

NINTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
THIRD REGULAR SESSION)

'95 FEB -7 12:17

RECEIVED BY: *[Signature]*

SENATE

COMMITTEE REPORT NO. 883

Submitted by the Committee on Justice and Human Rights
on FEB 07 1995.

RE: S. No. 1495

Recommending its approval without amendments.

Sponsors: Senators Roco and Lina and the Committee On
Justice and Human Rights

MR. PRESIDENT:

The Committee on Justice and Human Rights to which was
referred S. No. 1495 introduced by Senator Jose D. Lina, Jr.
entitled:

AN ACT EXPANDING THE JURISDICTION OF THE COURT OF
APPEALS, AMENDING FOR THE PURPOSE SECTION NINE OF
BATAS PAMBANSA BLG. 129, KNOWN AS THE JUDICIARY
REORGANIZATION ACT OF 1980,

has considered the same and has the honor to report it back to
the Senate with the recommendation that S. No. 1495 be approved
without amendments with Senators Lina, Roco and the Committee on
Justice and Human Rights as authors thereof.

Respectfully submitted,



Raul S. Roco

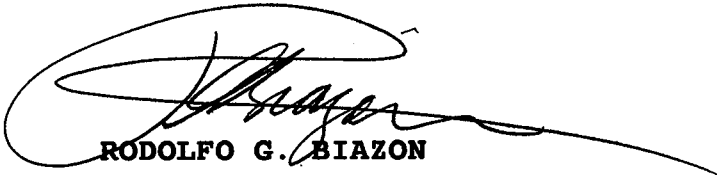
RAUL S. ROCO
Chairman
Committee on Justice and
Human Rights

VICE-CHAIRMEN

[Signature]
ERNESTO M. MACEDA

[Signature]
JOSE D. LINA


MEMBERS



RODOLFO G. BIAZON

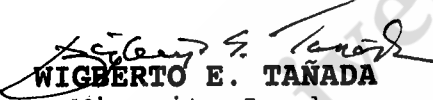

VICENTE C. SOTTO III


ARTURO M. TOLENTINO

EX-OFFICIO MEMBERS


LETICIA R. SHAHANI
President Pro-Tempore


ALBERTO G. ROMULO
Majority Leader


WIGBERTO E. TAÑADA
Minority Leader

EDGARDO J. ANGARA
President of the Senate
Manila



EMC
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NINTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Second Session)

CERTIFIED BY THE
PRESIDENT FOR ITS
IMMEDIATE ENACTMENT
ON FEBRUARY 14, 1995

S E N A T E

S. No. 1495

Introduced by Senator Lina, Jr.

AN ACT
EXPANDING THE JURISDICTION OF THE COURT OF APPEALS, AMENDING
FOR THE PURPOSE SECTION NINE OF BATAS PAMBANSA BLG. 129,
KNOWN AS THE JUDICIARY REORGANIZATION ACT OF 1980

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

1 SECTION 1. Section 9 of Batas Pambansa Blg. 129, as
2 amended, known as the Judiciary Reorganization Act of 1980,
3 is hereby further amended to read as follows:

4 "SEC. 9. *Jurisdiction.* - The [Intermediate
5 Appellate Court] COURT OF APPEALS shall exercise:

6 "(1) Original jurisdiction to issue writs of
7 mandamus, prohibition, *certiorari*, *habeas corpus*,
8 and *quo warranto*, and auxiliary writs or
9 processes, whether or not in aid of its appellate
10 jurisdiction;

11 "(2) Exclusive original jurisdiction over
12 actions for annulment of judgments of Regional
13 Trial Courts; and

14 "(3) Exclusive appellate jurisdiction over
15 all final judgments, decisions, resolutions,
16 orders or awards of Regional Trial Courts and
17 quasi-judicial agencies, instrumentalities, boards
18 or commissions, INCLUDING THE SECURITIES AND



1 EXCHANGE COMMISSION, THE SOCIAL SECURITY
2 COMMISSION, THE EMPLOYEES COMPENSATION COMMISSION
3 AND THE CIVIL SERVICE COMMISSION, except those
4 falling within the appellate jurisdiction of the
5 Supreme Court in accordance with the Constitution,
6 THE LABOR CODE OF THE PHILIPPINES UNDER P.D.
7 NO. 442 AS AMENDED, the provisions of this Act,
8 and of subparagraph (1) of the third paragraph and
9 subparagraph (4) of the fourth paragraph of
10 Section 17 of the Judiciary Act of 1948.

