

## UNIT VI.

GENERAL ORGANIZATION AND FUNCTIONS  
OF THE PHILIPPINE GOVERNMENT

## I. How is a municipality governed?

1. *How were the municipalities formerly classified?*

(a) Formerly municipalities were classified according to population, as follows:

First-class municipalities... Not less than 25,000 inhabitants.

Second-class municipalities.....18,000 to 25,000 inhabitants.

Third-class municipalities .....10,000 to 18,000 inhabitants.

Fourth-class municipalities.....Less than 10,000 inhabitants.

(b) *How are municipalities classified at present?*

The present basis is not population but the average amount of municipal revenues received during the three previous years, as follows:

*Average Annual Receipts*

First-class municipalities .... P50,000 or more

Second-class municipalities ... P30,000 to P50,000

Third-class municipalities .... P15,000 to P30,000

Fourth-class municipalities ... P 5,000 to P15,000

Fifth-class municipalities .... Less than P 5,000

(c) *Find out what class your municipality belongs.*(d) *Show how the different classes of municipalities differ in the number of councilors and in the salaries of principal officials.*

1. The table below sufficiently answers this question.

<i>Class of Town</i>	<i>Councillors No. of</i>	<i>Mayor</i>	<i>Secretary</i>	<i>Treasurer</i>
First class .....	Eight	P2000	P1200	P1800
Second class .....	Eight	1680	960	1380
Third class .....	Six	1260	720	1080
Fourth class .....	Six	960	600	900
Fifth class .....	Four	600	360	540

**2. Enumerate the principal municipal officials.**

(a) *There are as follows:* municipal mayor, vice-mayor, councilors, secretary, treasurer, chief of police, and lieutenant of barrio officials.

(b) *Which of these officials are elected by the people?*

1. The elective officials are: municipal mayor, vice-mayor, and councilors.

(c) *Name the appointive officials.*

1. These are as follows: municipal secretary, municipal treasurer, chief of police, and lieutenant.

(d) *By whom are they appointed?*

1. They are appointed by the municipal mayor, with the exception of the municipal treasurer who is under the civil service, or whose appointment is dependent upon the provincial treasurer.

(e) *Give the powers and duties of each municipal official.*

1. **Municipal mayor:** He is the chief executive officer of the municipal government. He has general supervision over local government affairs and sees that the laws and ordinances are carried out.

(a) His general duty of supervision includes tasks of the following nature: control of officials below him; assistance to the treasurer in the collection of taxes; cooperation with health authorities in the enforcement of sanitary laws and regulations; issuing of orders in case of fires, floods, and other disasters.

(b) The municipal mayor presides at the meetings of the municipal council. He makes recommendations regarding new laws or ordinances to improve the health, education, and general welfare of the town.

(c) Every three months the mayor makes a report on the agricultural condition of the town.

(d) He signs all contracts entered into by the municipality.

- (c) In the absence of the justice of the peace, the mayor may investigate in a preliminary manner any crimes committed in the town. Later he reports his findings to the *justice of the peace*.
- 2. *Municipal vice-mayor*: He takes the place of the mayor in case of absence, or incapacity of the latter.
  - (a) He is also a member of the council and is in charge of that district of the municipality in which the municipal offices are located.
- 3. *Municipal treasurer*:
  - (a) He is the financial officer of the municipality and serves as representative of the provincial treasurer in the collection of revenue.
  - (b) He collects money paid to the municipality; issues receipts for money received and pays out money when authorized to do so; he also renders an account or report of money received.
  - (c) He is the keeper of all municipal property, including lands, buildings, and furnishings of all kinds.
  - (d) The books, papers, and cash of the municipal treasurer may be inspected at any time by the provincial treasurer or his delegate, or by a district auditor or his delegate. In case any cash is missing the municipal treasurer may be suspended at once.
- 4. *Municipal secretary*:
  - (a) He is the secretary of the municipal council when it is in session, and he keeps a record of its proceedings and acts.
  - (b) He keeps a book known as the Civil Register. In this he records all births, marriages, and deaths in the town.
  - (c) The government desires to know about the increase of population, so physicians and midwives are required to report to the municipal secretary.

- c. Couples entering into marriage are also required to return to the marriage solemnizer.
5. *Kasab* are *consejeros*: They may advise the *Alcalde*. First, they act as members of the municipal council, which is the governing body of municipality; and second, they serve as individual officers in charge of supervision over the *barrios*.
  - a. As an individual officer, a *consejero's* duty is to call the council's attention to the particular needs of the *barrio* under him.
  - b. By means of notices posted in his *barrio*, he keeps the inhabitants informed as to the movements of the council and such acts of the government as his of interest to the people.
  - c. In case of disturbance the councilor reports to the president.
6. *Lieutenants of supervision*:
  - a. Each *consejero* may appoint one lieutenant to assist in such *barrio* under his immediate supervision.
  - b. The *casab* must be a qualified voter, he serves without pay. He reports directly to the councilor appointing him.
  - c. A substitute *lieutenant* also may be appointed to take the place of a *lieutenant* in case of absence.
  - d. The law states that the *lieutenant of supervision* is to keep the councilor in his supervision in the *barrio*.
7. The law does not need to name the well-known *caballeros* of the *caballeros del barrio*, because such an office in the municipality has not been in vogue since the Spanish regime.
8. The *poor* are used in heading to the *caballeros* as the representatives of the government in the *barrio* and as a body of the people.
  - a. He is the date of the present Philippine and of the present-day Moros.
  - b. He is *chief of barrio*.

