

AN ACT TO AMEND REPUBLIC ACT NUMBERED SIX HUNDRED AND THREE, ENTITLED, "AN ACT CREATING THE CITY OF ROXAS," BY ALTERING CERTAIN SECTIONS THEREOF AND ADDING NEW ONES.

REPUBLIC ACT NO. 3461, June 16, 1962

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

SECTION 1. Section seven of Republic Act Numbered Six hundred and three is hereby amended, to read as follows:

"SEC. 7. The Mayor.—The mayor shall be the chief executive of the city. He shall be elected at large by the qualified voters of the city on the date of the elections for provincial and municipal officials in conformity with the provisions of the Revised Election Code. No person shall be eligible for the position of mayor unless at the time of the election he is at least twenty-five years of age, a resident of the city for at least one year prior to his election and is a qualified voter of the city. He shall assume office on the first day of January following his election, and upon qualifying, shall hold office for four years and until his successor shall have been duly elected and qualified, unless sooner removed or suspended for cause, as provided by law.

"He shall receive a salary of eight thousand four hundred pesos per annum, and in addition to his salary, a non-commutable allowance of not exceeding two thousand four hundred pesos per annum."

SEC. 2. Section eight of the same Act is hereby amended, to read as follows:

"SEC. 8. The vice-mayor.—There shall be a vice-mayor who shall preside over the meetings of the municipal board, but he shall have no right to vote except in case of tie.

"The vice-mayor shall be elected in the same manner as the mayor and shall at the time of his election possess the same qualifications as the mayor. He shall assume office on the first day of January following his election, and upon qualifying, shall hold office for four years and until his successor shall have been duly elected and qualified, unless sooner removed or suspended for cause, as provided by law. He shall receive a compensation of six thousand pesos per annum."

SEC. 3. The following sub-section shall be added to Section nine of the same Act:

"(o) To appoint the subordinate personnel in all departments of the government of the City of Roxas, subject to the provisions of the Civil Service Law, rules and regulations."

SEC. 4. The first paragraph of Section ten of the same Act is hereby amended, to read as follows:

"SEC. 10. Secretary to the Mayor.—The mayor shall appoint one secretary who shall hold office at the pleasure of the mayor and who shall receive a compensation of not exceeding four thousand two hundred pesos per annum."

SEC. 5. Section eleven of the same Act is hereby amended, to read as follows:

"SEC. 11. Constitution and organization of the municipal board—Compensation of members thereof.—The municipal board shall be the legislative body of the city and shall be composed of the vice-mayor, who shall be its presiding officer, and six councilors, who shall be elected in the same manner as the mayor and the vice-mayor and at the time of the election shall possess all the qualifications of the mayor and the vice-mayor. The councilors shall assume office on the first day of January following their election, and upon qualifying, shall hold office for four years and until their successors shall have been duly elected and qualified, unless sooner removed or suspended for cause, as provided by law. In case of sickness, absence, suspension or other temporary disability of any member of the board, or if necessary to maintain a quorum, the President of the Philippines may appoint a temporary substitute belonging to the political party of the regular incumbent who shall possess all the rights and perform all the duties of a member of the board until the return to duty of the regular incumbent.

"If any member of the municipal board shall be a candidate for office in any election, he shall be disqualified to act with the board in the discharge of the duties conferred upon it relative to election matters, and in such case the other members of the board shall discharge said duties without his assistance, or they may choose some disinterested elector of the city to act with the board in such matters in his stead.

"The councilors shall each receive a salary of four thousand two hundred pesos per annum."

SEC. 6. The first paragraph of Section thirteen of the same Act is hereby amended, to read as follows:

"SEC. 13. Appointment, salary and duties of secretary of board.—The board shall have a secretary who shall be appointed by it to serve during the term of office of the members thereof. He shall receive a compensation of not exceeding four thousand two hundred pesos per annum."

SEC. 7. The first paragraph of Section twenty-one of the same Act is hereby amended, to read as follows:

"SEC. 21. The city treasurer—his powers, duties and compensation.—There shall be a city treasurer, who shall have charge of the department of finance and shall act as chief fiscal officer and financial adviser of the city and custodian of its funds. He shall receive a salary of six thousand nine hundred pesos per annum. He shall have the following general powers and duties:"

SEC. 8. The following section shall be inserted between Sections twenty-one and twenty-two of the same Act.

