

AN ACT PROVIDING FOR ADDITIONAL PROSECUTORS IN THE PROSECUTION DIVISION OF THE DEPARTMENT OF JUSTICE, ENLARGING AND REORGANIZING ITS PROSECUTION STAFF, AND FOR OTHER PURPOSES.

REPUBLIC ACT NO. 5184, September 08, 1967

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

SECTION 1. Sections one, two, two-A and two-B of Republic Act Numbered Three thousand seven hundred eighty-three, as amended and/or inserted by Republic Act Numbered Four thousand one hundred and forty, are hereby repealed and in lieu thereof the following sections are enacted:

"SECTION 1. The state prosecutors and the prosecuting and other attorneys in the Prosecution Division and Deportation Board, as provided by existing laws, are hereby merged into one prosecution service which shall be known as the Prosecution Staff of the Department of Justice. The said staff, as enlarged by this Act, shall have one chief, to be known as Chief State Prosecutor, three Assistant Chief State Prosecutors, and the following:

"(a) Six senior state prosecutors, each of whom shall receive an annual salary of P800.00 less than that herein provided for the Assistant Chief State Prosecutor;

"(b) Six senior state prosecutors, each at P600.00 less than that provided for in the next preceding paragraph;

"(c) Six state prosecutors, each at P600.00 less than that provided for in the next preceding paragraph;

"(d) Six state prosecutors, each at P600.00 less than that provided for in the next preceding paragraph;

"(e) Six state prosecutors, each at P600.00 less than that provided for in the next preceding paragraph;

"(f) Ten state prosecutors, each at P600.00 less than that provided for in the next preceding paragraph;

"(g) Ten state prosecutors, each at P600.00 less than that provided for in the next preceding paragraph;

"(h) Sixteen district state prosecutors, each at P600.00 less than that provided for in the next preceding paragraph; and

"(i) Two prosecuting attorneys, each at P1,200.00 less than that provided for in the next preceding paragraph.

"SEC. 2. The Chief State Prosecutor, the Assistant Chief State Prosecutors, the Senior State Prosecutors, the State Prosecutors, and the District State Prosecutors shall be appointed by the President of the Philippines with the consent of the Commission on Appointments: Provided, That each judicial district as organized under the provisions of Republic Act Numbered Two hundred ninety-six, otherwise known as the Judiciary Act of 1948, as amended, shall have one District State Prosecutor who shall be permanently appointed thereto: Provided, further, That the District State Prosecutors shall be under the supervision of the Chief of State Prosecutor.

"The qualifications of the Chief State Prosecutor and the Assistant Chief State Prosecutors shall be the same as

those of a Judge of the Court of First Instance and their salaries are hereby fixed at P19,000.00 each per annum;. The qualifications and rank of the Senior State Prosecutor, State Prosecutor or District State Prosecutor shall be the same as a provincial fiscal.

"SEC. 3. The Chief State Prosecutor, the Assistant Chief State Prosecutors, the Senior State Prosecutors, the State Prosecutors, the District State Prosecutors, as well as other prosecuting attorneys assigned in the interest of the public service to the Prosecution Staff, shall have the same powers as provincial or city fiscals as provided by law: Provided, That said prosecutors shall only assist or collaborate with the provincial or city fiscal, unless otherwise expressly directed and authorized by the Secretary of Justice.

"The Chief State Prosecutor, the Assistant Chief State Prosecutors, the Senior State Prosecutors, and the State Prosecutors shall also prosecute deportation cases, investigate administrative charges against fiscals, and perform such other duties as may be assigned to them by the Secretary of Justice in the interest of the public Service.

"SEC. 4. The Prosecution Staff shall have the following complementary personnel:

- "(a) One supervising administrative assistant at P8,400.00 per annum;
- "(b) Three supervising senior stenographic reporters, each at P7,200.00 per annum;
- "(c) Eight senior stenographic reporters, each at P6,600.00 per annum;
- "(d) Twelve junior stenographic reporters, each at P6,000.00 per annum;
- "(e) Sixteen district stenographic reporters, each at P5,400.00 per annum;
- "(f) One secretary at P6,000.00 per annum;
- "(g) One sheriff at P4,200.00 per annum;
- "(h) One statistical aide at P4,800.00 per annum;
- "(i) Two clerks each at P4,200.00 per annum; and
- "(j) Two janitor-messengers, each at F3,600.00 per annum;

SEC. 2. Any provision of law to the contrary notwithstanding, the members of the Prosecution Staff and complementary personnel as hereinabove provided shall receive the salary rates provided for in this Act: Provided, That no prosecutor, attorney or employee of the merged prosecution services at the time of the approval of this Act shall, as a consequence of the operation of this Act, be removed or separated from the service except for cause as provided by law: Provided, further, That the Secretary of Justice shall determine and establish the respective positions, rank and salaries of the incumbent state prosecutors and personnel: Provided, further, That no incumbent prosecutor or personnel shall be demoted in rank and salary: Provided, finally, That the incumbent prosecutors, attorneys and personnel shall receive their salary adjustments without the need of any new appointment.

SEC. 3. In addition to such sums as may have been provided in the current Appropriations Act, there is hereby appropriated out of any funds in the National Treasury not otherwise appropriated, such sums as may be necessary to carry out the provisions of this Act.

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

Approved, September 8, 1967.

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