7. *Municipal council:*(a) *Duties:*

1. to fix the salaries of municipal employees and authorize expenditures of the municipality;
2. to provide buildings needed by the municipal government;
3. to provide for the levy and collection of municipal taxes;
4. to establish an efficient police department and jail;
5. to attend to the construction and use of streets, side-walks, canals, wharves, and piers;
6. to construct and repair bridges and say how they shall be used;
7. to control the sale of intoxicating liquors;
8. to prevent nuisances in the town;
9. to restrain riots, disturbances, and disorderly meetings;
10. to prohibit intoxication, fighting, gambling, begging;
11. to prevent persons from wandering idly about at night;
12. to suppress and punish cruelty to animals;
13. to prohibit the throwing of garbage in the streets and to provide for its collection;
14. to make rules for the keeping and use of animals;
15. to require the cleaning of any unsanitary building;
16. to construct and repair public drains, sewers, and cesspools, and to provide for the construction and use of private water-closets and sewers;
17. to establish slaughterhouses and markets and supervise their use;
18. to inspect fruit, meat, poultry, milk, vegetables, and other articles of food.

(f) *Why is it advisable that only the best qualified citizens be selected to serve in the Government?*

(a) Because the interests of the people can best be served by the ablest men.

(g) *Explain why it is unpatriotic to allow corrupt men to occupy positions in the Government.*

(a) Corrupt men will only corrupt the government and the management of public affairs. Instead of rendering the best service to the people, they will waste the public resources and discredit their community. Therefore it is unpatriotic to allow such persons to occupy positions in the public service.

3. *What is the municipal council?*

(a) The municipal council is the legislative body of the municipality. It makes the laws for the municipality.

(b) *What are its powers?*

1. It has power to pass ordinances for the violation of which it can fix a penalty of either a fine or imprisonment.
2. It has power to grant permits or licenses to engage in certain businesses or occupations.
3. It must provide apparatus for protection against fire.
4. It determines the date of the "fiesta" which cannot be held oftener than once a year.
5. It prepares an annual budget and makes appropriations for municipal expenses.
6. It has authority to construct waterworks, ferries, wharves, markets, slaughter-houses, pounds, and cemeteries.
7. The council can grant the exclusive privilege of fishing to the highest bidder.
8. It can and should maintain elementary schools.

(c) *Explain the difference between an ordinance and a resolution.*

1. There is very little difference between an ordinance and a resolution. Both carry the force of law.
2. Their main difference consists of the form in which they are approved. A resolution is usually an expression of the opinion or will of the municipal council.

**(d) *Why should the council be very careful in passing ordinances and resolutions?***

1. In order that the best interest of the community will be served.
2. In order that the strictest economy will be maintained, and the public funds will not be wasted.
3. In order that the ordinances and resolutions passed by it will be legal and not be declared void later.

**(e) *Name the duties required of the council.***

1. This has already been done above (c) 5.

**(f) *Mention other duties which would be desirable for the council to have.***

1. to provide for the care of the poor, the sick, and the insane;
2. to make rules for preventing fires in thickly populated districts, and to limit the kind of buildings that may be constructed;
3. to provide for numbering of houses and naming of streets and for their lighting;
4. to establish municipal roads, plazas, parks, playgrounds, and canals;
5. to supply a suitable building for a post office;
6. to make rules for the keeping of dogs;
7. to prohibit sheep, goats, swine, and cattle from moving freely on the street;
8. to supervise conditions at cockpits;
9. to check up on garages and stables;
10. to supervise conditions in cafes, restaurants, hotels, and lodging houses;
11. to make regulations for or to prohibit public dancing halls and horse races;
12. to make regulations for public billiard tables, circuses, and theatrical performances;
13. to make regulation for any business or occupation subject to a municipal license tax.

**(g) *What power over the municipal council has the provincial board?***

1. If the provincial board thinks that any municipal resolution or ordinance is beyond the powers of the council to make, it can declare such ordinance invalid. The resolution or ordinance thus becomes cancelled.

2. If, however, the municipal council is dissatisfied with the decision of the provincial board by a two-thirds vote it may appeal the case to the Secretary of the Interior, whose action is final.

4. *Organize a junior municipal council in the class. Have the members of the council meet and enact an ordinance. The observers may offer criticisms afterward.*

5. *Where are municipal districts established?*

(a) *Municipal districts are found in the following provinces:*

1. Agusan, with 54 districts and 4 organized municipalities.

2. Bukidnon, with 9 districts and 4 organized municipalities.

3. Cotabato, with 37 districts and 1 municipality.

4. Davao, with 15 districts and 7 municipalities.

5. Lanao, with 33 districts and 4 municipalities.

6. Sulu, with 26 districts and 1 municipality.

7. Zamboanga, with 13 districts and 7 municipalities.

8. Mountain Province, with 41 districts.

9. Nueva Vizcaya, with 5 districts and 6 municipalities.

(b) *Tell how they differ from regular municipalities.*

1. Some of these municipal districts are inhabited mostly by people who have not progressed sufficiently in civilized life to be brought under a regular municipal government.

