

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

THIRTEENTH CONGRESS

First Regular Session

House Bill No. **212**

Introduced by Hon. Rozzano Rufino B. Biazon

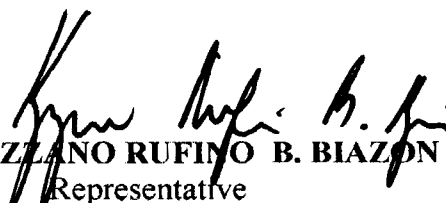
EXPLANATORY NOTE

The Office of the City Prosecutor of Muntinlupa City has, presently, six (6) organic prosecutors, including the City Prosecutor himself. Said office receives more than a hundred case assignments per month and about seven thousand cases a year. Such load appears to be unmanageable if we take into consideration the fact that our prosecutors have to attend scheduled court hearings almost every day.

Muntinlupa City has one (1) existing Municipal Trial Court (MTC) (with assisting judge) and two (2) existing Regional Trial Courts (RTC). Considering the growing number of the populace of the city and soaring number of cases filed, seven (7) MTCs and five (5) RTCs will be added to serve its constituents. In order to address the problem that will definitely crop up with the creation of these additional courts, it is thus necessary to increase the number of prosecutors and their support staff.

In this regard, the pertinent provisions of Republic Act No. 7926, otherwise known as the City Charter of Muntinlupa, need to be amended, incorporating or inserting therewith the creation of ranking prosecutor positions and national support staff items and their corresponding funding. With this congressional amendment, the Department of Justice will then have to field in the additional prosecutors and national support staff that are badly needed to address the ever-growing legal concerns of our constituents.

In view of the above, approval of this measure is earnestly requested.


ROZZANO RUFINO B. BIAZON
Representative
Lone District, Muntinlupa City

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AN ACT
AMENDING REPUBLIC ACT 7926, OTHERWISE KNOWN AS “THE
CHARTER OF THE CITY OF MUNTINLUPA”

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

SECTION 1. Article X, section 51 of Republic Act No. 7926 otherwise known as the Charter of the City of Muntinlupa is hereby amended to read as follows:

Sec. 51. The City Prosecutor- The city prosecutor shall be the head of the city prosecutor's office. He must be a citizen of the Philippines, a resident of the City of Muntinlupa, of good moral character, a member of the integrated bar and must have practiced his profession for at least five (5) years immediately preceding the date of his appointment.

The city prosecutor shall receive such compensation, emoluments and allowances as may be determined by law.

The city prosecutor shall take charge of the office of the city prosecutor and shall:

- (a) Conduct preliminary investigations in all crimes pursuant to the provisions of the Rules of Court and such other rules as may be promulgated by the Supreme Court and the Department of Justice;
- (b) CONDUCT INQUEST PROCEEDINGS IN ACCORDANCE WITH THE LAW;**
- (c) Prosecute criminal cases;
- (d) Assist whenever requested, in legal matters or cases which the City may, from time to time, refer for appropriate action;
- (e) Assist the Legal Office in the formulation and implementation of programs or projects related to services which the City Mayor is empowered to implement and which the Sangguniang Panlungsod is empowered to provide; and
- (f) Perform such other duties and functions and exercise such other powers as provided by law.

THE CITY PROSECUTOR SHALL BE ASSISTED BY TWENTY (20) ASSISTANT CITY PROSECUTORS WITH ADEQUATE SUPPORT STAFF. SUCH NUMBER OF ASSISTANT CITY PROSECUTORS AND PERSONNEL SHALL BE INCREASED BASED ON THE NUMBER OF CASES RECEIVED AND/OR NUMBER OF COURTS EXISTING AND/OR TO BE CREATED IN THE CITY.

THE ASSISTANT CITY PROSECUTORS SHALL LIKEWISE RECEIVE SUCH COMPENSATION, EMOLUMENTS AND ALLOWANCES AS MAY BE DETERMINED BY LAW.

SECTION 2. Repealing Clause- All laws or parts thereof, decrees, orders, rules and regulations inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 3. Separability Clause- Any portion or provisions of this Act that may be declared unconstitutional or invalid shall not have the effect of nullifying other portions and provisions hereof as long as such remaining portions or provisions can still subsist and be given effect in their entirety.

SECTION 4. Effectivity Clause- This Act shall take effect fifteen (15) days after its publication in the Official Gazette or at least in two (2) national newspapers of general circulation

Approved,