

AN ACT DEFINING THE POWERS, RIGHTS AND DUTIES OF THE VICE-MAYOR OF THE CITY OF MANILA, FURTHER AMENDING FOR THE PURPOSE SECTIONS TEN AND ELEVEN OF REPUBLIC ACT NUMBERED FOUR HUN...

REPUBLIC ACT NO. 4065, June 18, 1964

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

SECTION 1. Section ten of Republic Act Numbered Four hundred nine, as amended, is hereby further amended to read as follows:

"SEC. 10. Vice-Mayor.—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, or in the event of the definitive vacancy in the position of 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 president pro-tempore of the municipal board. The acting mayor shall have the same powers and duties as the mayor including the power to appoint, suspend or dismiss employees, and all acts performed by him in such capacity shall not be reversed, modified or otherwise revised by the mayor upon the latter's returns to office.

"The mayor shall be understood to be absent when he is on leave or is out of the country or, while within the country, he has been physically out of the city for more than forty-eight hours.

"The vice-mayor shall have the following general powers and duties:

"(a) He shall be the presiding officer of the Municipal Board.

"(b) He shall be the administrative head of the Municipal Board, shall appoint its officers and employees and shall have direct control and supervision over them and the board's equipment and properties.

"(c) He shall prepare and submit to the Board before the thirtieth day of April of each year a budget for expenditures of the Municipal Board which shall be incorporated to the city budget.

"(d) He shall have charge of disbursements of funds of the Board.

"(e) He shall give such information and recommend such measures to the Board and/or to the mayor as he shall deem advantageous to the city.

"(f) He shall take an active part in the city's fight against vice, immorality and criminality. For this purpose, the Board shall provide for the office of the vice-mayor a group of not less than twenty-four men who shall be appointed by the latter and who shall be under his direct supervision and control, at least eight of whom shall be lawyers, with yearly salaries of not less than seven thousand two hundred pesos, and at least sixteen of whom shall have all the qualifications and eligibility required for Manila patrolmen, and shall receive yearly salaries of not less than four thousand eight hundred pesos. The chief of police, upon the vice-mayor's request, shall assign on detail to the latter at least five men of the city police or detective force. The vice-mayor and his above group shall be peace officers and shall exercise the powers and duties provided in Section thirty-seven of this Act.

"(g) He shall perform such other duties as may be assigned to him by the mayor or prescribed by law or ordinance.

"The vice-mayor shall be elected in the same manner as the mayor and shall at the time of his election possess the same qualifications as the mayor. He shall receive a salary of eighteen thousand pesos a year and shall have a secretary and at least twenty personnel in his regular office force who shall all be chosen and appointed by him. The Municipal Board shall provide for the vice-mayor a commutable housing allowance of not less than six thousand pesos per annum."

SEC. 2. Section eleven of the same Act is hereby amended to read as follows:

" SEC 11. General duties and power of the mayor.—

" (a) To comply with and enforce and give the necessary order for the faithful enforcement and execution of the laws and ordinances in effect within the jurisdiction of the city.

" (b) To safeguard all the lands, buildings, records, money, credits, and other property and right of the city, and subject to the provisions of this Chapter, have control of all its property except those of the Board.

"(c) To see that all taxes and other revenues of the city are collected, and applied in accordance with appropriations to the payment of the municipal expenses.

"(d) To cause to be instituted judicial proceedings to recover property and funds of the city whenever found and otherwise to protect the interests of the city, and to cause to be defended all suits against the city.

"(e) To see that the executive officers and employees of the city properly discharge their respective duties. The mayor may, in the interest of the service and with the approval of the Office of the President first had, transfer the officers and employees not appointed by the President of the Philippines from one section, division or service within the same department, without changing the compensation they receive, except those of the board and the office of the vice-mayor.

"(f) To examine and inspect the books, records, and papers of all officers, agents, and employees of the city whenever the occasion arises, and at least once in each year.

"(g) To give such information and recommend such measures to the Board as he shall deem advantageous to the city.

"(h) To attend, if he wishes to do so, the session of the Board and participate in its discussion, but not to vote.

"(i) To represent the city in all its business matters and to sign on its behalf all its bonds, contracts, and obligations made in accordance with laws or ordinances.

"(j) To submit to the Municipal Board before the fifteenth day of April of each year a budget of receipts and expenditures of the city except those of the Board.

"(k) To receive, hear, and decide as he may deem proper the petitions, complaints, and claims of the residents concerning all classes of municipal matters of an administrative and executive character.

"(l) To grant and refuse municipal licenses or permits of all classes and to revoke the same for violation of the conditions upon which they were granted, or if acts prohibited by law or municipal ordinance are being committed under the protection of such licenses or in the premises which the business for which the same have been granted is carried on, or for any other good reason of general interest.

"(m) To determine the time, manner and place of payment of salaries and wages of the officers and employees of the city except those of the Board.

"(n) To excuse, with the concurrence of the Director of Public Schools, deserving poor pupils from payment of school fees or any part thereof.

"(o) To take such emergency measures as may be necessary to avoid fires, floods, and the effects of storms and other public calamities.

"(p) To perform such other duties and exercise such executive powers as may be prescribed by law or ordinance.

"(q) Subject to the provisions of the Civil Service Law, to appoint all officers and employees of the City of Manila, any existing law to the contrary notwithstanding, except those whose appointments are vested in the President, those of the Board and those of the office of the vice-mayor. All appointments of the mayor shall be with the consent of the majority of all members of the Municipal Board: Provided, That appointments not rejected or acted upon within thirty days after submission shall be deemed approved."

SEC. 3. This Act shall take effect upon its approval.

Approved, June 18, 1964.

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