11 "The Court of Appeals shall have the power to
12 TRY CASES AND CONDUCT HEARINGS, receive evidence
13 and perform any and all acts necessary to resolve
14 factual issues raised in [(a)] cases falling
15 within its original AND APPELLATE jurisdiction,
16 [such as actions for annulment of judgments of
17 regional trial courts in paragraph (2) hereof;
18 and in (b) cases falling within its appellate
19 jurisdiction wherein a motion for new trial based
20 only on the grounds of newly discovered evidence
21 is granted by it] INCLUDING THE POWER TO GRANT
22 AND CONDUCT NEW TRIALS OR FURTHER PROCEEDINGS,
23 TRIALS OR HEARINGS IN THE COURT OF APPEALS MUST BE
24 CONTINUOUS AND MUST BE COMPLETED WITHIN THREE (3)
25 MONTHS, UNLESS EXTENDED BY THE CHIEF JUSTICE.

1 [These provisions shall not apply to
2 decisions and interlocutory orders issued under
3 the Labor Code of the Philippines, and by the
4 Central Board of Assessment Appeals.]

5 SEC. 2. All provisions of laws and rules inconsistent
6 with the provisions of this Act are hereby repealed or
7 amended accordingly.

8 SEC. 3. This Act shall take effect after fifteen (15)
9 days following its publication in a newspaper of general
10 circulation.

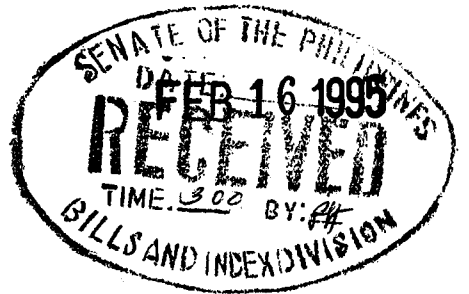
 Approved,

ayr/SAA
10/29/93



Senate Archives (LRAS)

Republic of the Philippines
CONGRESS OF THE PHILIPPINES
Manila



THIRD REGULAR SESSION

CONFERENCE COMMITTEE REPORT

The Conference Committee on the disagreeing provisions of Senate Bill No. 1495, entitled:

AN ACT

EXPANDING THE JURISDICTION OF THE COURT OF APPEALS,
AMENDING FOR THE PURPOSE SECTION NINE OF BATAS PAMBANSA
BLG. 129, KNOWN AS THE JUDICIARY REORGANIZATION ACT OF
1980

and House Bill No. 10452, entitled:

AN ACT

REVISING THE JURISDICTION OF THE COURT OF APPEALS,
AMENDING FOR THAT PURPOSE SECTION NINE OF BATAS
PAMBANSA BLG. 129, KNOWN AS THE JUDICIARY
REORGANIZATION ACT OF 1980, AS AMENDED

having met, after full and free conference, has agreed to recommend and do hereby recommend to their respective Houses that Senate Bill No. 1495 and House Bill No. 10452 as reconciled in the Conference Committee be approved in accordance with the attached copy of the bill as approved by the conferees.

Approved,

CONFEREES ON THE PART OF THE
HOUSE OF REPRESENTATIVES:


HON. PABLO P. GARCIA


HON. SERGIO ANTONIO F. APOSTOL


HON. ALFREDO AMOR E. ABUEG

HON. ANTONIO M. ABAYA

HON. ERASMO B. DAMASING

CONFEREES ON THE PART
OF THE SENATE:

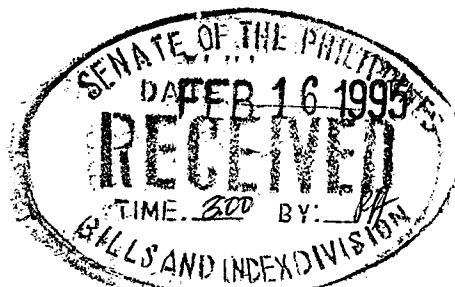

HON. RAUL S. ROCO


HON. WIGBERTO E. TANADA


HON. JOSE D. LINA


HON. ERNESTO F. HERRERA

Ninth Congress of the Philippines)
Third Regular Session)



