

AN ACT TO AMEND CERTAIN SECTIONS OF REPUBLIC ACT NUMBERED TWO THOUSAND THREE HUNDRED TWENTY-SEVEN, ENTITLED "AN ACT TO DECLARE THE POSITION OF GOVERNMENT CORPORATE COUNSEL DISTI...

REPUBLIC ACT NO. 3838, June 22, 1963

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

SECTION 1. Section one of Republic Act Numbered Two thousand three hundred twenty-seven, entitled "An Act to declare the position of Government Corporate Counsel distinct and separate from that of the Solicitor General, provide for his appointment and salary and appropriate the necessary funds therefor, and for other purposes," is hereby amended to read as follows:

"SECTION 1. The position of Government Corporate Counsel is hereby declared distinct and separate from that of the Solicitor General. The Government Corporate Counsel, who shall be appointed by the President of the Philippines with the consent of the Commission on Appointments, shall head the Office of the Government Corporate Counsel as presently constituted. He shall have the rank and privileges of an Undersecretary of Department and shall receive compensation of fifteen thousand pesos per annum. He shall be the principal law officer of all government-owned or controlled corporations. To enable him to discharge, his functions as such, it shall be the duty of all said corporations to refer to him all important legal questions for opinion, advice and determination, all proposed contracts and all important court cases for his services. He shall, moreover, exercise control and supervision over all legal divisions maintained separately by said corporations. No government-owned or controlled corporation shall hire a private law practitioner to handle any of its legal cases without the written consent of the Government Corporate Counsel or of the Secretary of Justice."

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

"SEC. 2. The positions of two assistant government corporate counselors are hereby created with a salary of twelve thousand and eleven thousand four hundred pesos per annum, respectively, whose qualifications shall be those of provincial fiscals, and shall also be appointed by the President of the Philippines with the consent of the Commission on Appointments.

"There shall also be twenty-four trial attorneys whose salaries shall be as follows:

- "(a) Three trial attorneys at ten thousand eight hundred pesos per annum each;
- "(b) Three trial attorneys at ten thousand two hundred pesos per annum each;
- "(c) Three trial attorneys at nine, thousand six hundred pesos per annum each;
- "(d) Three trial attorneys at nine thousand pesos per annum each;
- "(e) Three trial attorneys at eight thousand four hundred pesos per annum each;
- "(f) Three trial attorneys at seven thousand eight hundred pesos per annum each;
- "(g) Three trial attorneys at seven thousand two hundred pesos per annum each; and
- "(h) Three trial attorneys at six thousand six hundred pesos per annum each.

"The qualifications for appointment to the positions of trial attorneys shall be the same as those prescribed for

provincial fiscals, except those for trial attorneys mentioned in paragraphs (f) to (h), of this section which must be actual practice of law in the Philippines for at least three years or having occupied during a like period within the Philippines, a position requiring admission to the practice of law in the Philippines as an indispensable requisite.

"There shall also be four research attorneys whose salaries shall be as follows:

- "(a) One senior research attorney at six thousand pesos per annum;
- "(b) One research attorney at five thousand four hundred pesos per annum; and
- "(c) Two research attorneys at four thousand eight hundred pesos per annum each."

SEC. 3. Provisions of any law to the contrary notwithstanding, the incumbent Government Corporate Counsel and all incumbent assistant government corporate counselors, trial attorneys and research attorneys of the Office of the Government Corporate Counsel as presently constituted shall receive the salary rates provided for in this Act, corresponding to their rank and seniority in the said Office, without the necessity of any new appointment: Provided, That none of those holding office as such on the passage of this Act shall, by reason thereof, be removed from office or be demoted to a lower category or scale of salary except for cause and upon compliance with the due process provided for by law.

SEC. 4. In addition to such sums as may have been provided in the current Appropriation 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. 5. This Act shall take effect on July first, nineteen hundred and sixty-three.

Approved, June 22, 1963.

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