2. Other districts are non-Christian settlements which are so small or so remote that it is not practical to consider them as barrios of municipalities.

(c) *What is the policy of the Government with regard to the municipal districts?*

1. The policy of the Government is to organize municipal districts into regular municipalities as soon as there is sufficient revenue to pay the expenses of local government.



**II. How is a province governed?****1. How are the provinces classified?**

(a) The provinces are classified according to revenue.

1. For the purpose of fixing the salaries of provincial officials provinces are placed in a certain class according to the average revenue per year during five years, as follows:

<i>Province</i>	<i>Average Revenue</i>
First class . . . . .	P300,000 or more
Second class . . . . .	200,000 to P300,000
Third class . . . . .	150,000 to 200,000
Fourth class . . . . .	100,000 to 150,000
Fifth class . . . . .	100,000 or less.

**(b) To what class does your province belong?**

(c) Formerly the class of a province depended upon its population, but this has been changed because no official census of Philippine population had been taken since 1918.

**2. Name the elective officers of a province.**

(a) These are the provincial governor and the two members of the provincial board.

**(b) What qualifications must a man possess in order to be elected to a provincial office?**

1. To be elected to a provincial office a man must have these qualifications:

*He must be a qualified elector in the province.*

*He must have been a resident of the province for at least one year before the election.*

*He must be not less than twenty-five years of age.*

**(c) Give the powers and duties of each elective provincial official.**

1. *The provincial governor has the following powers and duties:*

He has general supervision of the government of the province and of the municipalities.

He must visit each municipality at least once every 6 months.

At such times any citizen having a complaint against the municipal officers can see the provincial governor.

He must see that all the laws are faithfully executed.

He has control of the municipal bodies, sometimes he acts as mayor.

He makes an annual report to the Secretary of the Interior.

He guards the province against such calamities as locusts, rinderpest, and epidemics.

2. The members of the provincial board have the power to pass laws and ordinances for the government of the province.

(a) The senior member of the board takes the place of the provincial governor in the latter's absence or inability to hold office.

(b) The junior member takes the place of the governor in case of the incapacity of both the provincial governor and the senior member.

### 3. *Name the appointive provincial officials.*

(a) *Provincial Treasurer.* He is the chief financial officer of the province. His important duties are as follows:

1. To advise the provincial board, municipal councils, and Insular officers concerned on all matters affecting public finance of the province.
2. To collect taxes in the province.
3. To take care of all provincial funds and property, including provincial buildings and grounds.
4. To take charge of payments from provincial funds.
5. To get necessary supplies and articles used in the machinery of government.
6. To act as public-land officer in the sale of public lands.
7. To act as agent of the Philippine National Bank in case there is a branch in the province.
8. To superintend any public utilities operated by the province, such as telephones, electric light, water-works, and irrigation systems.

The provincial treasurer is appointed by the President with the consent of the Commission on Appointments of the National Assembly. His books are open at all times to the inspection of the Insular Auditor or his agent.

**(b) Provincial assessor.**

1. He fixes the value of land for purposes of taxation.
2. In most provinces, however, the provincial treasurer acts as provincial assessor.
3. He is aided usually by a deputy, or assistant, provincial assessor.

**4. What is the provincial board?**

(a) It is the legislative body of the province composed of the provincial governor and two members, all being elected by the people.

**(b) Enumerate its duties and powers.**

1. The provincial board has the power to make appropriations. *Some of the important purposes for which it can appropriate provincial funds are the following:*

- (a) To buy draft animals for breeding purposes.
- (b) To organize and equip the police force in any municipality.
- (c) To pay debts of the province.
- (d) To make loans to any municipality for the purpose of fighting dangerous diseases or agricultural pests.
- (e) To construct roads, bridges, and other public improvements.
- (f) To hold provincial exhibits.
- (g) To make loan to any municipality for buildings.
- (h) To establish and maintain provincial schools.
- (i) To maintain two pensionados in the University of the Philippines.

2. The provincial board is also authorized to call a convention, or meeting, of municipal presidents.

**5. Why do we have specially organized provinces?**

(a) We have specially organized provinces for the same reasons that we have municipal districts, particularly in non-Christian regions.

**(b) Tell how such governments are governed.**

1. A special provincial government is patterned after a regular provincial government.
- (a) It has a governor, a provincial secretary-treasurer, and a third member of the prov-

- (a) Provincial Board.
- (b) These three officers compose the provincial board.
2. The powers and duties of these officers and of the provincial board are similar to those in the regular provinces.
  - (a) The big difference lies in their manner of selection. Generally the officers of special governments are appointed by the President with the consent of the Commission on Appointments.
  - (b) The third member of the provincial board is elected by the vice-mayors and councilors of municipalities and the vice-mayors and councilors of municipal districts chosen by the Secretary of Interior.
3. Popular elections are held as soon as conditions warrant.

### III. Compare the government of a chartered city with that of a municipality.

#### 1. *Why does a city need a special government?*

- (a) A city needs a special government because of the special conditions obtaining in it.
  1. It is either a center of trade or a health or pleasure resort, like Baguio and Tagaytay.

#### (b) *Name the principal officials of the City of Manila and state their duties.*

1. *The Mayor* — He is the chief executive of the City of Manila. His main duty is to see that the laws, ordinances, and resolutions of the city are enforced. *Among his duties are the following:*

To supervise other officers and employees in the city.

To represent the city in all business.

To estimate the cost of the city government for the coming year and send his opinion to the Municipal Board as a basis for appropriation.

(a) The Mayor is appointed by the President of the Philippines with the consent of the Commission on Appointments of the National Assembly.

#### 2. *The Municipal Board.*

- (a) This board is composed of 10 members elected at large by the voters of Manila.

- (b) It is the legislative body of the city.
- (c) Its term is three years.
- 1. Every year the board elects a president, or chairman, whose duty is to preside at all the meetings of the board and to sign all resolutions approved by it. The board elects a secretary.
- (b) *Qualifications of members:*
  - 1. At least twenty-three years of age.
  - 2. Residence in the city for at least one year.
  - 3. Must be qualified voters.
- (c) The board holds a regular meeting twice a week. The Mayor may call special meetings, which should not be more than thirty during one year. The presence of six members is necessary for a quorum.
- (d) The most important works of the Board is to frame the annual budget, the other duties being:
  - 1. To authorize the collection of taxes.
  - 2. To maintain public schools of different grades, including professional schools.
  - 3. To maintain public courts.
  - 4. To make rules for and to license different kinds of business, such as that of peddlers, auctioneers, public vehicles, restaurants, bowling alleys, match factories.
  - 5. To maintain sewers.
- (e) Municipal ordinances approved become laws. Those not approved but are passed by the vote of seven members of the Board are sent to the President of the Philippines whose decision is final.
- 3. *The City Engineer.*
  - (a) He is the head of the Department of Engineering and Public Works of the city.
  - (b) Like the heads of other departments of the city, he is appointed by the President of the Philippines with the consent of the Commission on Appointments of the National Assembly.
  - (c) He is in charge of construction and repair works of the city.
- 4. *The Chief of Police.*

(a) He is the head of the Police Department of the city, which takes charge of the maintenance of law and order.

5. *The City Fiscal.*

(a) He is the head of the Law Department, and is the legal adviser of the city.

6. *The Chief of the Fire Department* and his assistants protect the city from fire. They supervise whenever new wires are put into new buildings or along streets. They also see to it that the manufacture of explosives in the city is not conducted in a way that will imperil life and property.

7. *The City Treasurer* is the head of the Finance Department of the city, in charge of the collection of taxes.

8. *The City Assessor* is the head of the Department of Assessment, in charge of fixing the value of property for purposes of taxation.

9. *The City Superintendent of Schools* is the head of the Department of City Schools.

**2. Which has greater self-government, the City of Manila or the City of Baguio?**

(a) The City of Manila has greater self-government than the City of Baguio:

1. Manila being the capital of the Philippines, it is not a territorial part of any province, while Baguio is a part of the Mountain Province.

2. The greater number of activities of the City of Manila need correspondingly greater powers for its officials, in order to accomplish such activities effectively.

(a) In the case of Baguio, such activities, which it does not perform, are undertaken by the sub-provincial government of Benguet or by the national government, thus limiting the self-government of the city.

**3. Compare the government of the cities of Zamboanga, Iloilo, Cebu, Davao with those of Manila and Baguio.**

(a) Generally speaking, the governments of Zamboanga, Iloilo, Cebu, and Davao are similar to that of Baguio, rather than that of Manila.

**IV. How do the different branches of the National Government function with a view to advance the welfare of the nation as a whole?**

1. *Explain the work of the executive branch of the government.*

## **HELPS**

**(a) What is the function of the executive branch?**

1. The function of the executive branch is to enforce or carry out the laws.

(a) This is a long way from the earliest governments in the Philippines when there was no national government and the Dato was executive, legislative, and judicial official at the same time.

(b) Now we have *separation of powers*, that is, each branch is independent of the others and one cannot interfere with the work of others.

**2. Who is the Chief Executive of the Philippines?**

(a) He is the President, Hon. Manuel L. Quezon.

**3. Enumerate his powers and duties:**

(a) The Constitution of the Philippines provides the following powers and duties of the President:

1. The President shall have control of all the executive departments, bureaus, or offices, exercise general supervision over all local governments as may be provided by law, and take care that the laws be faithfully executed.
2. The President shall be commander-in-chief of all armed forces of the Philippines and, whenever it becomes necessary, he may call out such armed forces to prevent or suppress lawless violence, invasion, insurrection, or rebellion. In case of invasion, insurrection, or rebellion, or imminent danger thereof, when the public safety requires it, he may suspend the privileges of the writ of

- labor, *corpos*, or place the Philippines or any part of it under martial law.
3. The President shall nominate and with the consent of the Commission on Appointments of the National Assembly shall appoint the heads of the executive departments and bureaus, officers of the Army from the rank of Colonel, of the Navy and air forces from the rank of captain or commander, and all other officers of the Government whose appointments are not herein otherwise provided for, and those whom he may be authorized by law to appoint; but the National Assembly may by law vest the appointment of inferior officers in the President alone, in the courts, or in the heads of departments.
  4. The President shall have the power to make appointments during the recess of the National Assembly, but such appointments shall be effective only until disapproval by the Commission on Appointments or until the next adjournment of the National Assembly.
  5. The President shall from time to time give to the National Assembly information of the state of the Nation, and recommend to its consideration such measures as he shall judge necessary and expedient.
  6. The President shall have the power to grant reprieves, commutations, and pardons, and remit fines and forfeitures, after conviction, for all offenses, except in cases of impeachment; upon such conditions and with such restrictions and limitations as he may deem proper to impose. He shall have the power to grant amnesty with the concurrence of the National Assembly.
  7. The President shall have the power, with the concurrence of a majority of all the Members of the National Assembly, to make treaties, and with the con-



sent of the Commission on Appointments, he shall appoint Ambassadors, other Public Ministers, and Consuls. He shall receive Ambassadors and other Ministers duly accredited to the Government of the Philippines.

8. The President may appoint the Vice-President as a member of his cabinet and also as head of an executive department.

**4. What bureaus and offices are directly under the Office of the President?**

(a) These bureaus and their present incumbents are as follows:

***Office of the President of the Philippines***

**1. Executive Office**

Jorge B. Vargas, Secretary to the President

Jose G. Sanvictores, Assist. Secretary to the President

Leon G. Quinto, Assistant Secretary to the President.

**2. General Auditing Office**

Jaime Hernandez, Auditor-General

**3. Philippine Army**

Basilio J. Valdes, Chief of Staff

**4. Council of National Defense**

President of the Philippines, Chairman

**5. Bureau of Civil Service**

Jose Gil, Commissioner

**6. Civil Service Board of Appeals**

Jaime Hernandez, Chairman

**7. Budget Office**

Serafin Marabut, Budget Commissioner

**8. Board of Examiners**

Jose Gil, Executive Officer

Jose V. Gorin, Secretary

**9. Commission of the Census**

Vicente Mills, Assistant Commissioner

**10. Office of the Resident Commissioner**

Joaquin M. Elizalde, Resident Commissioner

**11. National Economic Council**

Mamuel Roxas, Chairman

12. National Language Institute  
Jaime C. de Veyra
13. National Research Council  
Bienvenido M. Gonzalez, Chairman
14. National Relief Administration  
Rafael R. Alunan, Chairman  
Serafin Marabut, Executive Officer
15. Board of Documents  
Teodoro M. Kulaw, Chairman
16. Philippine Historical Committee  
Eulogio B. Rodriguez, Chairman
17. National Transportation Board  
Marino J. Cuenco, Chairman
18. National Electrical Communication Board  
Vicente de la Cruz, Chairman
19. Flood Control Commission  
Vicente Frangote, Chairman
20. Deportation Board  
Roman Ozaeta, Chairman
21. National Development Company  
Manuel Roxas, Chairman  
Gregorio Anonas, Manager
22. Cebu Portland Cement Company  
Eulogio Rodriguez, Manager
23. Philippine National Bank  
Vicente Carmona, President
24. Manila Railroad Company  
Jose Paez, President and Gen. Manager
25. Manila Hotel  
Jose Paez, Chairman  
Howard M. Crevender, Manager
26. National Rice and Corn Corporation  
Manuel Roxas, Chairman
27. National Warehousing Corporation  
Alfredo V. Jacinto, Manager
28. National Power Corporation  
Marino J. Cuenco, Chairman
29. National Food Products Corporation  
Vicente Sabalvaro, Manager
30. People's Homesite Corporation  
Alejandro Roca Sr., Manager
31. Philippine Sugar Administration  
Gil Montilla, Administrator
32. Committee on Geographic Names  
Rafael R. Alunan, Chairman

33. Abaca Advisory Board  
Benigno S. Aquino, Chairman
34. Commonwealth Anniversary Committee  
Rafael R. Ajunan, Chairman
35. National Sugar Board  
Rafael R. Alunan, Chairman
36. Government Quarters Committee  
Serafin Marabut, Chairman
37. Lighthouse Board  
Frederick B. T. Siems, Chairman
38. National Land Settlement Administration  
Paulino Santos, Chairman
39. Rural Progress Administration  
Manuel Roxas, Chairman  
Ludovico Hidrosollo, Executive Officer
40. Board on Pensions for Veterans  
Juan Cailles, Acting Chairman

**(b) Name the Executive Departments of the National Government.**

1. *Department of the Interior*—takes care of government units within the larger, or central, government. According to the late Dr. Rafael Palma, "the political direction of the various local administrative units, such as departments, provincial and municipal governments, and special governments."
2. *Department of Public Instruction* — "provides guardianship of the State over the mental development and physical welfare of the citizens."
3. *Department of Finance*—attends to "the collection of the public revenues and administration of the finances and business of the government."
4. *Department of Justice*—sees to "the enforcement of the law and maintenance of order and safeguarding of the citizens and their rights."
5. *Department of Agriculture and Commerce*—looks to the preservation of natural resources and the development of the sources of wealth as well as the trade and industry of the islands.

6. *Department of Public Works and Communications*—has to do with “the carrying out of such work and services as cannot be performed by private citizens, work which promotes the common welfare and prosperity”, the construction of public projects and the supervision and maintenance of the facilities of communication.

