

MALACAÑANG
MANILAEXECUTIVE ORDER NO. 33AMENDING CERTAIN SECTIONS OF THE JUDICIARY REORGANIZATION ACT OF
1980, AS AMENDED

I, CORAZON C. AQUINO, President of the Philippines, do hereby order:

SECTION 1. The title of Chapter 1 of Batas Pambansa Blg. 129 is hereby amended to read as follows:

"THE COURT OF APPEALS"

SECTION 2. Section 3, Chapter 1 of Batas Pambansa Blg. 129, is hereby amended to read as follows:

"SEC. 3. Organization - There is hereby created a Court of Appeals which shall consist of a Presiding Justice and fifty 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 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."

SECTION 3. Section 4 of the same Act is hereby amended to read as follows:

"SEC. 4. Exercise of powers and functions. - The Court of Appeals shall exercise its powers, functions, and duties through seventeen (17) divisions, each composed of three (3) members. The Court may sit en banc for the purpose of exercising administrative, ceremonial or other non-adjudicatory functions."

SECTION 4. Section 8 of the same Act is hereby repealed.

SECTION 5. The second paragraph of Section 9 of the same Act is hereby amended to read as follows:

"The Court of Appeals shall have the power to receive evidence and perform any and all acts necessary to resolve factual issues raised in (a) cases falling within its original jurisdiction, such as actions for annulment of judgments of regional trial courts, as provided in paragraph (2) hereof; and in (b) cases falling within its appellate jurisdiction wherein a motion for new trial based only on the ground of newly discovered evidence is granted by it."

SECTION 6. Section 11 of the same Act is hereby amended to read as follows:

"SEC. 11. Quorum. - A majority of the actual members of the Court shall constitute a quorum for its session en banc. Three members shall constitute a quorum for the sessions of a division. The unanimous vote of the three members of a division shall be necessary for the pronouncement of a decision or final resolution, which shall be reached in consultation before the writing of the opinion by any member of the division. In the event that the three members do not reach a unanimous vote, the Presiding Justice shall request the Raffle Committee of the Court for the designation of two additional Justices to sit temporarily with them, forming a special division of five members and the concurrence of a majority of such division shall be necessary for the pronouncement of a decision or final resolution. The designation of such additional Justices shall be made strictly by raffle.

A motion for reconsideration of its decision or final resolution shall be resolved by the Court within ninety (90) days from the time it is submitted for resolution, and no second motion for reconsideration from the same party shall be entertained."

SECTION 7. Subsection (d) of Section 14 of the same Act is hereby amended to read as follows:

"(d) One hundred seventy-two (172) Regional Trial Judges shall be commissioned for the National Capital Judicial Region. There shall be:

Fifty-five branches (Branches 1 to 55) for the City of Manila, with seats thereat;

Thirty-two branches (Branches 76 to 107) for Quezon City, with seats thereat;

Twelve branches (Branches 108 to 119) for Pasay City, with seats thereat;

Twelve branches (Branches 120 to 131) for Caloocan City, with seats thereat;

Fifty-eight branches (Branches 56 to 74 and 132 to 170) for the municipalities of Navotas, Malabon, San Juan, Mandaluyong, Makati, Pasig, Pateros, Taguig, Marikina, Parañaque, Las Piñas, and Muntinlupa; Branches 56 to 66 and 132 to 150 with seats at Makati; Branches 67 to 71 and 151 to 168 at Pasig; and Branches 72 to 74, 169 and 170 at Malabon; and

Three branches (Branches 75, 171 and 172) for the municipality of Valenzuela, with seats thereat."

SECTION 8. The terms "Intermediate Appellate Court, Presiding Appellate Justice and Associate Appellate Justice(s)" used in the Judiciary Reorganization Act of 1980 or in any other law or executive order shall hereafter mean Court of Appeals, Presiding Justice and Associate Justice(s), respectively.

SECTION 9. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 28th day of July in the year of Our Lord, nineteen hundred and eighty-six.

(SGD.) CORAZON C. AQUINO
President of the Philippines

By the President:

(SGD.) JOKER P. ARROYO
Executive Secretary