

[Commonwealth Act No. 259, April 07, 1938]

AN ACT TO AMEND CERTAIN PROVISIONS OF THE ADMINISTRATIVE CODE, AS AMENDED BY COMMONWEALTH ACT NUMBERED THREE, RELATING TO THE SUPREME COURT AND THE COURT OF APPEALS AND TO APPROPRIATE FUNDS TO CARRY OUT THE PURPOSES THEREOF.

Be it enacted by the National Assembly of the Philippines:

SECTION 1. The first paragraph of section one hundred thirty-three of the Administrative Code, as amended by Commonwealth Act Numbered Three, is further amended so as to read as follows:

"SEC. 133. The Supreme Court; quorum of the Court; designation of Justices of the Court of Appeals to sit in the Supreme Court; number of Justices necessary to reach a decision.—The Supreme Court of the Philippines shall consist of a Chief Justice and six Associate Justices, which shall sit in banc in the hearing and determination of all cases within its jurisdiction. The presence of five Justices shall be necessary to constitute a quorum, except when the judgment of the lower court imposes the death penalty, in which case the presence of all the Justices shall be necessary to constitute a quorum. In the absence of a quorum, the Court shall stand ipso facto adjourned until such time as the requisite number shall be present, and a memorandum showing this fact shall be inserted by the clerk in the minutes of the Court."

SEC. 2. Section one hundred and thirty-three-A of the Administrative Code, as amended by Commonwealth Act Numbered Three, is further amended so as to read as follows:

"SEC. 133-A. Place of holding sessions.—The Supreme Court shall hold its sessions in the City of Manila. Whenever the public interest so requires, it may hold its sessions in any other place within the Philippines."

SEC. 3. Paragraphs four and five of section one hundred thirty-eight of the Administrative Code, as amended by Commonwealth Act Numbered Three, are further amended so as to read as follows:

"(4) All criminal cases involving offenses for which the penalty imposed is death or life imprisonment, and those involving other offenses which, although not so punished, arose out of the same occurrence or which may have been committed by the accused on the same occasion, as that giving rise to the more serious offense, regardless of whether the accused are charged as principals, accomplices, or accessories, or whether they have been tried jointly or separately.

"(5) All civil cases in which the value in controversy exceeds fifty thousand pesos, exclusive of interests and costs, or in which the title or possession of real estate exceeding in value the sum of fifty thousand pesos to be ascertained by the oath of a party to the cause or by other

competent evidence, is involved or brought in question. The Supreme Court shall likewise have exclusive jurisdiction over all appeals in civil cases, even though the value in controversy, exclusive of interests and costs, is fifty thousand pesos or less, when the evidence involved in said cases is the same as the evidence submitted in an appealed civil case within the exclusive jurisdiction of the Supreme Court as provided herein."

SEC. 4. Section one hundred and forty-five-A of the Administrative Code, as amended by Commonwealth Act Numbered Three, is further amended so as to read as follows:

"SEC. 145-A. **The Court of Appeals.**—The Court of Appeals of the Philippines shall consist of a Presiding Justice and fourteen Associate Justices, who shall be appointed by the President of the Philippines, with the consent of the Commission on Appointments of the National Assembly. 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 dates 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. The said Court of Appeals shall, as a body, sit in bane, but it may sit in three divisions of five Justices each. The three divisions may sit at the same time.

"Whenever the terms 'Presiding Judge' and 'Appellate Judge' or 'Judge' appear in Commonwealth Act Numbered Three, they shall be read as 'Presiding Justice' and 'Associate Justice/' respectively."

SEC. 5. Section one hundred and forty-five-E of the Administrative Code, as amended by Commonwealth Act Numbered Three, is further amended so as to read as follows:

"SEC. 145-E. **Qualifications and compensation of Justices of Court of Appeals.**— The Justices of the Court of Appeals shall have the same qualifications as those provided in the Constitution for members of the Supreme Court. The Presiding Justice of the Court of Appeals shall receive an annual compensation of thirteen thousand pesos, and each Associate Justice, an annual compensation of twelve thousand pesos."

SEC. 6. Section one hundred and forty-five-I of the Administrative Code, as amended by Commonwealth Act Numbered Three, is further amended so as to read as follows:

"SEC. 145-1. **Place of holding sessions.**—The Court of Appeals in bane and its three divisions shall hold sessions in the City of Manila. Whenever the President of the Philippines shall find that the public interest requires that the court hold session in any other place within the Philippines, the court shall, by resolution, make provision for the holding of such session in bane or by any of its divisions."

SEC. 7. Section one hundred and forty-five-J of the Administrative Code, as amended by Commonwealth Act Numbered Three, is further amended so as to read as follows: