

AN ACT AMENDING CERTAIN SECTIONS OF REPUBLIC ACT NUMBERED FOUR HUNDRED NINE, OTHERWISE KNOWN AS THE REVISED CHARTER OF THE CITY OF MANILA.

REPUBLIC ACT NO. 1571, June 16, 1956

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

SECTION 1. Paragraph (q), section eleven of Republic Act Numbered Four hundred nine, otherwise known as the Revised Charter of the City of Manila, is amended to read as follows:

"(q) Subject to the provisions of the Civil Service Law, to appoint all officers and employees of the City of Manila, any existing law to the contrary notwithstanding, except those whose appointments are vested in the President. All appointments of the mayor shall be with the consent of the majority of all the members of the Municipal Board: Provided, That appointments not rejected or acted upon within thirty days after submission shall be deemed approved."

SEC. 2. Sections thirteen, fourteen, fifteen, and seventeen of the same Act are amended to read as follows:

"SEC. 13. Organization.—The Municipal Board shall be the legislative body of the city, and shall consist of the vice-mayor, as the presiding officer, and five elective members from each representative district, who shall hold office for four years. The vice-mayor shall have no right to vote except in case of a tie. In the absence of the vice-mayor, or when he acts as mayor, the Board shall elect one of its members as temporary presiding officer. The presiding officer shall sign all ordinances, and all resolutions and motions directing the payment of money or creating liability, enacted or adopted by the Board. In case of sickness of any member of the Board, or if for any reason it becomes necessary to maintain a quorum, the President of the Philippines may make a temporary appointment until the return to duty of the sick or absent member. During the period of such temporary appointment the person receiving the same shall possess all the rights and perform all the duties of a member of the Board. The members of the Board shall receive a salary of seven thousand two hundred pesos per annum.

"SEC. 14. Election, suspension and removal of members.—The members of the Municipal Board shall be elected at large within each representative district, and each of them at the time of election shall be a resident of the City for at least four years; must be a qualified elector and must have actually resided at least one year in the representative district from which elected prior to his election; and must not be less than twenty-three years of age. Such members may be suspended or removed from office under the same circumstances, in the same manner, and with the same effect, as elective provincial officers.

"Elections for members of the Board shall be held on the date of the regular election for provincial and municipal offices, and elected members shall take office on the first day of January next following their election, upon qualifying, and shall hold office until their successors are elected and have qualified. The five candidates receiving the greatest number of votes within a representative district at an election shall be declared elected.

"SEC. 15. Secretary and other employees of the Board.—The Board shall have a secretary, who shall be elected by it to serve during the term of office of the members. A vacancy in the office of the secretary shall be filled

temporarily or for the unexpired term in like manner. The secretary shall be in charge of the records of the Municipal Board. He shall keep a full record of the proceedings of the Board, and file all documents relating thereto; shall record, in a book kept for that purpose, all ordinances, and all resolutions and motions directing the payment of money or creating liability, enacted or adopted by the Board, with the dates of passage of the same, and of the publication of ordinances; shall keep a seal, circular in form, with the inscription 'Municipal Board—City of Manila,' in the center of which shall be placed the arms of the city, and affix the same, with his signature, to all ordinances and other official acts of the Board, and shall present the same for signature to the presiding officer; shall cause each ordinance passed to be published as herein provided; shall on demand, furnish certified copies of all records of public character in his charge under the seal of his office; and collect and receive therefor such fees as may be prescribed by resolution of the Board; and shall keep his office and all records therein which are not of a confidential character open to public inspection during usual business hours. His compensation as secretary shall be fixed by the Board at not exceeding six thousand pesos a year.

"The Board shall appoint and the vice-mayor shall sign all appointments of the other employees of the Board.

"SEC. 17. Legislative procedure.—The Board shall hold two ordinary sessions for the transaction of business during each week on days which it shall fix by resolution, and such extraordinary sessions, as may be called by the Mayor. It shall sit with open doors unless otherwise ordered by an affirmative vote of the majority of all the members. It shall keep a record of its proceeding and determine its rules of procedure not herein set forth. A majority of all the members of the Board shall constitute a quorum for the transaction of business, and the affirmative votes of a majority of all the members shall be necessary for the passage of any ordinance or resolution. Ordinary motions may be approved by a majority of those present. 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 proposed ordinance shall be published in two daily newspapers of general circulation in the City, and shall not be discussed or enacted by the Board until after the third day following such publication. Each ordinance enacted by the Board, and each resolution or motion directing the payment of money or creating liability, 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 votes of two-thirds of all 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 President 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 except in the manner heretofore provided in this section as to ordinances, resolutions and motions returned to the board with his veto. Each approved ordinance shall be sealed with the city seal, signed by the presiding officer and the secretary, and recorded in a book kept for the purpose; shall be published in two daily newspapers of general circulation in the city, within ten days after its approval; and shall take effect and be in force on and after the twentieth-day following its publication, if no date is fixed in the ordinance."

SEC. 3. The additional councilors provided for in this Act shall be appointed by the President of the Philippines, and their successors shall be elected in the next regular elections for city officials.

SEC. 4. Section thirty-eight of the same Act, as amended by Republic Act Numbered Twelve hundred one, is further amended to read as follows:

"SEC. 38. The City Fiscal and Assistant City Fiscals.—There shall be in the Office of the City Fiscal one chief to be known as the City Fiscal with the rank of a district judge, an assistant chief to be known as the first assistant city fiscal, three second assistant city fiscals, who shall be the chiefs of divisions, and forty-three

assistant fiscals, who shall discharge their duties under' the general supervision of the Secretary of Justice.

"The City Fiscal and his assistants shall receive the salaries hereinafter set forth, which shall be paid by the City of Manila:

"(a) City Fiscal, twelve thousand pesos per annum.

"(b) First assistant city fiscal, eleven thousand pesos per annum.

"(c) Three second assistant city fiscals who shall be the chiefs of the three divisions, ten thousand pesos per annum each.

"(d) Three assistant fiscals, eight thousand four hundred pesos per annum each.

"(e) Six assistant fiscals, seven thousand six hundred pesos per annum each.

"(f) Six assistant fiscals, six thousand six hundred pesos per annum each.

"(g) Six assistant fiscals, six thousand pesos per annum each.

"(h) Six assistant fiscals, five thousand four hundred pesos per annum each.

"(i) Six assistant fiscals, five thousand one hundred pesos per annum each.

"(j) Ten assistant fiscals, four thousand eight hundred pesos per annum each."

SEC. 5. Sections sixty-one and sixty-nine of the same Act are amended to read as follows:

"SEC. 61. Board, of Tax Appeals.—The Board of Tax Appeals shall be composed of seven members who shall be appointed by the President of the Philippines on the first day of January every four years, four of whom shall be owners of real estate in the city and three shall represent the tenant-and-lessee interests in the city.

"The members of the Board of Tax Appeals, except the chairman, shall receive a compensation of twenty pesos for each day on which they attend the sessions and serve as members of the Board.

"The chairman of the Board of Tax Appeals shall be designated in the appointment of the President and shall receive forty pesos for each day on which he attends the sessions. The secretary of the Board shall be appointed by the chairman thereof with the concurrence of a majority of its members and shall keep the records of the proceedings of the Board, The secretary shall receive such salary as the Board may fix.

"SEC. 69. Tax sale.—In addition to the procedure prescribed in section sixty-five hereof the city assessor and collector may, upon the warrant of the certified record required in said section not less than twenty days after delinquency, advertise the real estate of the delinquent for sale, or so much thereof as may be necessary to satisfy all public taxes upon said property as above with penalties and costs of sale, for a period of thirty days.

"The advertisement shall be by posting a notice at the main entrance of the City Hall and in a public and conspicuous place in the district in which the real estate lies, and by publication once a week for three weeks, in a newspaper of general circulation published in the city if any there be. Publication in the Official Gazette shall not be required for such notice. The advertisement shall state the amount of the taxes and penalties so due, the time and place of sale, the name of the taxpayers against whom the taxes are levied, and the approximate area, the lot and block number, the location by district and street, and the street number, if the property has a street number, of the real estate to be sold. At any time before the day fixed for the sale the taxpayer may discontinue all proceedings by paying the taxes, penalties, and costs to the city assessor and collector. If he does not do so the sale shall proceed and shall be held either at the main entrance of the City Hall or on the premises to be sold, as the city assessor and collector may determine: Provided, That no such sale shall proceed unless the delinquent taxpayer shall have been notified thereof by registered mail at least

sixty days before the date fixed for the sale. Within five days after the sale the city assessor and collector shall make return of the proceedings and spread it in his records. The purchaser at the sale shall receive a certificate from the city assessor and collector from his record showing the proceedings of the sale, describing the property sold, stating the name of the purchaser, and setting out the exact amount of all public taxes, penalties and costs.

"It shall not be essential to the validity of a sale at real estate for delinquent taxes hereunder that the city assessor and collector shall have attempted to make the amount due out of the personal property of the delinquent taxpayer, and the remedy provided in section sixty-five hereof shall be deemed cumulative only."

SEC 6. This Act shall take effect upon its approval.

Approved, June 16, 1956.

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