

# RECENT LEGISLATION

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SECOND NATIONAL ASSEMBLY }  
Second Session }

B. No. 1295

(COMMONWEALTH ACT No. 578)

AN ACT TO AMEND ARTICLE ONE HUNDRED FIFTY-TWO OF THE REVISED PENAL CODE, SO AS TO INCLUDE TEACHERS, PROFESSORS, AND PERSONS CHARGED WITH THE SUPERVISION OF PUBLIC OR DULY RECOGNIZED PRIVATE SCHOOLS, COLLEGES, AND UNIVERSITIES, WITHIN THE TERM "PERSONS IN AUTHORITY."

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

SECTION 1. Article one hundred fifty-two of Act Numbered Three thousand eight hundred and fifteen, known as the Revised Penal Code, is amended to read as follows:

ART. 152. *Persons in authority—Who shall be deemed as such.*—In applying the provisions of the preceding and other articles of this Code, any person directly vested with jurisdiction, whether as an individual or as a member of some court or governmental corporation, board or commission, shall be deemed a person in authority.

"In applying the provisions of articles one hundred forty-eight and one hundred fifty-one of this Code, teachers, professors, and persons charged with the supervision of public or duly recognized private schools, colleges, and universities, shall be deemed persons in authority."

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

Enacted, without Executive approval, June 8, 1940.

# Executive Order No. 276

## PRESCRIBING UNIFORM PROCEDURE TO BE FOLLOWED IN THE INVESTIGATION OF ADMINISTRATIVE CASES

For the purpose of uniformity in the investigation of administrative charges against government officers and employees, and supplementing the provisions of Executive Order No. 39, dated June 23, 1936, the following procedure governing the conduct of such investigation is hereby prescribed:

(1) The respondent must be notified in writing of the charges against him by the head or chief of the bureau or office concerned, informing him that he will be heard on said charges on a given date if he so elects, and shall be allowed with a period of not less than seventy-two hours after receipt thereof to submit a detailed answer to the same together with whatever written evidence he may desire to present in support of his side of the case.

(2) If he elects to be heard on said charges, a hearing will be held wherein he will be given opportunity to defend himself personally or by his counsel; *Provided, however,* That in all cases the investigation shall be finished within fifteen days.

(3) The complete record of the case, with comment and recommendation, shall be forwarded through the usual channels to the Commissioner of Civil Service within ten days after the termination of the investigation.

Done in the City of Manila this 26th day of May, in the year of Our Lord, nineteen hundred and forty, and of the Commonwealth of the Philippines, the fifth.

By the President:

(Sgd.) JORGE B. VARGAS

*Secretary to the President*

(Sgd.) MANUEL L. QUEZON  
*President of the Philippines*