

# [ Commonwealth Act No. 101, October 28, 1936 ]

## **AN ACT TO AMEND SECTION TWO HUNDRED AND SEVEN OF 4CT NUMBERED TWENTY-SEVEN HUNDRED AND ELEVEN KNOWN AS THE ADMINISTRATIVE CODE, AS AMENDED BY ACT NUMBERED FOUR THOUSAND AND FIFTY-SEVEN AND ACT NUMBERED FOUR THOUSAND ONE HUNDRED AND SEVENTY-NINE.**

*Be enacted by the National Assembly of the Philippines:*

SECTION 1. Section two hundred and seven of Act Numbered Twenty-seven hundred and eleven, commonly known as the Administrative Code, as amended by section twenty-seven of Act Numbered Four thousand and fifty-seven and Act Numbered Four thousand one hundred and seventy-nine, is hereby further amended to read as follows:

"SEC. 207. *Qualifications for the office of justice of the peace.*—No person shall be eligible to appointment as justice of the peace or auxiliary justice of the peace unless he shall be (1) at least twenty-three years of age; (2) a citizen of the Philippines; (3) of good moral character and not convicted of any felony; and (4) admitted by the Supreme Court to practice law. As vacancies occur, or when the proper administration of justice so demands, the Department Head may group municipalities into circuit courts, composed of at least two municipalities: Provided, however, That the capital of the province shall not be grouped with any other municipality except in fourth or fifth-class provinces, or the Mountain Province and the specially organized provinces, if the Secretary of Justice so directs: *Provided, further,* That any designation or appointment that has heretofore been made of any justice of the peace of a provincial capital except in a fourth or fifth-class province or the Mountain Province and the specially organized provinces, to act as such in any other municipality shall, from the date of the taking effect of this Act, be considered cancelled and of no effect: *And provided, finally,* That the Secretary of Justice may, upon the recommendation of the judge of first instance concerned, designate the justice of the peace of the capital of a province or subprovince as clerk of court *ex officio* of said province or subprovince.

"No person shall be appointed judge of the Municipal Court of the City of Manila and of the provincial capitals unless he shall have practiced law in the Philippines for a period of five years, or being a qualified lawyer, shall during a like period have held in the Philippines the position of provincial fiscal, deputy provincial fiscal, clerk or deputy clerk of a court of first instance, or assistant attorney in the Bureau of Justice."

SEC. 2. This Act shall take effect upon its approval.

Approved, October 28, 1936.

---