

AN ACT TO AMEND THE CHARTER OF THE CITY OF CEBU

REPUBLIC ACT NO. 244, June 12, 1948

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

SECTION 1. The last paragraph of section seven of Commonwealth Act Numbered Fifty-eight, is hereby amended to read as follows:

"SEC. 7. The Mayor shall be appointed by the President of the Philippines with the approval of the Commission on Appointments, shall hold office for three years unless sooner removed, and shall receive a salary of seven thousand two hundred pesos a year."

SEC. 2. Section eight of Commonwealth Act Numbered Fifty-eight is hereby amended to read as follows:

"SEC. 8. There shall be a vice-mayor who shall perform the duties of the mayor, in the event of the sickness, absence or other temporary incapacity of the mayor, until said office shall be filled, in accordance with law. If, for any reason, the vice-mayor is temporarily incapacitated for the performance of the duties of the office of the mayor, or said office of the vice-mayor is vacant, the duties of the mayor shall be performed by the city engineer. The acting mayor shall have the same powers and duties as the mayor.

"The vice-mayor shall perform such other duties as may be assigned upon him by the mayor or prescribed by law or ordinances. He shall be appointed by the President of the Philippines with the consent of the Commission on Appointments of the Congress of the Philippines and shall receive a salary of four thousand eight hundred pesos per annum."

SEC. 3. The first paragraph of section twenty-six of Commonwealth Act Numbered Fifty-eight is hereby amended to read as follows:

"SEC. 26. The Director of Education shall exercise the same jurisdiction and powers in the city as elsewhere in the island, and the city superintendent of schools shall have all the powers and duties in respect to the school of the city as are vested in Division Superintendents in respect to the schools of their division. In case the Division Superintendent of Schools of the Province of Cebu is appointed ex-officio City Superintendent of Schools, he shall receive an additional compensation of two thousand four hundred pesos per annum."

SEC. 4. Section twenty-eight of Commonwealth Act Numbered Fifty-eight is hereby amended to read as follows:

"SEC. 28. The Director of Health shall have general supervision and control of health and sanitary matters and inspections in the city, and the Philippine Health Service shall serve as the local board health. In case the city health officer is absent for any cause whatsoever, the district health officer of the Province of Cebu shall take his place as city health officer."

SEC. 5. First sentence of section thirty of Commonwealth Act Numbered Fifty-eight is hereby amended to read as follows:

"SEC. 30. There shall be a city engineer who shall be in charge of the department of engineering and public works and shall receive an additional salary of two thousand four hundred pesos per annum in addition to his salary as district engineer for the Province of Cebu."

SEC. 6. The first and the last paragraphs of section thirty-seven of Commonwealth Act Numbered Fifty-eight is hereby amended to read as follows:

"SEC. 37. The law department shall consist of the fiscal of the city and three assistants, namely, first assistant fiscal, second assistant fiscal, and third assistant fiscal, 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, and other documents involving any interest of the city, and 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 officers; 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 city ordinances, in the Court of First Instance of Cebu and the Municipal Court of the city, and shall discharge all the duties in respect to criminal prosecution enjoined by the law upon provincial fiscals.

"The fiscal of the city and his assistants shall receive the salaries hereinafter set forth, which shall be paid by the City of Cebu; fiscal of the city, four thousand eight hundred pesos per annum; first assistant fiscal, three thousand six hundred pesos per annum; and second and third assistant fiscals, three thousand pesos per annum each."

SEC. 7. The provision of Commonwealth Act Numbered Four hundred and nine relating to the city attorney ex-officio of the City of Cebu is hereby repealed.

SEC. 8. This Act shall take effect upon its approval.

Approved, June 12, 1948.

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