

[Commonwealth Act No. 144, November 07, 1936]

AN ACT TO AMEND SECTIONS SIXTEEN HUNDRED AND SEVENTY-FOUR, SIXTEEN HUNDRED AND SEVENTY-NINE, SIXTEEN HUNDRED AND EIGHTY, SIXTEEN HUNDRED AND EIGHTY-SIX, AND TWENTY-FOUR HUNDRED AND SIXTY-FIVE, OF THE ADMINISTRATIVE CODE, AS AMENDED.

Be it enacted by the National Assembly of the Philippines:

SECTION 1. Section sixteen hundred and seventy-four of the Administrative Code is hereby amended to read as follows:

"SEC. 1674. Assistant provincial fiscals.-In the following provinces there shall be assistant provincial fiscals in such numbers and with such salaries as are hereinafter provided:

"Cagayan, one assistant provincial fiscal at two thousand pesos per annum;

"Ilocos Norte, one assistant provincial fiscal at two thousand per annum;

"Ilocos Sur, one assistant provincial fiscal at two thousand per annum;

"Mountain province, one assistant provincial fiscal at two thousand per annum;

"Pangasinan, one assistant provincial fiscal at two thousand per annum;

"Nueva Ecija, one assistant provincial fiscal at two thousand per annum;

"Cavite, one assistant provincial fiscal at two thousand pesos per annum;

"Tayabas, two assistant provincial fiscals at two thousand eight hundred pesos and two thousand four hundred pesos; 'espeetively, per annum;

"Sorsogon, one assistant provincial fiscal at two thousand pesos per annum;

"Capiz, one assistant provincial fiscal at two thousand pesos per annum;

"Iloilo, three assistant provincial fiscals at two thousand eight hundred pesos, two thousand fuur hundred pesos, and ;wo thousand pesos, respectively, per annum;

"Occidental Negros, two assistant provincial fiscals at two thousand eight hundred pesos and two thousand four hundred pesos, respectively, per annum;

"Leyte, two assistant provincial fiseals at two thousand four hundred

pesos and two thousand pesos, respective!?, per annum;

"Cebu, four assistant provincial fiscals at two thousand eight hundred pesos, two thousand four hundred pesos, two thousand pesos, and one thousand six hundred pesoa, respectively, per annum;

"Oriental Misamis, one assistant provincial fiscal at two thousand pesos per annum;

"Camarines Sur, one assistant provincial fiscal at two thousand pesos per annum;

"Zamboanga, one assistant provincial fiscal at one thousand six hundred pesos per annum; and "Sulu, one assistant provincial fiscal at one thousand six hundred pesos per annum.

"These officers shall be appointed by the President of the Philippines with the consent of the Commission on Appointments of the National Assembly, and their salaries shall be paid to the provinces concerned. To be eligible for appointment to this position, a person must be a citizen of the Philippines who has been duly admitted to practice in the courts of said islands, and has been in actual practice for at least three years, prior to his appointment, or has held during a like period, within the Philippines, the office of clerk of court, law clerk in a bureau of the Government, or an office requiring the services of a lawyer."

Sec. 2. Section sixteen hundred and seventy-nine of the Administrative Code is hereby amended to read as follows:

"Sec. 1679. *When Secretary of Justice shall appoint acting provincial fiscal.*—When a provincial fiscal shall be disqualified by personal interest to act in a particular case or when for any reason he shall be unable, or shall fail, to discharge any of the duties of his position, the Secretary of Justice shall appoint an acting provincial fiscal, who shall discharge all the duties of the regular provincial fiscal which — shall, for the days actually employed, be paid out of the provincial treasury the same compensation per day as that provided by law for the regular provincial fiscal. The person so appointed shall be either a practising attorney or some competent officer of the Department of Justice or office of any provincial fiscal. This may also be done in case of vacancy, pending the appointment of a permanent fiscal."

Sec. 3. Section sixteen hundred and eighty of the Administrative Code, as amended, is hereby further amended to read as follows:

"Sec. 1680. *Temporary detail of provincial fiscal to other province.*—The Secretary of Justice may, in the interest of the public service, direct the temporary detail of any provincial fiscal or deputy provincial fiscal from one province to any other province in the Islands, or to the City of Manila, there to perform such duties pertaining to the office of provincial fiscal or of the city fiscal, or such other duties as may be specified by the Secretary of Justice in such assignment.