

[REPUBLIC ACT NO. 5433, September 09, 1968]

AN ACT TO AMEND SECTION 29 OF REPUBLIC ACT NUMBERED TWO HUNDRED NINETY-SIX, ALSO KNOWN AS THE JUDICIARY ACT OF 1948, AND FOR OTHER PURPOSES.

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

SECTION 1. Section 29 of Republic-Act Numbered Two hundred ninety-six, also known as the "Judiciary Act of 1948", is hereby amended to read as follows:

"SEC. 29. *Jurisdiction of the Court of Appeals.*—The Court of Appeals shall have exclusive appellate jurisdiction over all cases, actions, and proceedings, not enumerated in section seventeen of this Act, properly brought to it, except final judgments or decisions of Courts of First Instance rendered after trial on the merits in the exercise of appellate jurisdiction, which affirm in full the judgment or decision of a municipal or city court, in which cases the aggrieved party may elevate the matter to the Court of Appeals only on petition for review, to which the Court of Appeals shall give due course only when the petition shows *prima facie* that the court has committed errors of fact and law that would warrant reversal or modification of the judgment or decision sought to be reviewed. The decision of the Court of Appeals shall be final: *Provided, however,* That the Supreme Court in its discretion may, in any case involving a question of law, upon petition of the party aggrieved by the decision and under rules and conditions that it may prescribe, require by *certiorari* that the said case be certified to it for review and determination, as if the case had been brought before it on appeal."

SEC. 2. The Supreme Court, by Rules of Court shall prescribe the procedure for petitions for review mentioned in the preceding section. Until it shall have done so said petitions (1) shall be filed within the periods for appeal from civil or criminal cases, depending upon the nature of the case; (2) shall not stay the judgment sought to be reviewed unless either the Court of First Instance or Court of Appeals shall provide otherwise for good cause shown and upon such terms as may be just, and (3) shall be filed and proceed, as far as may be practicable and not inconsistent with this Act, in the manner and form, provided in Rules 43 and 44 of the Rules of Court.

SEC. 3. This Act shall take effect upon its approval, but shall not affect appeals perfected prior thereto.

Approved, September 9, 1968.
