

AN ACT TO FURTHER AMEND SECTIONS SIXTEEN HUNDRED AND SEVENTY-FOUR AND SIXTEEN HUNDRED AND EIGHTY-SEVEN OF THE REVISED ADMINISTRATIVE CODE.

REPUBLIC ACT NO. 732, June 18, 1952

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

SECTION 1. Section sixteen hundred and seventy-four of the Revised Administrative Code, as amended by Republic Act Numbered Two hundred and eighty-two, is further amended to read as follows:

"SEC. 1674. Assistant Provincial Fiscals.—In the following provinces there shall be assistant provincial fiscals in such numbers as are hereinafter provided:

"Abra, one assistant provincial fiscal;
"Agusan, one assistant provincial fiscal;
"Albay, three assistant provincial fiscals;
"Antique, one assistant provincial fiscal;
"Bataan, one assistant provincial fiscal;
"Batangas, three assistant provincial fiscals;
"Bohol, three assistant provincial fiscals;
"Bukidnon, one assistant provincial fiscal;
"Bulacan, three assistant provincial fiscals;
"Cagayan, two assistant provincial fiscals;
"Camarines Norte, one assistant provincial fiscal;
"Camarines Sur, two assistant provincial fiscals;
"Capiz, two assistant provincial fiscals;
"Cavite, two assistant provincial fiscals;
"Cebu, seven assistant provincial fiscals;
"Cotabato, two assistant provincial fiscals;
"Davao, one assistant provincial fiscal;
"Ilocos Norte, two assistant provincial fiscals;
"Ilocos Sur, two assistant provincial fiscals;
"Iloilo, five assistant provincial fiscals;
"Isabela, one assistant provincial fiscal;
"Laguna, two assistant provincial fiscals;
"Lanao, two assistant provincial fiscal;
"La Union, two assistant provincial fiscals;
"Leyte, six assistant provincial fiscals;
"Marinduque, one assistant provincial fiscal;
"Masbate, one assistant provincial fiscal;
"Mountain Province, one assistant provincial fiscal;
"Nueva Ecija, four assistant provincial fiscals;
"Nueva Vizcaya, one assistant provincial fiscal;

"Occidental Mindoro, one assistant provincial fiscal;
"Oriental Mindoro, one assistant provincial fiscal;
"Occidental Misamis, one assistant provincial fiscal;
"Oriental Misamis, one assistant provincial fiscal;
"Occidental Negros, five assistant provincial fiscals;
"Oriental Negros, two assistant provincial fiscals;
"Palawan, one assistant provincial fiscal;
"Pampanga, four assistant provincial fiscals;
"Pangasinan, five assistant provincial fiscals;
"Quezon, three assistant provincial fiscals;
"Rizal, six assistant provincial fiscals;
"Romblon, one assistant provincial fiscal;
"Samar, three assistant provincial fiscals;
"Sorsogon, two assistant provincial fiscals;
"Sulu, one assistant provincial fiscal;
"Surigao, one assistant provincial fiscal;
"Tarlac, three assistant provincial fiscals;
"Zambales, one assistant provincial fiscal;
"Zamboanga, one assistant provincial fiscal.
"Assistant provincial fiscals shall receive such salaries hereinafter provided:

"(A) In first class provinces A and B, the first assistant provincial fiscal, four thousand five hundred pesos per annum, the second assistant provincial fiscal, four thousand two hundred fifty pesos per annum; and the other assistant provincial fiscals, three thousand six hundred pesos each, per annum;

"(B) In first class provinces, the first assistant provincial fiscal, four thousand two hundred pesos each, per annum; the other assistant provincial fiscals, three thousand six hundred pesos each, per annum;

"(C) In second, third, fourth, and fifth class provinces three thousand six hundred pesos each, per annum;

"These Officers shall be appointed by the President of the Philippines with the consent of the Commission on Appointments of the Congress of the Philippines, and their salaries shall be paid by the provinces concerned. The salary of the assistant provincial fiscal shall be included in the annual appropriation of the province in the same manner as the salary of the provincial fiscal. To be eligible for appointment to this position, a person must be a citizen of the Philippines who has been duly admitted to practice law in the Court of said Islands, and has been in actual practice for at least five years, prior to his appointment: Provided, however, That incumbent assistant provincial fiscals whose appointments have been duly acted upon and approved by the Commission on Appointments of the Congress of the Philippines prior to the approval of this Act, shall be deemed reappointed and their appointments confirmed and, therefore, entitled to the benefits of this Act."

SEC. 2. Section sixteen hundred and eighty-seven of the Administrative Code is hereby amended to read as follows:

"SEC. 1687. Authority of Fiscal to conduct investigation in criminal matter.—A provincial fiscal shall have authority to conduct investigation into the matter of any crime or misdemeanor and have the necessary information or complaint prepared or made against persons charged with the commission of the same. If the offense charged falls within the original jurisdiction of the Court of First Instance, the defendant shall not be entitled as a matter of right to preliminary investigation in any case where the provincial fiscal himself, after due investigation of the facts made in the presence of the accused if the latter so requested, shall have presented an information against: him in proper form and certified under oath by the said provincial fiscal that he conducted a proper preliminary investigation. To this end, he may, with due notice to the accused, summon

reputed witnesses and require them to appear before him and testify and be cross-examined under oath by the accused upon the latter's request. The attendance or evidence of absent or recalcitrant witnesses who may be summoned or whose testimony may be required by the provincial fiscal under the authority herein conferred shall be enforced by proper process upon application to be made by the provincial fiscal to any Judge of First Instance of the Judicial District. But no witness summoned to testify under this section shall be compelled to give testimony to incriminate himself.

"The Provincial Fiscal shall also cause to be investigated the cause of sudden deaths which have not been satisfactorily explained and when there is suspicion that the cause arose from the unlawful acts or omissions of other persons, or from foul play. For that purpose, he may cause autopsies to be made and shall be entitled to demand and receive for purposes of such investigations or autopsies, the aid of the medico-legal section of the National Bureau of Investigation or of the District Health Officer and the different presidents of the sanitary divisions of the province."

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

Approved, June 18, 1952.

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