

## RECENT LEGISLATION

[REPUBLIC ACT NO 2259]

### AN ACT

**MAKING ELECTIVE THE OFFICES OF MAYOR, VICE-MAYOR AND COUNCILORS IN CHARTERED CITIES, REGULATING THE ELECTION IN SUCH CITIES AND FIXING THE SALARIES AND TENURE OF SUCH OFFICES.**

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

**SECTION 1.** The offices of Mayor, Vice-Mayor, and members of the city council or municipal board in all chartered cities in the Philippines which are now filled by appointment are here by declared elective.

**SEC. 2.** The Mayor, Vice-Mayor and Councilors shall be elected at large by the qualified voters of the city on the date of the elections for provincial and municipal officials in conformity with the provisions of the Revised Election Code: *Provided*, however, That the qualified voters of cities shall vote or shall not vote for provincial officials as their respective charters provide, except in the cities of Iloilo and Dagupan where the said voters shall not vote for provincial officials.

The newly elected city officials shall assume office on the first day of January following their elections, and upon qualifying, shall hold office for four years and until their successors shall have been duly elected and qualified, unless sooner removed or suspended for cause, as provided by law.

**SEC. 3.** The position of Vice-Mayor is hereby created in chartered cities which at present have no position for Vice-Mayor by provision of their corporate charters: *Provided*, That the Vice-Mayor shall be the presiding officer of the City Council or Municipal Board in all chartered cities.

The Vice-Mayor shall perform the duties and exercise the powers of the mayor in the event of the latter's inability to discharge the powers and duties of his office. In the event of a permanent vacancy in the office of mayor, the vice-mayor shall become mayor for the completion of the unexpired term. If the Vice-Mayor is temporarily incapacitated for the performance of his official duties, the councilor who received the highest number of votes in the last election shall serve as acting Vice-Mayor; and in the event of such inability of the elected Mayor, the Vice-Mayor is, for any reason, temporarily incapacitated for the performance of the duties of the Mayor, or the office of the Vice-Mayor is vacant, the Councilor who received the highest number votes in the last election, shall serve as Acting Mayor and while so serving shall not perform any duty as a member of the council but shall continue to hold the office of Councilor. In such event, the remaining members of the council shall elect from among themselves the presiding officer. For service as Acting

Mayor or Acting Vice-Mayor, the Vice-Mayor or Councilor shall receive a total compensation equivalent to the salary of the Mayor or Acting Vice-Mayor, as the case may be, during such period.

SEC. 4. In chartered cities, where the City Treasurer, City Engineer, and or any other head of office in a province or city are ex-officio members of the City Council, such officials shall cease from acting as ex-officio members of the City Council upon the election and qualification of their successors: Provided, That as many elective offices of city Councilors as there are such officers who are ex-officio members of the Council are hereby created in order to maintain the present number of Councilors in the City Council or Municipal Board: Provided, further, That in the City of Baguio there shall be six Councilors.

SEC. 5. The incumbent appointive City Mayors, Vice-Mayors and Councilors, unless sooner removed or suspended for cause, shall continue in office until their successors shall have been elected in the next general elections for local officials and shall have qualified. Incumbent appointive city secretaries shall, unless sooner removed or suspended for cause, continue in office until an elective city council or municipal board shall have been elected and qualified; thereafter the city secretary shall be elected by majority vote of the elective city council or municipal board. All other city officials not appointed by the President of the Philippines may not be removed from office except for cause.

SEC. 6. No person shall be a City Mayor, Vice-Mayor, or Councilor unless he is at least twenty-five years of age, resident of the city for at least one year prior to his election and is a qualified voter.

SEC. 7. The Mayor, Vice-Mayor and Members of the Municipal Board shall, subject to the availability of funds, receive the salary rates hereinafter set forth in accordance with the classification of cities provided for in Republic Act Numbered Eight hundred and forty: Provided, That for purposes of classification of chartered cities the provisions of Republic Act Numbered Eight hundred and forty to the contrary notwithstanding, Quezon and Baguio Cities shall be classified according to the provisions of their respective charters as amended.

(a) In class one chartered cities, the Mayor shall receive a salary of not less than seven thousand two hundred but not more than eight thousand four hundred pesos per annum; the Vice-Mayor shall receive a salary of not less than five thousand four hundred but not more than six thousand eight hundred pesos per annum; and the members of the Municipal Board shall receive an annual salary of not more than five thousand four hundred pesos each;

(b) In class two chartered cities the Mayor shall receive a salary of not less than six thousand but not more than seven thousand two hundred pesos per annum; the Vice-Mayor shall receive a salary of not less than four thousand eight hundred but not more than five thousand four hundred pesos per annum; and the members of the Municipal Board shall receive an annual salary of not more than four thousand eight hundred pesos each;

(c) In class three chartered cities, the Mayor shall receive a salary of not less than four thousand eight hundred nor more than six thousand pesos per annum; the Vice-Mayor shall receive a salary of not less than three thousand

nor more than four thousand eight hundred pesos per annum; and the members of the Municipal Board shall receive an annual salary of not more than three thousand pesos each;

(d) In class four chartered cities, the Mayor shall receive a salary of not less than three thousand six hundred nor more than four thousand eight hundred pesos per annum; the Vice-Mayor shall receive a salary of not less than three thousand more than three thousand six hundred pesos per annum; the Vice-Mayor shall receive a salary of not less than two thousand four hundred but not more than two thousand eight hundred pesos per annum; and the members of the Municipal Board shall receive an annual salary of not more than one thousand eight hundred pesos each.

If the revenues of the City cannot support the salaries provided for in sub-sections a, b, c, d and e hereof, the City Council for the next fiscal year shall make the corresponding proportional reduction in the salaries of the Mayor, Vice-Mayor and members of the Municipal Board of said city to the rates of salaries or compensation fixed for the same officials in any city of a lower class, and, in the case of the lowest class, to such lesser rates as the City council thereof shall determine but in no case shall the salary of the Mayor, Vice-Mayor or members of the Municipal Board be reduced below the minimum fixed by the Minimum Wage Law.

SEC. 8. This Act shall not apply to the cities of Manila, Cavite, Trece Martires and Tagaytay.

SEC. 9. All Acts or parts of Acts, Executive Orders, rules and regulations inconsistent with the provisions of this Act, are hereby repealed.

SEC. 10. This Act shall take effect upon its approval.

Approved, June 19, 1959.