7. *Department of Health and Public Welfare*—to take charge of the health and social welfare work in the country in order to conserve and promote the physical wellbeing of the people.

8. *Department of National Defense* — to take charge of the armed forces of the nation, to develop same and to guard the country against foreign aggression.

(c) *What are the qualifications a department secretary must have?*

1. He must be a citizen of the Philippines.
2. He must be at least thirty years of age.
3. He must have been a resident of the Philippines continuously for three years before the appointment.

(d) *By whom is he appointed and who approves his appointment?*

1. He is appointed by the President of the Philippines with the consent of the Commission on Appointments of the National Assembly.

(c) *Name the bureaus and offices under each Executive Department and explain the work of each bureau and office. Make a chart showing the bureaus and offices under each Executive Department.*

## OFFICES UNDER THE DEPARTMENT OF THE INTERIOR

1. Office of the Secretary
2. Office of the Commissioner for Mindanao and Sulu
3. Philippine Constabulary
4. Office of the National Information Board

5. Radio Board
6. Board of Review for Moving Pictures
7. Provincial, City, and Municipal Governments

## OFFICES UNDER THE DEPARTMENT OF FINANCE

1. *Office of the Secretary*
2. Bureau of Customs
3. Bureau of Internal Revenue
4. Bureau of the Treasury
5. Bureau of Banking
6. Bureau of Printing
7. Division of Purchase and Supply
8. National Loan and Investment Board
9. Government Service Insurance System
10. Tobacco Board
11. Philippine Charity Sweepstakes
12. Board of Accountancy
13. Board of Examiners for Marine Engineers
14. Board of Examiners for Marine Officers
15. Board of Marine Inquiry
16. Provincial, City, and Municipal Treasurers
17. Provincial and City Assessors

## OFFICES UNDER DEPARTMENT OF JUSTICE

1. *Office of the Secretary*
2. Bureau of Justice
3. Securities and Exchange Commission
4. Public Service Commission
5. Court of Industrial Relations
6. Courts of First Instance
7. Justice of the Peace Courts
8. Municipal Courts
9. General Land Registration Office
10. Bureau of Prisons
11. Corporate Counsel Division
12. Division of Investigation
13. Parole Office
14. Board of Indeterminate Sentence
15. Board of Pardons
16. Anti-Usury Board
17. Provincial Fiscals
18. Provincial Sheriffs

## OFFICES UNDER THE DEPARTMENT OF AGRICULTURE AND COMMERCE

1. Office of the Secretary
2. Bureau of Plant Industry
3. Bureau of Animal Industry
4. Bureau of Forestry
5. Bureau of Lands
6. Bureau of Science
7. Bureau of Commerce
8. Bureau of Mines
9. Weather Bureau
10. Fiber Inspection Service
11. Fish and Game Administration
12. Division of Statistics
13. Division of Publications
14. Industrial Committee
15. Veterinary Examining Board
16. Board of Examiners for Surveyors

## OFFICES UNDER THE DEPARTMENT OF PUBLIC WORKS AND COMMUNICATIONS

1. Office of the Secretary
2. Bureau of Public Works
3. Bureau of Posts
4. Bureau of Aeronautics
5. Bureau of Coast and Geodetic Survey
6. Metropolitan Water District
7. Metropolitan Water Board
8. Government Marine Railway and Repair Shops
9. National Radio Broadcasting Committee
10. Irrigation Council
11. Board of Examiners for Mechanical Engineers
12. Board of Examiners for Civil Engineers
13. Board of Examiners for Electrical Engineers
14. Board of Examiners for Chemical Engineers
15. Board of Examiners for Mining Engineers
16. Board of Examiners for Architects

## OFFICES UNDER THE DEPARTMENT OF PUBLIC INSTRUCTION

1. Office of the Secretary
2. Bureau of Education

3. Office of Private Education
4. Office of Adult Education
5. Bureau of Health
6. Bureau of Public Welfare
7. National Library
8. Philippine General Hospital
9. Bureau of Quarantine Service
10. Office of the National Physical Director
11. National Council of Education
12. Council of Hygiene
13. Textbooks Board
14. Board of Medical Examiners
15. Board of Dental Examiners
16. Board of Pharmaceutical Examiners
17. Board of Optical Examiners
18. Board of Examiners for Nurses
19. Board of Food Inspection

### OFFICES UNDER THE DEPARTMENT OF LABOR

1. Office of the Secretary
2. Bureau of Labor
3. Immigration Division
4. Advisory Safety Council
5. Labor Inspection Division

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(The foregoing actually as of May 11, 1939)

2. *How does the legislative branch perform its functions?*

## HELPS

- (a) *What are the powers of the National Assembly?*

General legislative powers are vested in the National Assembly.

1. The National Assembly chooses its own Speaker, Secretary, Sergeant-at-arms, and other officers.

2. A majority of all the Members shall constitute a quorum to do business, but a smaller number may adjourn from day to day and may compel the attendance of absent Members, in such manner and under such penalties as the National Assembly may provide.
3. The National Assembly itself determines the rules of its proceedings.
4. The National Assembly may punish its members for disorderly behavior, and, with the concurrence of two-thirds, expel a member.
5. The National Assembly creates the Electoral Commission, the Commission on Appointments, the Commission on Impeachment, and the various standing or special committees for legislative or other purposes.
6. With the concurrence of two-thirds of all its Members, the National Assembly has the power to declare war.
7. With a majority of all its Members, the National Assembly has the power to ratify treaties entered into by the President.
8. The National Assembly has the power to commission officers of the Army above the rank of colonel, and of the Navy and air forces above the rank of captain or commander.

