

[Commonwealth Act No. 604, August 22, 1940]

AN ACT TO AMEND CERTAIN SECTIONS OF THE CHARTER OF THE CITY OF ILOILO.

Be it enacted by the National Assembly of the Philippines:

SECTION 1. At the end of section five of Commonwealth Act Numbered Fifty-seven, known as the Charter of the City of Iloilo, as amended by Commonwealth Act Numbered One hundred and fifty-eight, is added the following paragraph:

"The territorial jurisdiction of the City of Iloilo shall also include the present territory of the municipality of Jaro, which shall cease to exist as such, to form a part of said city, on the date that the President of the Philippines may set by proclamation."

SEC. 2. Sections seven, nine, fourteen, fifteen, sixteen, and eighteen of the same Act, as amended, are further amended, to read as follows:

"SEC. 7. *Relations between the City of Iloilo and the provincial government of Iloilo.*— For election purposes, the City of Iloilo shall continue as part of the Second Assembly District of the Province of Iloilo. The voters of said City of Iloilo shall take part in the election of the provincial officers of Iloilo, but the latter shall have no jurisdiction over the City of Iloilo and the officers thereof."

"SEC. 9. *The Acting Mayor—Definitive vacancy.*— In the event of the temporary incapacity or absence of the Mayor, or in the event of a definitive vacancy in the position of Mayor, the President of the Philippines shall designate the person to occupy it temporarily. The acting-Mayor shall have the same powers and duties and shall receive the same compensation as that of the Mayor.

"In case of a definitive vacancy, the President, with the consent of the Commission on Appointments, shall appoint one to fill the position for the unexpired portion of the term".

"SEC. 14. *Constitution and organization of the Municipal Board.*—The Municipal Board shall be the legislative body of the city and shall consist of the City Mayor and eight councilors, four of them to be appointed by the President of the Philippines, with the consent of the Commission on Appointments, and the other four to be elected by popular vote. The City Mayor shall act as Chairman of the Board. Until the next general elections, the positions of the four elective councilors shall be filled in the same manner as those of the appointive councilors. The Chairman of the Board shall preside over all sessions thereof at which he is present and shall have the right to vote on all matters submitted to the Board. In his absence, the members present shall elect one to preside at the sessions of the Board as temporary chairman. The Chairman of the Board shall sign all ordinances and resolutions and motions. directing the payment of money or creating liability. In case of sickness or absence of any member of the Board, or if it becomes necessary to maintain a quorum, the

President of the Philippines shall appoint a temporary substitute who shall hold office, possess all the rights, receive the emoluments and discharge all the duties in connection therewith until the return to duty of the sick or absent member.

"The President of the Philippines, with the consent of the Commission on Appointments, shall fill for the rest of the term all the permanent vacancies taking place in the Municipal Board.

"The City Mayor shall discharge his duties in the Board without additional compensation. The other members shall each receive a per diem of ten pesos for each day of attendance at the session of the Board."

"SEC. 15. *Qualification, election, suspension and removal of the elective members of the Board.*—The elective members of the Municipal Board shall be elected at large from the entire city, and each of them at the time of his election shall be a resident for at least one year and a qualified elector of the city and not less than twenty-three years of age. Such members may be suspended or removed from office under the same circumstances, in the same manner and with the same effect, as the elective provincial officers, and the provisions of law providing for the suspension or removal of elective provincial officers are made effective for the suspension or removal of said members of the Board. Insofar as they are applicable, all the provisions of the Election Law are made effective as to elective members of the Board and to their election, to the same extent as if the City of Iloilo were a province and the election of said members were the election of the members of the Provincial Board.

"A plurality shall be sufficient for the election and any tie shall be decided by lot by the Municipal Board of Canvassers.

"The first election under this Charter shall take place on the date of the general elections immediately after the approval of this Act."

"SEC. 16. *Appointment and duties of secretary of Board.*—The Board shall have a secretary who shall be appointed by its Chairman to serve during the term of office of said Chairman. The vacancy in the office of secretary shall be filled temporarily or for the unexpired portion of the term in like manner. The secretary shall be in charge of the records of the Municipal Board. He shall keep a full record of the proceedings of the Board and file all documents relating thereto; and shall record in a book kept for the purpose, all ordinances, and all resolutions and motions directing the payment of money or creating liability with the dates of approval of the same, and of the publication of the ordinances; shall keep a seal, circular in form, with the inscription "Municipal Board—City of Iloilo" and affix the same, with his signature, to all ordinances and all official acts of the Board, which he shall present for signature to the Chairman. He shall cause each ordinance passed to be published. He shall furnish, on demand, certified copies of all records of public character in his charge, and collect and receive therefor such fees as may be prescribed by ordinance or resolution of the Board; and shall keep his office and all records therein which are not of a confidential character