"SEC. 21-A. Assistant city treasurer.—In the office of the city treasurer, there shall be an assistant city treasurer whose compensation shall not exceed four thousand two hundred pesos per annum."

SEC. 9. The first paragraph of Section twenty-two of the same Act is hereby amended, to read as follows:

"SEC. 2. The city engineer.—his powers, duties and compensation.—There shall be a city engineer, who shall be in charge of the department of engineering and public works. He shall receive a salary of six thousand nine hundred pesos per annum. He shall have the following powers and duties:"

SEC. 10. The title and the first paragraph of Section twenty-four of the same Act are hereby amended, to read as follows:

"SEC. 24. The city fiscal and assistant city fiscals—their powers, duties and compensation.—The city fiscal shall be the chief legal adviser of the city, and in the performance and discharge of his duties he shall be assisted by three assistant city fiscals—one first assistant city fiscal and two second assistant city fiscals. The city fiscal shall receive a salary of six thousand nine hundred pesos per annum, the first assistant city; fiscal shall receive a salary of four thousand two hundred pesos per annum, and the two second assistant city fiscals shall, each receive a salary of three thousand pesos per annum. The city fiscal, shall have the following powers and duties:"

SEC. 11. The following section shall be inserted between Sections twenty-four and twenty-five of the same Act:

"SEC. 24-A. Preliminary investigations in the city fiscal's office, municipal court and Court of First Instance.—Every person arrested shall, without unnecessary delay, be brought before the city fiscal, the municipal court or the Court of First Instance for preliminary investigation, release on bail or trial, as the case may be. In cases triable in the municipal court the defendant shall not be entitled as of right to a preliminary investigation, except to a summary one to enable the court to fix the bail, in any case where the prosecution announces itself ready and is ready for trial within three days, not including Sundays, after the request for such preliminary investigation is presented. In cases triable only in the Court of First Instance the defendant shall not be entitled as of right to preliminary investigation in any case where the city fiscal or any of his assistants, after a due examination of the facts, shall have presented an information against him in proper form. But the Court of First Instance may make such summary investigation into the case as it may deem necessary to enable it to fix the bail or determine whether the offense is bailable."

SEC. 12. The first paragraph of Section twenty-five of the same Act is hereby amended, to read as follows:

"SEC. 25. The city health officer—his salary, powers and duties.—There shall be a city health officer who shall have charge of the health department. He shall have a salary of six thousand nine hundred pesos per annum. The city health officer shall have the following general powers and duties:"

SEC. 13. The following section shall be inserted between Sections twenty-five and twenty-six of the same Act:

"SEC. 25.-A. Assistant city health officer.—In the office of the city health officer, there shall be an assistant city health officer who shall have a salary of not exceeding four thousand two hundred pesos per annum."

SEC. 14. The first paragraph of Section twenty-six of the same Act is hereby amended, to read as follows:

"SEC. 26. The chief of police—his powers, duties and compensation.—There shall be a chief of police who shall have charge of the police and fire department. He shall receive a salary of six thousand three hundred pesos per annum. He shall have the following general powers and duties:"

SEC. 15. The second paragraph of Section twenty-seven of the same Act is hereby amended, to read as follows:

"The chief of secret service shall receive a salary of not exceeding four thousand two hundred pesos per annum."

SEC. 16. Section twenty-nine of the same Act is hereby amended, to read as follows:

"SEC. 29. The city treasurer as city assessor ex officio— His additional compensation, powers and duties.—Until such time as the municipal board passes an ordinance creating the position of city assessor and a person qualified to hold it in accordance with the Civil Service Law, rules and regulations shall have been appointed to it, with a salary of six thousand three hundred pesos per annum, the city treasurer shall act as city assessor ex officio and shall have charge of the department of assessment with an additional compensation of one thousand two hundred pesos per annum, to be taken from city funds. He and his authorized deputies are empowered to administer any oath authorized in connection with the valuation of real estate for the assessment and collection of taxes. He shall make the list of the taxable real estate in the city, arranging in the order of the lot and the block numbers the names of the owners thereof, with a brief description of the property opposite each such name and the cash values thereof. In making this list, the city assessor ex officio shall take into consideration any sworn statement made by the owners of the property, but shall not be prevented thereby from considering other evidence on the subject and exercising his own judgment in respect thereto. For the purpose of completing this list, he and his representatives may enter upon the real estate for the purpose of examining and measuring it, and may summon witnesses, administer oaths to them, and subject them to examination concerning the ownership and the amount of real estate and its cash value. He may, if necessary, examine the records of the office of the Register of Deeds in the Province of Capiz showing the ownership of real estate in the city."

