

[Act No. 3167, October 02, 1924]

AN ACT TO AMEND SECTIONS TWENTY-ONE HUNDRED AND EIGHTY-EIGHT, TWENTY-ONE HUNDRED AND EIGHTY-NINE, TWENTY-ONE HUNDRED AND NINETY, AND TWENTY-ONE HUNDRED AND NINETY-ONE OF ACT NUMBERED TWENTY-SEVEN HUNDRED AND ELEVEN, KNOWN AS THE ADMINISTRATIVE CODE, RELATIVE TO THE SUPERVISORY AUTHORITY OF THE PROVINCIAL GOVERNOR OVER MUNICIPAL OFFICERS AND THE DURATION OF THE SUSPENSION OF THE LATTER IN CASE IT IS ORDERED, AND FOR OTHER PURPOSES

Be it enacted by the Senate and House of Representatives of the Philippines in Legislature assembled and by the authority of the same:

SECTION 1. Section twenty-one hundred and eighty-eight, twenty-one hundred and eighty-nine, twenty-one hundred and ninety, and twenty-one hundred and ninety-one of Act Numbered Twenty-seven hundred and eleven, known as the Administrative Code, are hereby amended to read as follows:

"Sec. 2188. *Supervisory authority of provincial governor over municipal officers.*—The provincial governor shall receive and investigate complaints made under oath against" municipal officers for neglect of duty, oppression, corruption, or other form of maladministration in office. For minor delinquency he may reprimand the offender; and if a more severe punishment seems to be desirable, he shall submit written charges touching the matter to the provincial board, furnishing a copy of such charges to the accused either personally or by registered mail, and he may in such case suspend the officer (not being the municipal treasurer) pending action by the board, if in his opinion the charge be one affecting the official integrity of the officer in question. Where suspension is thus effected, the written charges against the officer shall be filed with the board within five days.

"SEC. 2189. *Trial of municipal officer by provincial board.*—When written charges are preferred by a provincial b. governor against a municipal officer, the provincial board shall, at its next meeting, regular or special, set a day, hour, and place for the trial of the same and notify the respondent thereof; and at the time and place appointed, the board shall proceed to hear and investigate the truth or falsity of said charges, giving the accused official full opportunity to be heard in his defense. The hearing shall occur as soon as may be practicable, and in case suspension has been effected, not later than ten days from the date the accused is furnished or has sent to him a copy of the charges, unless the suspended official shall, on sufficient grounds, request an extension of time to prepare his defense.

"The preventive suspension of a municipal officer shall not be for more than thirty days. At the expiration of the thirty days, the suspended officer shall be reinstated in office without prejudice to the continuation