

# [ PRESIDENTIAL DECREE NO. 289, September 07, 1973 ]

## AMENDING SECTION 24 OF THE JUDICIARY ACT, AS AMENDED.

**WHEREAS**, the enlarged jurisdiction of the Court of Appeals and the number of cases now directly appealable thereto from city and municipal courts have considerably increased the number of cases appealed to the Court;

**WHEREAS**, under the new Constitution, the Court of Appeals is required to decide cases within 12 months from date of submission;

**WHEREAS**, the backlog of pending cases in the Court of Appeals will mount unless its membership is increased; and

**WHEREAS**, there is also a need to delete the statutory mode (impeachment) by which the members of the Court of Appeals may be disciplined because it conflicts with Article X, Section 7, of the Constitution;

**NOW, THEREFORE, I, FERDINAND E. MARCOS**, President of the Philippines, by virtue of the powers vested in me by the Constitution as Commander-in-Chief of all the Armed Forces of the Philippines, and pursuant to Proclamation No. 1081, dated September 21, 1972, and General Order No. 1, dated September 22, 1972, as amended, do hereby further amend Section twenty-four of Republic numbered two hundred and ninety-six, as amended, to read as follows:

**"SEC. 24. *The Court of Appeals.*** — The Court of Appeals of the Philippines shall consist of a Presiding Justice and thirty-five 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 dates of their respective commissions, or when the commission 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 any member of the Court of Appeals who has been 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 purposes, be considered as continuous and uninterrupted.

"The Court of Appeals shall, as a body, sit in bane but it may sit in twelve divisions of three Justices each. The twelve divisions may sit at the same time."

This Decree shall take effect immediately.

Done in the City of Manila, this 7th day of September, in the year of Our Lord, nineteen hundred and seventy-three.

**(Sgd.) FERDINAND E.  
MARCOS**