

AN ACT AMENDING THE CHARTER OF THE CITY OF SAN PABLO SO AS TO MAKE ELECTIVE THE POSITION OF MAYOR AND ALL THE SEVEN MEMBERS OF THE MUNICIPAL BOARD AND TO DESIGNATE THE PRESIDING...

REPUBLIC ACT NO. 1127, June 15, 1954

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

SECTION 1. Sections seven, as amended, eight, eleven, amended, and twelve of Commonwealth Act Numbered s hundred and twenty, are amended to read as follows:

"SEC. 7. The Mayor—His election and compensation.— The Mayor shall be the chief executive of the city. He shall be elected at large by the qualified voters of the city during every election for provincial and municipal officials in conformity with the Revised Election Code. No person shall be elected Mayor, unless he is at least thirty years of age qualified voter therein.

"He shall receive a salary of not exceeding six thousand pesos a year. With the approval of the proper department head, the Mayor may be provided, in addition to his salary, a non-commutable allowance of not exceeding two thousand pesos per annum.

"SEC. 8. The Acting Mayor.—In the event of sickness absence, or other temporary incapacity of the Mayor the President of the Municipal Board shall perform the duty of the Mayor. In the event of a definitive vacancy in the position of Mayor, the President of the Philippines shall appoint a resident of the City of San Pablo to discharge the duties of the Mayor until said position shall be filled in accordance, with law. If, for any reason, the duties of the office of the Mayor cannot be performed by the President of the Municipal Board, said duties shall be performed by the city treasurer. In case of the incapacity of the officials mentioned above to perform the duties of the Mayor, the President shall appoint or designate one. The Acting Mayor shall have the same powers, duties and compensation as the Mayor.

"SEC. 11. Constitution and organization of the Municipal Board—Compensation of members thereof.—The Municipal Board shall be the legislative body of the city and shall be composed of seven councilors who shall be elected at large by popular vote during every election for provincial and municipal officials in conformity with the provisions of the Revised Election Code. The members of the Board shall elect from among themselves a president, who for one year shall preside at all meetings of the Board in which he is present. In his absence, the Board shall elect one of its members as temporary presiding officer. The president of the Municipal Board shall sign all the ordinances, and all resolutions and motions directing the payment of money or creating liability, enacted or adopted by the Board. In case of sickness, absence, suspension or other temporary disability of any member of the Board, or if necessary to maintain a quorum, the President of the Philippines may appoint a temporary substitute shall possess all the rights and perform all the duties of a member of the Board until the return to duty of the incumbent.

If any member of the Municipal Board should be a candidate for office in any election, he shall be deemed to have renounced his membership in the Municipal Board, except when he presents himself as candidate for the

same position, in which case, he shall be incompetent to act with the Board in the discharge of the duties conferred upon it relative to election matters, and the other members of the Board shall discharge said duties without his assistance, or they may choose some disinterested elector of the city to act with the Board in such matters in his stead.

"The President of the Municipal Board shall receive a compensation of two thousand four hundred pesos per annum and the other members shall each receive a compensation of two thousand pesos per annum.

"The three councilors who were elected in the regular election for provincial and municipal officials in nineteen hundred and fifty-one shall continue in office until their successors shall have been elected and have qualified; and pending the next regular election for provincial and municipal officials, the President of the Philippines shall appoint with the consent of the Commission on Appointments the four other elective members of the Municipal Board.

"SEC. 12. Qualifications, election, suspension, and removal of members of the Board.—The members of the Municipal Board shall be qualified electors of the city and not less than twenty-three years of age. Upon qualifying, the members-elect shall assume office on the date fixed in the Election Code until their successors are elected and have qualified.

"If for any reason the election fails to take place on the date fixed by law, or such election results in a failure to elect one or more of the members, the President shall issue as soon as practicable a proclamation calling a special election to fill said office. Whenever the member-elect dies before assumption of office, or, having been so elected, his election is not confirmed by the President for disloyalty, or such member-elect fails to qualify for any reason, the President may in his discretion either call a special election or fill the office by appointment. Vacancies in the office shall be filled by appointment by the President of suitable person belonging to the political party of the officer whom he is to replace.

"The members of the Municipal Board may be suspended or removed from office under the same circumstances in the same manner and with the same effect elective provincial officials, and the provisions of law providing for the suspension or removal of elective provincial officers are hereby made effective for the suspension or removal of said members of the Board."

SEC. 2. Republic Act Numbered Eight hundred seventy-nine is hereby repealed.

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

Approved, June 15, 1954.

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