**(b) *How many Assemblymen are there?***

1. There are ninety-eight Assemblymen now, but there is a proposal to increase the number to one hundred ten, in accordance with the 1939 census.

**(c) *How do they obtain their positions?***

1. They obtain their positions by means of the suffrage of the people.

**(d) *Name the qualifications which a person must possess in order to be a candidate for Assemblyman.***

1. He must be five years a citizen of the Philippines.
2. He must be at least thirty years of age.
3. He must be at the time of his election, a qualified elector.
4. He must be a resident of the province in which he is chosen for not less than one year immediately prior to his election.



**(e) *Why is an Assemblyman not allowed to hold other government positions?***

1. So that he will not be influenced in his duty as an Assemblyman by considerations of his other position, and so that he will have as guide only the public welfare in the performance of his duties.

**2. *What prohibitions regarding the business affairs of Assemblymen are provided in the Constitution?***

(a) No Member of the National Assembly shall directly or indirectly be financially interested in any contract with the Government or any subdivision or instrumentality thereof, or in any franchise or special privilege granted by the National Assembly during his term of office.

(b) Nor shall any Member appear as counsel before the Electoral Commission or any court in any civil case wherein the Government or any subdivision or instrumentality thereof is the adverse party, or collect any fee for his appearance in any administrative proceedings or in any criminal case wherein an officer or employee of the Government is accused of an offense committed in relation to his office.

(c) No member of the Commission on Impeachment of the National Assembly shall appear as counsel before any court inferior to the Supreme Court.

**(f) *Enumerate the privileges of an Assemblyman.***

1. The Members of the National Assembly shall in all cases except treason, felony, and breach of the peace, be privileged from arrest during their attendance at the sessions of the National Assembly, and in going to and returning from the same; and

2. For any speech or debate therein, they shall not be questioned in any other place.

3. The Members of the National Assembly shall, unless otherwise provided by law, receive an annual compensation of *five thousand pesos* each including per diems and other emoluments

[illegible][illegible]

1. Describe the procedure that is followed in the enactment of a law.
2. All bills originate in the House of Representatives. The House of Representatives is elected by the people in the 435th Congress. The House of Representatives is the only body of Congress that is directly elected by the people. The House of Representatives is the only body of Congress that is directly elected by the people.
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- (a) If the President approves and signs it.
- (b) If the President vetoes the bill and it is repassed by two-thirds vote of all the Members of the National Assembly.
- (c) If the President fails to return the bill submitted to him within twenty days (Sundays excepted) after it shall have been presented to him, the same shall become a law in like manner as if he had signed it, unless the National Assembly by adjournment prevent its return, in which case it shall become a law unless vetoed by the President within thirty days after adjournment.

**3. How does the judicial branch perform its functions?**

**(a) Tell about the administration of justice before and during the Spanish regime.**

1. Before the Spanish regime, the dato concentrated in himself all the powers of government. He was executive, legislative, and judicial official at the same time, that is, he was not only the maker of the laws but its executor and judge as well.
2. During the Spanish regime, at first the encomendero was governor and judge at the same time, as was also the alcalde-mayor; later the alcalde-mayor was made to exercise only the powers of a judge, for governors were appointed for the provinces.

**(b) What is the function of the judicial branch?**

1. The function of the judicial branch is to administer justice, that is, to settle according to law the conflicts that arise between people.
2. **Why is it important that the judiciary be free from political influence?**

(a) This is important because the laws which were made to protect us and our rights will not be of any benefit to us unless they are administered by judges who are free from all kinds of influence and who can be depended upon for honesty, integrity, and fairness.

1. Equality before the law is a condition which we are supposed to enjoy as citi-

1. The independence of the judges of the Supreme Court and of the judges of the Court of Appeals is guaranteed.
2. This means, as we mentioned, that the oath of office of judges contains an absolute declaration to the effect that judges shall administer justice without respect to persons and will do so without fear and the love of the law.
3. The independence and fairness of judges in their decisions is of the most importance, therefore, to all citizens. The government itself realizes this, and that is why the judges of the Philippines are given office permanently unless they become guilty of ill behavior.
4. See Executive Order No. 361, dated August 24, 1934.

**(c) Name and describe the different courts.**

1. *The Supreme Court* - the highest court in the Islands. It is composed of a Chief Justice and six Associate Justices.
2. *The Court of Appeals* - composed of fifteen members. Cases appealed from the court of first instance are sent to this court, whose decisions on points of law are revisable by the Supreme Court, but whose decisions on points of fact are final.
3. *The Court of First Instance* in the provinces. Cases are appealed to this court from the justice of the peace court.
4. *The municipal courts of Manila* are similar to justice of the peace courts.
5. *Justice of the Peace court* - the lowest in the judicial system here.
6. *The Court of Industrial Relations* is a special court for the determination of cases between labor and capital. It has three branches now.

