

# [ PRESIDENTIAL DECREE NO. 1482, June 10, 1978 ]

## **FURTHER AMENDING THE JUDICIARY ACT OF 1948, REPUBLIC ACT NO. 296, AS AMENDED, BY INCREASING THE NUMBER OF ASSOCIATE JUSTICES OF THE COURT OF APPEALS TO FORTY-FOUR.**

**WHEREAS**, the dockets of the Court of Appeals are clogged and the increasing number of cases now before it will clog its dockets further unless remedial measures are taken;

**WHEREAS**, justice is unduly delayed tantamount to its denial to parties whose cases have long been pending before the Court of Appeals;

**WHEREAS**, apart from other remedial measures which the Supreme Court in the exercise of its administrative authority over courts may devise, it becomes imperative to increase the number of Justices of the Court of Appeals.

**NOW, THEREFORE, I, FERDINAND E. MARCOS**, President of the Philippines, by virtue of the powers vested in me by the Constitution of the Philippines, do hereby decree as follows:

**SECTION 1.** Chapter III, Section 24 of Republic Act No. 296, as amended, is hereby amended to read as follows:

**"SECTION 24.** *The Court of Appeals.*—The Court of Appeals of the Philippines shall consist of a Presiding Justice and forty-four Associate Justices who shall be appointed by the President of the Philippines. The Presiding Justice of the Court of Appeals shall be so designated in his commission, and the other Justices of the Court shall have precedence according to the date of their respective commissions, or when the commissions of two or more of them shall bear the same date, according to the order in which their commissions have been issued by the President of the Philippines. *Provided, however,* That a member of the Court of Appeals appointed to any other branch of the government shall receive as compensation from that branch not less than his compensation in the Court of Appeals. Any such member who is reappointed to that Court after rendering service in any other branch of the government shall retain the precedence to which he is entitled under his original appointment and his service in the Court shall, to all intents and purpose, be considered as continuous and uninterrupted.

The Court of Appeals shall, as a body sit *in banc* but it may sit in fifteen divisions of three justices each. The fifteen divisions may sit at the same time."

**SECTION 2.** The first paragraph of Section 33 of the same Act is hereby amended to read as follows:

**"SECTION 33.** *Quorum of the Court.*—Twenty-four Justices of the Court of Appeals shall constitute a quorum for its sessions *in banc*; and three Justices shall constitute a quorum for the sessions of a division. In the