**AN ACT
EXPANDING THE JURISDICTION OF THE COURT OF APPEALS, AMENDING FOR
THE PURPOSE SECTION NINE OF BATAS PAMBANSA BLG. 129, AS AMENDED
KNOWN AS THE JUDICIARY REORGANIZATION ACT OF 1980**

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

SECTION 1. Section 9 of Batas Pambansa Blg. 129, as amended, known as the Judiciary Reorganization Act of 1980, is hereby further amended to read as follows:

"SEC. 9. Jurisdiction. - The Court of Appeals shall exercise:

"(1) Original jurisdiction to issue writs of *mandamus*, prohibition, *certiorari*, *habeas corpus*, and *quo warranto*, and auxiliary writs or processes, whether or not in aid of its appellate jurisdiction;

"(2) Exclusive original jurisdiction over actions for annulment of judgments of Regional Trial Courts; and

"(3) Exclusive appellate jurisdiction over all final judgments, decisions, resolutions, orders or awards of Regional Trial Courts and quasi-judicial agencies, instrumentalities, boards or commissions, INCLUDING THE SECURITIES AND EXCHANGE COMMISSION, THE SOCIAL SECURITY COMMISSION, THE EMPLOYEES COMPENSATION COMMISSION AND THE CIVIL SERVICE COMMISSION, except

those falling within the appellate jurisdiction of the Supreme Court in accordance with the Constitution, THE LABOR CODE OF THE PHILIPPINES UNDER P.D. NO. 442 AS AMENDED, the provisions

of this Act, and of subparagraph (1) of the third paragraph and subparagraph (4) of the fourth paragraph of Section 17 of the Judiciary Act of 1948.

"The Court of Appeals shall have the power to TRY CASES AND CONDUCT HEARINGS, receive evidence and perform any and all acts necessary to resolve factual issues raised in [(a)] cases falling within its original AND APPELLATE jurisdiction, [such as actions

[Handwritten signatures and initials]

for annulment of judgments of regional trial courts in paragraph (2) hereof; and in (b) cases falling within its appellate jurisdiction wherein a motion for new trial based only on the grounds of newly discovered evidence is granted by it] INCLUDING THE POWER TO GRANT AND CONDUCT NEW TRIALS OR FURTHER PROCEEDINGS. 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.

[These provisions shall not apply to decisions and interlocutory orders issued under the Labor Code of the Philippines, and by the Central Board of Assessment Appeals.]

SEC. 2. All provisions of laws and rules inconsistent with the provisions of this Act are hereby repealed or amended accordingly.

SEC. 3. This Act shall take effect after fifteen (15) days following its publication in a newspaper of general circulation.

Approved,

[Handwritten signatures and initials]



SENATE OF THE PHILIPPINES
OFFICE OF THE SECRETARY
RECEIVED
DATE: **OCT 19 1993**
TIME: **8:25** BY: *[Signature]*

S E N A T E

S. No. 1495

Introduced by Senator Lina, Jr.

EXPLANATORY NOTE

This bill is lifted, verbatim from S. No. 1142, reported out by the Senate Committee on Justice and Human Rights of the Eighth Congress, and originally introduced by Senators Jovito R. Salonga, Ernesto M. Maceda and Wigberto E. Tañada.

As mentioned in the Explanatory Notes of S. No. 191, S. No. 122 and S. No. 124, filed during the Eighth Congress, the proposed bill seeks to amend the Judiciary Reorganization Act of 1980, specifically the jurisdiction of the Court of Appeals.

As stated by Senator Maceda in his S. No. 124, "generally, the Court of Appeals exercises exclusive jurisdiction over all decisions of quasi-judicial agencies. However, under Section 9 of Batas Pambansa Blg. 129 otherwise known as the Judiciary Reorganization Act of 1980, made effective on January 17, 1983, the review of all decisions under the Labor Code of the Philippines and by the Central Board of Assessment Appeals has been vested directly within the jurisdiction of the Supreme Court."

