

AN ACT AMENDING CERTAIN SECTIONS OF REPUBLIC ACT NUMBERED FIVE HUNDRED TWENTY-SIX, OTHERWISE KNOWN AS THE CHARTER OF THE CITY OF CABANATUAN.

REPUBLIC ACT NO. 1445, June 14, 1956

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

SECTION 1. Sections two, seven, eight, eleven, seventy-five and eighty-nine of Republic Act Numbered Five hundred twenty-six, otherwise known as the Charter of the City of Cabanatuan, are amended to read as follows:

"SEC. 2. Territory of the City of Cabanatuan.—The City of Cabanatuan which is hereby created, shall comprise the present territorial jurisdiction of the Municipality of Cabanatuan, in the Province of Nueva Ecija. Within thirty days after the approval of this amendatory Act, the Municipal Board shall, with the approval of the proper Head of Department, divide the city into four districts which shall comprise, as far as practicable, contiguous and compact territory, with more or less the same area and population.

"The President of the Philippines may, by executive order, increase the territory of the City of Cabanatuan by adding thereto such contiguous barrios or municipalities as may be necessary and desirable in the public interest."

"SEC. 7. The Mayor—His election and compensation.—The Mayor shall be the chief executive of the city. He shall be elected by the qualified voters of the city during every election for provincial and municipal officials in conformity with the provisions of the Revised Election Code. No person shall be elected Mayor unless he is at least twenty-five years of age, is a qualified voter and has been a resident of the city for not less than one year prior to his election.

"He shall receive the salary provided for in Republic Act Numbered Eight hundred forty. With the approval of the proper Head of Department, the Mayor may be provided, in addition to his salary, a non-commutable allowance of not exceeding two thousand pesos per annum."

"SEC. 8. The Vice-Mayor.—There shall be a vice-mayor who shall perform the duties of the Mayor, in the event of the sickness, absence or other temporary incapacity of the Mayor, or in the event of a definitive vacancy in the position of Mayor, until said office shall be filled, in accordance with law. He shall be elected in the same manner and shall possess the same qualifications as the Mayor. He shall receive a salary of not more than three thousand six hundred pesos per annum. If, for any reason, the Vice-Mayor is temporarily incapacitated for the performance of the duties of the office of the Mayor, or said office of the Vice-Mayor is vacant, the duties of the Mayor shall be performed by the City Engineer. The Acting Mayor shall have the same powers and duties as the Mayor.

"The Vice-Mayor shall be the presiding officer of the Municipal Board and shall perform such other duties as may be assigned upon him by the Mayor or prescribed by law or ordinance."

"SEC. 11. Constitution and organization of the Municipal Boards—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 the presiding officer, and two councilors, who shall be elected from each district by popular vote during

every general election for provincial and municipal officials in conformity with provisions of the Revised Election Code. 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 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 should be 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 members of the Municipal Board shall receive ten pesos for each day of attendance of the session of the Board."

"SEC. 75. Regular, auxiliary and acting judges of municipal courts.—There shall be a municipal court for the City of Cabanatuan for which there shall be appointed two municipal judges and two auxiliary municipal judges.

"The municipal judge may, upon proper application, be allowed a vacation of not more than thirty days every year with salary. The auxiliary municipal judge shall discharge the duties in case of absence, incapacity or inability of the municipal judge until he resumes his post, or until a new judge shall have been appointed. During his incumbency the auxiliary municipal judge shall enjoy the powers, emoluments and privileges of the municipal judge who shall not receive any remuneration therefor except the salary to which he is entitled by reason of his vacation provided for in this Act.

"In case of absence, incapacity or inability, of both the Municipal judge and the auxiliary municipal judge, the Secretary of Justice shall designate the justice of the peace of any of the adjoining municipalities to preside over the Municipal court, and he shall hold the office temporarily until the regular incumbent or the auxiliary judge 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 seventy per cent of the salary of the municipal judge whose office he has temporarily assumed.

"The municipal judges shall receive a salary of not exceeding three thousand six hundred pesos per annum.

"SEC. 89. Election of provincial governor and member of the Provincial Board of the Province of Nueva Ecija.—The qualified voters of the city shall be eligible for the position, and be qualified and entitled to vote in the election, of the provincial governor and the members of the provincial board of the Province of Nueva Ecija."

SEC. 2. This Act shall take effect upon its approval.

Approved, June 14, 1956.

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