

REPUBLIC ACT NO. 8246

AN ACT CREATING ADDITIONAL DIVISIONS IN THE COURT OF APPEALS, INCREASING THE NUMBER OF COURT OF APPEALS JUSTICES FROM FIFTY-ONE (51) TO SIXTY-NINE (69), AMENDING FOR THE PURPOSE BATAS PAMBANSA BILANG 129, AS AMENDED, OTHERWISE KNOWN AS THE JUDICIARY REORGANIZATION ACT OF 1980, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES

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

SECTION 1. Section 3, Chapter 1 of Batas Pambansa Blg. 129, as amended, is hereby further amended to read as follows:

"SEC. 3. *Organization.* – There is hereby created a Court of Appeals which shall consist of a Presiding Justice and sixty-eight (68) Associate Justices who shall be appointed by the President of the Philippines. The Presiding Justice shall be so designated in his appointment, and the Associate Justices shall have precedence according to the dates of their respective appointments, or when the appointments of two or more of them shall bear the same date, according to the order in which their appointments were issued by the President. Any member who is reappointed to the Court after rendering service in any other position in the government shall retain the precedence to which he was entitled under his original appointment, and his service in the Court shall, for all intents and purposes, be considered as continuous and uninterrupted."

SEC. 2. Section 4 of Batas Pambansa Blg. 129, as amended, is hereby further amended to read as follows:

"SEC. 4. *Exercise of Powers and Functions.* – The Court of Appeals shall exercise its powers, functions, and duties through twenty-three (23) divisions, each composed of three (3) members. The Court may sit *en banc* for the purpose of exercising administrative, ceremonial or other nonadjudicatory functions."

SEC. 3. Section 10 of Batas Pambansa Blg. 129, as amended, is hereby further amended to read as follows:

"SEC. 10. *Place of Holding Sessions.* – The Court of Appeals shall have its permanent stations as follows: The first seventeen (17) divisions shall be stationed in the City of Manila for cases coming from the First to the Fifth Judicial Regions; the Eighteenth, Nineteenth, and Twentieth Divisions shall be in Cebu City for cases coming from the Sixth, Seventh and Eighth Judicial Regions; the Twenty-first, Twenty-second and Twenty-third Divisions shall be in Cagayan de Oro City for cases coming from the Ninth, Tenth, Eleventh, and Twelfth Judicial Regions. Whenever demanded by public interest, or whenever justified by an increase in case load, the Supreme Court, upon its own initiative or upon recommendation of the Presiding Justice of the Court of Appeals, may authorize any division of the Court to hold sessions periodically, or for such periods and at such places as the Supreme Court may determine, for the purpose of hearing and deciding cases. Trials or hearings in the Court of Appeals must be continuous and must be completed within three (3) months unless extended by the Chief Justice of the Supreme Court."

SEC. 4. The amount necessary to carry out the provisions of this Act shall be included in the General Appropriations Act of the year following its enactment into law and thereafter.

SEC. 5. Upon the effectivity of this Act, all pending cases, except those which have been submitted for resolution, shall be referred to the proper division of the Court of Appeals.

SEC. 6. Nothing in this Act shall be construed to allow the transfer, except in cases of temporary assignment, of any member of the Court of Appeals to any place or station without his or her written consent, or to determine the security of tenure of its

members as provided in the Constitution, or alter the seniority in said Court in accordance with existing laws.

SEC. 7. The Supreme Court is hereby authorized and empowered to constitute a Study Committee composed of a member of the Judiciary, the prosecution, the Integrated Bar of the Philippines (IBP), a representative of the association of law colleges and law professors, and a member of the public at large.

The Committee shall undertake a serious study as to the feasibility and desirability of setting up a Regional Circuit Courts of Appeals in lieu and in place of the present Courts of Appeals System.

The Supreme Court shall submit the findings and recommendation of this Committee to Congress one (1) year after the effectivity of this Act.

SEC. 8. *Separability Clause.* – If any portion or provision of this Act is declared unconstitutional, the remainder of this Act or any provision not affected thereby shall remain in force and effect.

SEC. 9. *Repealing Clause.* – All laws, presidential decrees, letters of instruction, executive orders, rules and regulations, or any part thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 10. *Effectivity.* – This Act shall take effect after fifteen (15) days following its publication in two (2) newspapers of general circulation.

Approved, December 30, 1996.