

[REPUBLIC ACT NO. 1201, September 02, 1954]

**AN ACT TO AMEND AND REPEAL CERTAIN SECTIONS OF
REPUBLIC ACT NUMBERED FOUR HUNDRED NINE, AND FOR
OTHER PURPOSES.**

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

SECTION 1. Section twenty of Republic Act Numbere Four hundred nine is amended to read as follows:

"SEC. 20. *City Departments.*—There shall be the following city departments over which the Mayor shall have direct supervision and control, except over the Office of the City Fiscal which shall be under the Department of Justice, any existing law to the contrary notwithstanding:

1. Department of Engineering and Public Works
2. Police Department
3. Office of the City Fiscal
4. Fire Department
5. Department of Finance
6. Department of Assessment
7. Department of Health
8. Department of Public Services

"The Board may from time to time make such readjustment of the duties of the several departments as the public interest may demand."

SEC. 2. Article VIII of the same Act, including section thirty-eight under said Article, is repealed and in lieu thereof the following is inserted:

"ARTICLE VIII.—The Office of the City Fiscal

"SEC. 38. *The City Fiscal and Assistant City Fiscals.*— There shall be in the Office of the City Fiscal one chief to be known as the City Fiscal with the rank of a district judge, an assistant chief to be known as the first assistant city fiscal, three second assistant city fiscals, who shall be the chiefs of divisions, and thirty-eight assistant fiscals, who shall discharge their duties under the general supervision of the Secretary of Justice.

"The City Fiscal and his assistants shall receive the salaries hereinafter set forth, which shall be paid by the city of Manila:

- a. City Fiscal, twelve thousand pesos *per annum*.
- b. First assistant city fiscal, eleven thousand pesos *per annum*.
- c. Three second assistant city fiscals who shall be the chiefs of the three divisions, ten thousand pesos *per annum* each.

- d. Three assistant fiscals, eight thousand four hundred Pesos *per annum* each.
- e. Six assistant fiscals, seven thousand two hundred pesos *per annum* each.
- f. Six assistant fiscals, six thousand six hundred pesos *per annum* each.
- g. Six assistant fiscals, six thousand pesos *per annum* each..
- h. Six assistant fiscals, five thousand four hundred pesos *per annum* each.
- i. Six assistant fiscals, five thousand one hundred pesos *per annum* each.
- j. Five assistant fiscals, four thousand eight hundred pesos *per annum* each."

"SEC. 38-A. *Organization of the Office into three divisions.*—To promote a more efficient performance of the functions and duties of the Office, the City Fiscal shall organize said office into three divisions as follows:abel

- a. Preliminary Investigation Division which shall have exclusive charge of the conduct of preliminary investigations of all crimes and violations of city ordinances;
- b. Prosecution Division which shall have exclusive charge of the prosecution of criminal cases and shall represent the city in all civil cases wherein the city or any officer thereof in his official capacity is a party; and
- c. Miscellaneous Division which shall render legal opinions, draw ordinances, when required by the Board, contracts, bonds, leases, and other documents involving any interest of the city, and inspect and pass upon all such documents already drawn but pending approval by the city officer concerned.

"The City Fiscal shall effect, from time to time, such changes in the organization of the said three divisions as the exigencies of the service demand. This organizatio: shall be without prejudice to the power of the City Fiscal to designate any single assistant fiscal or group of assistant fiscals to investigate and also prosecute the same case or cases: *Provided*, That notwithstanding any provision herein to the contrary, no assistant fiscal already holding office on passage of this Act shall, by reason of any reorgai tion, be removed from office or be demoted to a lower category or scale of salary except for cause and compliance of the due processes provided for by law."

"SEC. 38-B. *Duties of the City Fiscal.*—The City Fiscal shall be the chief legal adviser of the city and all offices and departments thereof. He shall, personally or through assistant, represent the city in all civil cases wherein city or any officer thereof in his official capacity is a party; shall attend, when required, meetings of the Board, draw ordinances, contracts, bonds, leases, and other documents involving any interests of the city and inspect and ass upon all such documents already drawn; shall give his opinion in writing when requested by the Mayor or Board upon any question relating to the city, or the rights or duties of any city officer; shall, whenever it is brought to his knowledge that any city officer or employee is guilty of neglect or misconduct in office, or that any