

FURTHER AMENDING THE JUDICIARY ACT OF 1948, REPUBLIC ACT NO. 296, AS AMENDED

PRESIDENTIAL DECREE NO. 974, August 09, 1976

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I, FERDINAND E. MARCOS, President of the Republic of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order and decree:

SECTION 1. Chapter II, Section 11 of Republic Act No. 296, as amended, is hereby amended to read as follows:

SECTION 11. Appointment and compensation of Justices of the Supreme Court.—The Chief Justice and the Associate Justices of the Supreme Court shall be appointed by the President of the Philippines. The Chief Justice of the Supreme Court shall receive a compensation of seventy-five thousand pesos per annum, and each Associate Justice shall receive a compensation of sixty thousand pesos per annum. The Chief Justice of the Supreme Court shall be so designated in his commission; and the Associate Justices shall have precedence according to the dates of their respective commissions, or, when the commission of two or more of them bear the same date, according to the order in which their commissions may have been issued by the President of the Philippines: Provided, however, That a member of the Supreme Court appointed to any other branch of the government shall receive as compensation from the branch not less than his compensation in the Supreme Court. Any such member who is re-appointed to that Court after rendering service in any other branch of the government shall retain the precedence to which he is entitled under his original appointment and his service in the Court shall, to all intents and purposes, be considered as continuous and uninterrupted.

SEC. 2. Chapter III, Section 24 of Republic Act No. 296, as amended, is hereby amended to read as follows:

SECTION 24. The Court of Appeals of the Philippines shall consist of a Presiding Justice, and thirty-five Associate Justices who shall be appointed by the President of the Philippines. The Presiding Justice of the Court of Appeals shall be so designated in his commission, and the other Justices of the Court shall have precedence according to the date of their respective commission, or when the commission of two or more of them shall bear the same date, according to the order in which their commissions have been issued by the President of the Philippines: Provided, however, That a member of the Court of Appeals appointed to any other branch of the government shall receive as compensation from that branch not less than his compensation in the Court of Appeals. Any such member who is re-appointed to that Court after rendering service in any other branch of the government shall retain the precedence to which he is entitled under his original appointment and his service in the Court shall, to all intents and purposes, be considered as continuous and uninterrupted.

The Court of Appeals shall, as a body sit en banc but it may sit in twelve divisions of three justices each. The twelve divisions may sit at the same time.

SEC. 3. This Decree shall take effect immediately. Done in the City of Manila, this 9th day of August, in the year of Our Lord, nineteen hundred and seventy-six.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President:

(Sgd.) JACOBO C. CLAVE

Presidential Executive Assistant.

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