**7. What cases are tried in the justice of the peace courts?**

- (a) *In civil cases* - if the amount involved is not more than two hundred pesos, if it is over two hundred pesos but not more than six hundred pesos, the case can be tried

either in the Court of First Instance or in the justice of the peace court.

- (b) *In criminal cases*—(1) those punished by imprisonment of less than six months or by a fine of two hundred pesos or by both; (2) violations of municipal ordinances.

(c) *Other powers of a justice of the peace*:

1. To unite people in marriage.
2. To certify merchants' books.
3. To administer oaths.
4. To act as notary public.

(d) *How many judicial districts are there in the Philippines?*

1. There are nine judicial districts, in accordance with Commonwealth Act No. 145.

2. *What cases are tried in the courts of first instance?*

- (a) Practically all criminal and civil cases not assigned to justice of the peace courts are tried in the courts of first instance.
- (b) All cases involving possession or ownership of real estate are tried in courts of first instance.
- (c) When a person dies, the distribution, or partition, of his property among the heirs is effected through courts of first instance.
- (d) All cases involving ships and maritime matters are brought to the courts of first instance.

3. *What is the Court of Industrial Relations?*

- (a) It is a court created mainly for the settlement and arbitration of cases arising between labor and capital.

(e) *Why was the Court of Appeals created?*

1. Because there were so many appeals to the Supreme Court that numerous cases were left undecided for a long time, to the detriment of the efficient and speedy administration of justice.

2. *What cases are tried in this court?*

- (a) In this court are tried all appeals from the decisions of the courts of first instance.

(f) *What cases are considered in the Supreme Court?*

1. All cases appealed from the Court of Appeals as to points of law.
2. It alone has the power to try cases affecting Ambassadors, other Public Ministers, and Consuls.
3. It has the power to review, revise, reverse, modify, or affirm on appeal, certiorari, or writ of error, as the law or the rules of court may provide, final judgments and decrees of inferior courts in—
  1. All cases in which the constitutionality or validity of any treaty, law, ordinance, or executive order or regulation is in question.
  2. All cases involving the legality of any tax, impost, assessment, or toll, or any penalty imposed in relation thereto.
  3. All cases in which the jurisdiction of any trial court is in issue.
  4. All criminal cases in which the penalty imposed is death or life imprisonment.
  5. All cases in which an error or question of law is involved.

4. *How many members does our Supreme Court have?*

(a) Our Supreme Court has seven members.

5. Give the required qualifications of:

(a) *A justice of the peace:*

1. At least twenty-one years of age.
2. A citizen of the Philippines or of the United States.
3. Of good moral character.
4. Admitted to practice law.

(b) *A judge of the court of first instance.*

1. Must have practiced law for not less than five years.
2. Must be a qualified member of the Philippine bar.

(c) *An appellate justice.*

1. Must have the same qualifications as judges of first instance.

(d) *An associate justice.*

1. Must have been at least five years a citizen of the Philippines.

2. Must be at least forty years of age.
3. Must have been for ten years a judge of a court of record or for the same length of time must have been engaged in the practice of law in the Philippines.
6. *The Department of Justice is an executive department. Does it have control over the decisions of the judges?*
  - (a) No, it does not have control over the decisions of the judges. It has only administrative control over courts of first instance and justices of the peace.
7. *Explain the work of the Bureau of Justice.*
  - (a) It is the legal adviser of the Philippine Commonwealth.
  1. As such it prepares all contracts entered into by the government, represents the government in all cases before the courts, and represents the government in all criminal cases before the Supreme Court.
8. *Why do we have a General Land Registration Office?*
  - (a) So as to have a central depository of all records of land registration, to have a head of the clerical and recording systems of the courts of first instance throughout the Islands in matters related to registration of land.
9. *Why does a province have a fiscal?*
  - (a) Because every province needs a legal adviser and one who can represent it in cases in which it is a party.
  - (b) Because in criminal cases, the issue is between the accused on the one hand and the *People of the Philippines* on the other, and it is necessary that the prosecution of such cases must be handled by a duly qualified lawyer.
10. There is a register of deeds in the City of Manila and for each of the provinces.
  - (a) It is not unusual for the fiscal himself to perform the duties of a register of deeds.

- (b) This official is under the supervision of the corresponding judge of first instance.
- (c) The principal duty of registers of deeds is to register documents affecting land.
- 11. According to ex-Justice Malolos, there is at least one notary public for each municipality.
  - (a) In the provinces, the notaries are appointed by the Judge of First Instance of the province for a term of two years.
  - (b) Many officers act as notaries public in addition to their regular duties.
    - (a) To be appointed a notary public, a person must be a citizen of the Philippine Islands or of the United States, and over twenty-one years of age.
    - 1. He must either be admitted to practice law or be a graduate of a recognized law school, or have passed the examination of the office of justice of the peace or clerk of court, or be a person who was qualified to be a notary under the Spanish administration.
  - (b) A notary public has power to administer oaths for legal documents.
  - (c) Besides notaries public, the following officers have authority to administer oaths: judges of courts; clerks of Courts of First Instance; and the Clerk of the Supreme Court; the Secretary of the National Assembly; registers of deeds; justices of the peace; auxiliary justices of the peace; the governor of a province; the mayor of a municipality;