

AN ACT AMENDING SECTION FORTY-SIX OF REPUBLIC ACT NUMBERED TWO HUNDRED NINETY-SIX, AS AMENDED, OTHERWISE KNOWN AS THE JUDICIARY ACT OF 1948 AND FOR OTHER PURPOSES.

REPUBLIC ACT NO. 4814, June 18, 1966

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

SECTION 1. Section forty-six of Republic Act Numbered Two hundred ninety-six, as amended, is hereby further amended to read as follows:

"SEC. 46. Clerks and other subordinate employees of Courts of First Instance.—Clerks of court, assistant clerks of court, branch clerks of court, deputy clerks, assistants, and other subordinate employees of Courts of First Instance shall, for administrative purposes, belong to the Department of Justice; but in the performance of their duties they shall be subject to the supervision of the judges of the courts to which they respectively pertain.

"There shall be a clerk of court for every Court of First Instance or branch thereof: Provided, however, That for every Court of First Instance having two or more branches located in the same city or municipality, there shall be an assistant clerk of court, and a branch clerk of court for every branch thereof who shall be subject to the supervision of the clerk of court.

"The clerks of court, assistant clerks of court and branch clerks of court of Courts of First Instance shall be appointed by the President of the Philippines with the consent of the Commission on Appointments. No person shall be appointed to any of these positions unless he is duly authorized to practice law in the Philippines: Provided, however, That this requirement shall not affect persons who, at the date of the approval of this Act, are holding any of the positions of clerk of court, assistant clerk of court, branch clerk of court or deputy clerk of court, actually performing the of a clerk of court assigned as such to a branch of the of First Instance, and who shall continue in office and be considered as clerks of court, assistant clerks of court branch clerks of court, respectively, in their corresponding courts or branches thereof without the need of new appointments: Provided, further, That said requirements shall not affect those who have previously qualified in the Civil Service examination for any of said positions.

"The clerk of court, assistant clerk of court and branch clerk of court of the Courts of First instance shall have g rank in the Department of Justice and shall receive an annual salary as may be provided for by law.

The clerk of court or branch clerk of court of a Court of First Instance may, by special written deputation approved by the judge, authorize any suitable person to act as his special deputy and in such capacity to perform such functions as may be specified in the authority granted.

"The clerk of court or branch clerk of court may require his assistant or deputy to give an adequate bond as security against loss by reason of any wrongdoing or gross negligence on the part of such assistant of deputy."

SEC. 2. This Act shall take effect upon its approval.

Approved, June 18, 1966.

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