OF LOCAL ELECTIVE OFFICIALS DURING THE TRANSITION PERIOD.

PRESIDENTIAL DECREE NO. 1576, June 11, 1978

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WHEREAS, Section 9, Article XVII of the Constitution authorized officials and employees of the Government to continue in office "until otherwise provided by law or decreed by the incumbent President of the Philippines;"

WHEREAS, in the referendum held on February 27, 1975, the people expressed their desire that, instead of calling an election upon the expiration of the term of office of local elective officials on December 31, 1975, the incumbent President of the Philippines appoint their successors; and

WHEREAS, it is necessary that the manner of appointment and the grounds and procedure for the removal or suspension from office of local elective officials during the transition period or until the regular National Assembly is convened should be provided by law;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order and decree the following rules and guidelines for the appointment, removal or suspension from office of local elective officials during the transition period:

SECTION 1. Local elective officials whose terms expired on December 31, 1975 and thereafter continued to hold over shall continue holding their respective offices until the President appoints any qualified person to succeed them or until elections are called for those positions. Any vacancy occurring for any reason, whether temporary or permanent, in the office of provincial governor, city or municipal mayor, member of the provincial, city or municipal sanggunian, shall also be filled by the President by designation or appointment of any qualified person.

SEC. 2. The President of the Philippines may, after investigation, motu proprio or upon verified complaint of a party, suspend or remove from office any provincial governor, city or municipal mayor, members of the provincial, city or municipal sanggunians, and barangay officials on any of the following grounds: disloyalty to the Republic of the Philippines, dishonesty, oppression, misconduct in office, neglect of duty, corruption, being notoriously undesirable, discourtesy in the course of official duties, inefficiency and incompetence in the performance of official duties, conviction of a crime involving moral turpitude, serious irregularity in the performance of duties, disgraceful and immoral conduct, falsification of official document, habitual drunkenness, gambling prohibited by law, refusal to perform official duty, physical or mental incapacity or disability due to immoral or vicious habits, or conduct prejudicial to the best interest of the service.

SEC. 3. Pending investigation of the charges, the respondent may be suspended by the President as the interest of the service may require.

SEC. 4. Immediate removal or dismissal of any of the officials hereinabove mentioned may be ordered by the President if any of the following circumstances is present:

- When the respondent is charged of a serious offense and the evidence of guilt is strong;
- When the respondent is a recidivist or has been repeatedly charged and there is reasonable ground to believe that

he is guilty of the present charge; or

- When the respondent is notoriously undesirable.

SEC. 5. Any law, decree, order, rules and regulations inconsistent with the provisions of this Decree are hereby repealed or modified accordingly.

SEC. 6. This Decree shall take effect immediately.

Done in the City of Manila, this 11th day of June, 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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