SEC. 17. Section seventy-five of the same Act is hereby amended, to read as follows:

"SEC. 75. Regular and acting judges of municipal courts.—There shall be a municipal court for the City of Roxas, to be composed of two branches, to each of which there shall be appointed a municipal judge.

"The municipal judges may, upon proper application to the Secretary of Justice, be each allowed a vacation of not more than thirty days every year with salary.

"In case of absence, incapacity or inability of any one of the municipal judges, the Secretary of Justice shall designate the justice of the peace of any of the adjoining municipalities to preside over that branch of the municipal-court the regular incumbent of which is absent, incapacitated or unable to discharge his official functions, and the justice of the peace so designated shall hold office temporarily until the regular incumbent thereof shall have resumed office or until another judge shall have been appointed in accordance with the provisions of this Act. The justice of the peace so designated shall receive his salary as justice of the peace plus fifty per cent of the salary of the municipal judge whose office he has temporarily assumed.

"The municipal judges shall each receive a salary of seven thousand two hundred pesos per annum."

SEC. 18. The first paragraph of Section seventy-six of the same Act is hereby amended, to read as follows:

"SEC. 76. Clerk and employees of the municipal court.—There shall be a clerk of the municipal, court who shall be appointed by the municipal judge in accordance with Civil Service Law, rules and regulations, and who shall receive a compensation to be fixed by ordinance at not exceeding two thousand four hundred pesos per annum. He shall keep the seal of the court and affix it to all orders, judgments, certificates, records, and other documents issued by the court. He shall keep a docket of the trial in the court, in which he shall record in a summary manner the names of the parties and the various proceedings in civil cases, and in criminal cases, the name of the defendant, the charge against him, the names of the witnesses, the date of the arrest, the appearance of the defendant, together with the fines and costs adjudged or collected in accordance with the judgment. He shall have the power to administer oath."

SEC. 19. Section eighty-three of the same Act is amended to read as follows:

"SEC. 83. General auditing office—City Auditor.—The city auditor, under (the supervision of the Auditor General, shall receive and audit accounts of the city, in accordance with the provisions of law relating to government accounts and accounting. Until such time as the municipal board passes an ordinance creating the position of city auditor and a person qualified to hold it in accordance with the Civil Service Law, rules and regulations shall have been appointed to it, with a salary of six thousand nine hundred pesos per annum, the provincial auditor of the Province of Capiz shall act as city auditor ex officio of the City of Roxas with an additional compensation of nine hundred sixty pesos per annum, payable from the funds of the city."

SEC. 20. Section eighty-six of the same Act is hereby amended, to read as follows:

"SEC. 86. The Bureau of Public Schools.—The Director of the Bureau of Public Schools shall exercise the same jurisdiction and power in the city as elsewhere in the Philippines and, until such time as the municipal board passes an ordinance creating the position of city superintendent of schools and a person qualified to hold it in accordance with the Civil Service Law, rules and regulations shall have been appointed to it, with a salary of six thousand nine hundred pesos per annum, the division superintendent of schools for the Province of Capiz shall act as city division superintendent of schools ex officio of the City of Roxas with an additional compensation of one thousand two hundred pesos per annum payable from the funds of the city, and shall have all the powers and duties in respect to the school of the city as are vested in division superintendents in respect to schools of their divisions."

SEC. 21. The following section shall be inserted between Sections eighty-six and eighty-seven of the Act.

"SEC. 86-A. Establishment and operation of primary and intermediate schools.—The expenses for the establishment and operation of primary and intermediate schools in the City of Roxas shall be borne by the national government."

SEC. 22. Subsection (g), Section fifteen of Republic Act Numbered Six hundred and three is hereby repealed.

SEC. 23. This Act shall take effect upon its approval.

Approved, June 16, 1962.

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