

AN ACT AMENDING REPUBLIC ACT NUMBERED FIVE HUNDRED TWENTY-THREE, ENTITLED "AN ACT CREATING THE CITY OF BUTUAN";

REPUBLIC ACT No. 3737, June 22, 1963

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

SECTION 1. The first paragraph of Section eleven of Republic Act Numbered Five hundred twenty-three, as amended by Republic Act Numbered Thirteen hundred twenty-seven, is further amended to read as follows:

"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 the vice-mayor, who shall be its presiding officer and ten 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. 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 who shall possess all the rights and perform all duties of a member of the Board until the return to duty of the regular incumbent."

SEC. 2. Section fourteen of Republic Act Numbered Five hundred twenty-three is amended to read as follows:

SEC. 14. Method of transacting business by the Board—Veto authentication and publication of ordinances.—Unless the executive Secretary orders otherwise, the Board shall hold one ordinary session for the transaction of business during each week on a day which it shall fix by resolution, and such extraordinary sessions, not exceeding thirty days during any one year, as may be called by the Mayor. It shall sit with open doors, unless otherwise ordered by an affirmative vote of six members. It shall keep a record of its proceedings and determine its rules of procedure not herein set forth. Six members of the Board shall constitute a quorum for the transaction of business. But a smaller number may adjourn from day to day and may compel the immediate attendance of any member absent without good cause by issuing to the police of the city an order for his arrest and production at the session under such penalties as shall have been previously prescribed by ordinance. Six affirmative votes shall be necessary for the passage of any ordinance, or of any resolution or motion directing the payment of money or creating liability, but any other measure shall prevail upon the majority votes of the members present at any meeting duly called and held. The ayes and nays shall be taken and recorded upon the passage of all ordinances, upon all resolutions or motions directing the payment of money or creating liability, and, at the request of any member, upon any other resolution or motion. Each approved ordinance, resolution or motion shall be sealed with the seal of the Board, signed by the presiding officer and the secretary of the Board and recorded in a book kept for the purpose, and shall, on the day following its passage, be posted by the secretary at the main entrance of the City Hall, and shall take effect and be in force on and after the tenth day following its passage unless otherwise stated in said ordinance, resolution or motion or vetoed by the Mayor hereinafter provided. A vetoed ordinance, if repassed, shall take effect ten days after the veto is overridden by the required votes unless otherwise stated in the ordinance again disapproved by the Mayor within said time.

"Each ordinance and each resolution or motion directing the payment of money or creating liability enacted or adopted by the Board shall be forwarded to the Mayor for his approval. Within ten days after the receipt of the

ordinance resolution, or motion, the Mayor shall return it with his approval or veto. If he does not return it within that time, it shall be deemed to be approved. If he returns it with his veto, his reasons therefor in writing shall accompany it. It may then be again enacted by the affirmative vote of eight members of the Board and again forwarded to the Mayor for his approval, and if within ten days after its receipt he does not again return it with his veto, it shall be deemed to be approved. If within said time he again returns it with his veto, it shall be forwarded forthwith to the Executive Secretary for his approval or disapproval, which shall be final. The Mayor shall have the power to veto any particular item or items of an appropriation ordinance, or of an ordinance, resolution or motion directing the payment of money or creating liability, but the veto shall not affect the item or items to which he does not object. The item or items objected to shall not take effect in the manner heretofore provided in this section as to ordinances, resolutions, and motions returned to the Board with his veto, but should an item or items in an appropriation ordinance be disapproved by the Mayor, the corresponding item or items in the appropriation ordinance of the previous year shall be deemed restored unless otherwise expressly directed in the veto.

"The Executive Secretary shall have full power to disapprove directly, in whole or in part, any ordinance, resolution or motion of the Municipal Board if he finds said ordinance, resolution or motion or parts thereof, beyond the powers conferred upon the Board."

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

Approved, June 22, 1963.

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