

AN ACT TO REPEAL EXECUTIVE ORDER NUMBERED THIRTY-SEVEN, DATED THE TENTH OF MARCH, NINETEEN HUNDRED AND FORTY-FIVE, AND TO REVIVE, WITH CERTAIN AMENDMENTS, SECTIONS ONE HUNDRED A...

REPUBLIC ACT NO. 52, October 04, 1946

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/8ca5cae42d8f/>

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

SECTION 1. Executive Order Numbered Thirty-seven, promulgated by the President of the Philippines on the tenth day of March, nineteen hundred and forty-five, pursuant to Commonwealth Act Numbered Six hundred and seventy-one, and paragraph (1) of Executive Order Numbered Three hundred and ninety-five, promulgated by the President of the Philippines on the twenty-fourth day of December, nineteen hundred and forty-one, are hereby repealed.

SEC. 2. Sections one hundred and forty-five-A to one hundred and forty-five—Q of the Revised Administrative Code, as inserted therein by Commonwealth Act Numbered Three and as amended by Commonwealth Acts Numbered Two hundred and fifty-nine and Four hundred and twenty-five are hereby revived with the exception of sections one, hundred and forty-five—A, one hundred and forty-five—I, one hundred and forty-five-J, one hundred and forty-five—K, and one hundred and forty-five—L, which are hereby amended so as to read as follows:

"SEC. 145-A. The Court of Appeals.—The Court of Appeals of the Philippines shall consist of a Presiding Justice and fourteen Associate Justices who shall be appointed by the President of the Philippines, with the consent of the Commission on Appointments of the Congress. 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 dates of their respective commissions, or when the commissions 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.

"The Court of Appeals shall, as a body, sit in banc, but it may sit in five divisions of three Justices each. The five divisions may sit at the same time.

"SEC. 145-I. Place of holding sessions.—The Court of Appeals shall have its permanent office in the City of Manila. Upon the recommendation of the Secretary of Justice, with the certification of the Presiding Justice of the Court of Appeals and when public interest demands, the President of the Philippines may authorize any division or divisions of the Court to hold sessions periodically at such time and place outside the City of Manila as the President may determine, for the purpose of hearing cases originating from a specified group of judicial districts.

"SEC. 145-J. Quorum of the Court.—Nine Justices of the Court of Appeals shall constitute a quorum for its sessions in banc; three Justices shall constitute a quorum for the sessions of a division. In the absence of a quorum, the Court or the division shall stand ipso facto adjourned until such time as the requisite number shall be present, and a memorandum showing this fact shall be inserted by the clerk in the minutes of the Court. The affirmative vote of eight Justices is necessary to pass a resolution of the Court in banc. The unanimous vote of

the three Justices of a division shall be necessary for the pronouncement of a judgment. In the event that the three Justices do not reach a unanimous vote, the Presiding Justice shall designate two Justices from among the other members of the Court to sit temporarily with them, forming a division of five Justices, and the concurrence of a majority of such division shall be necessary for the pronouncement of a judgment. "Every decision of the Court of Appeals shall contain complete findings of fact on all issues properly raised before it. "All cases submitted to a division of the Court of Appeals for decision shall be decided or terminated therein within the term in which they were heard and submitted for decision : Provided, however, That when a case is complicated or otherwise attended with special circumstances which demand additional time for its study or consideration, the Court of Appeals, sitting in banc, may, upon petition of the division concerned, grant an additional period not exceeding three months for its disposition or termination.

"SEC. 145-K. Distribution of cases between divisions.— All the cases of the Court of Appeals shall be allotted between the different divisions thereof for trial and decision. Whenever in any criminal case submitted to a division the said division should be of the opinion that the penalty of death or life imprisonment should be imposed, the said Court shall refrain from entering judgment thereon and shall forthwith certify the case to the Supreme Court for final determination, as if the case had been brought before it on appeal.

"SEC. 145-L. Power of the Court to adopt rules.—The Court of Appeals, sitting in banc, shall make proper orders or rules to govern the allotment of cases between the different divisions, the constitution of such divisions, the regular rotation of Justices between them, the filling of vacancies occurring therein, and other matters relating to the business of the Court; and these rules shall continue in force until repealed or altered by it or by the Supreme Court."

SEC. 3. Immediately after the approval of this Act, all cases which properly correspond to the Court of Appeals by virtue of the provisions of Commonwealth Act Numbered Three, as revived and amended, which may be pending in the Supreme Court and which have not yet been heard on argument and submitted for decision by this Court, shall be certified by the clerk of the Supreme Court to the clerk of the Court of Appeals, to be heard and decided by the latter in conformity with the provisions of this Act. Those cases pending before the Supreme Court in which reference has been made to referees or commissioners for the taking of evidence shall not be so certified until after such evidence shall have been received in the Supreme Court.

SEC. 4. This Act shall take effect upon its approval.

Approved, October 4, 1946.

ABOUT BATAS.ORG

Study smarter at BATAS.org

The Philippine bar review and law-school companion built around how your brain actually remembers.

The complete Philippine law library - free for everyone.

More than 100,000 Supreme Court decisions, Republic Acts, and executive issuances - full-text searchable, browsable by category and year, and always free. No paywall, no login. This PDF came from it.

Audio case-brief lectures.

Any decision becomes a podcast-style lecture - facts, issues, ruling, and doctrine - with read-along highlighting and a hands-free presentation mode. Study while commuting, working out, or resting your eyes.

Bar review built on the science of memory.

Complete, sequenced courses for all eight bar subjects, narrated like podcasts and reinforced with retrieval practice and spaced review - the study techniques with the strongest evidence behind them.

The full law-school curriculum.

One subscription unlocks the entire J.D. curriculum - every subject, every lesson, with your progress tracked down to the paragraph so you can pick up exactly where you left off, on any device.

Mock exams that tell you where you stand.

Timed multiple-choice exams graded instantly, with per-subject score breakdowns and focus suggestions that point you at your weakest topics first.

A study planner that keeps you on pace.

Set your schedule and BATAS tells you every day whether you are on track for bar day - and exactly which lesson to take next.

Start free at <https://batas.org>

The law library is free forever - and your first lesson is one click away.

The text of this document is an official public record and remains in the public domain. Formatting, presentation, and compilation © 2026 batas.org.

Downloaded free from the batas.org Law Library. Share it freely - the library is free for every law student, bar reviewee, and practitioner.