

AN ACT TO AMEND SECTIONS THIRTY-NINE AND FORTY-SIX OF THE REVISED CHARTER OF THE CITY OF MANILA, AS AMENDED BY REPUBLIC ACT NUMBERED TWELVE HUNDRED ONE.

REPUBLIC ACT NO. 2622, May 25, 1960

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

SECTION 1. Section thirty-nine of Republic Act Numbered Four hundred nine, otherwise known as the Revised Charter of the City of Manila, as amended by Republic Act Numbered Twelve hundred one, is further amended to read as follows:

"SEC. 39. The Municipal Court.—There shall be a municipal court for the City of Manila, for which eleven judges shall be appointed. An executive judge shall be chosen from among them, in such manner and at such time as the Secretary of Justice may determine. Four judges shall be designated by the Secretary of Justice to try traffic cases exclusively, such judges so designated shall hold session in such manner that there shall be one judge on duty from eight o'clock in the morning until midnight. With regard to ordinary traffic violation, not involving accident, damage to property and/or physical injuries and wherein the accused desires to enter a plea of guilty, imposition of the fine may be made by such deputy clerks as may be designated by the executive judge. The deputy clerks receiving the fines shall be guided by a schedule of fines to be prepared by the Court.

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"The judges shall have a compensation of eleven thousand six hundred pesos per annum each."

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

"SEC. 46. Procedure on appeal from Municipal Court to Court of First Instance.—An appeal shall lie to the Court of First Instance next to be held within the city, in all cases where fine or imprisonment, or both, is imposed by the municipal court. The party desiring to appeal shall before six o'clock post meridian of the day after the rendition and entry of the judgment by the municipal court, file with the clerk of the court a written statement that he appeals to the Court of First Instance. The filing of such statement shall perfect the appeal. However, with regard to criminal cases in which the municipal court has concurrent jurisdiction with the Court of First Instance, the Rules of Court, with respect to appeal, shall apply. The judge of the court from whose decision appeal is taken shall within five days after the appeal is taken, transmit to the clerk of the Court of First Instance a certified copy of the record of proceedings and all the original papers and process in the case, and the clerk of the Court of First Instance shall docket the appeal in that Court. A perfected appeal shall operate to vacate the judgment of the municipal court, and the action, when duly entered in the Court of First Instance, shall stand for trial de novo upon its merits in accordance with the regular procedure in that court, as though the same had never been tried and had been originally there commenced.

"Pending an appeal, the defendant shall remain in custody unless released in the discretion of the judge of the municipal court or of the Judge of the Court of First Instance, upon sufficient bail, in accordance with the rules and regulations now or hereafter in force, to await the judgment of the appellate court."

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

Approved, May 25, 1960.

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