"The Supreme Court as a consequence, has been mandated to review on certiorari or appeal a good number of cases which may well be finally reviewed and adjudicated on appeal by an intermediate appellate court like the Court of Appeals. This may be gleaned from the 1986 Annual Report of the Supreme Court by the Honorable Chief Justice Claudio Teehankee entitled "A Year of Restoration A Time of Revival". The Supreme Court recommended amendatory legislation in said report "so as to relieve the Supreme Court of the burden of reviewing these cases which present no important issues beyond the particular facts and the parties involved, so cases of public interest in the discharge of its mandated task as guardian of the Constitution and the guarantor of the people's basic rights. x x x"

"In line with the observations and recommendations of the Supreme Court contained in its 1986 Annual Report, this amendatory legislation is timely and has a far reaching effect of taking away considerable load of cases from the Supreme Court to enable the Supreme Court to devote its precious time to cases as mandated by the 1987 Constitution. This bill seeks to amend Section 9 of Batas Pambansa Blg. 129 by vesting to the Court of Appeals exclusive appellate jurisdiction to review all issues under the Labor Code of the Philippines and by the Central Board of Assessment Appeals."

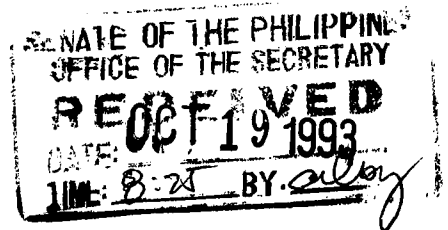
Early approval of this bill is thus earnestly requested.

[Signature]
JOSE D. LINA, JR.
Senator

NINTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Second Regular Session)

S E N A T E

S. No. 1462



Introduced by Senator Lina, Jr.

AN ACT
EXPANDING THE JURISDICTION OF THE COURT OF APPEALS, AMENDING FOR
THE PURPOSE SECTION NINE OF BATAS PAMBANSA BLG. 129, KNOWN AS THE
JUDICIARY REORGANIZATION ACT OF 1980

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

SECTION 1. Section 9 of Batas Pambansa Blg. 129, as amended, known as the Judiciary Reorganization Act of 1980, is hereby further amended to read as follows:

"SEC. 9. *Jurisdiction.* - The [Intermediate Appellate Court] COURT OF APPEALS shall exercise:

"(1) Original jurisdiction to issue writs of mandamus, prohibition, *certiorari*, *habeas corpus*, and quo warranto, and auxiliary writs or processes, whether or not in aid of its appellate jurisdiction;

"(2) Exclusive original jurisdiction over actions for annulment of judgments of Regional Trial Courts; and

"(3) Exclusive appellate jurisdiction over all final judgments, decisions, resolutions, orders or awards of Regional Trial Courts and quasi-judicial agencies, instrumentalities, boards or commissions, INCLUDING THE SECURITIES AND EXCHANGE COMMISSION, THE SOCIAL SECURITY COMMISSION, THE EMPLOYEES COMPENSATION COMMISSION AND THE CIVIL SERVICE COMMISSION, except those falling within the appellate jurisdiction of the Supreme Court in accordance with the Constitution, the provisions of this Act, and of subparagraph (1) of the third paragraph and subparagraph (4) of the fourth paragraph of Section 17 of the Judiciary Act of 1948.

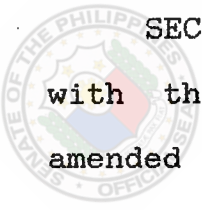
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"The Court of Appeals shall have the power to TRY CASES AND CONDUCT HEARINGS, receive evidence and perform any and all acts necessary to resolve factual issues raised in [(a)] cases falling within its original AND APPELLATE jurisdiction, [such as actions for annulment of judgments of regional trial courts in paragraph (2) hereof; and in (b) cases falling within its appellate jurisdiction wherein a motion for new trial based only on the grounds of newly discovered evidence is granted by it] INCLUDING THE POWER TO GRANT AND CONDUCT NEW TRIALS OR FURTHER PROCEEDINGS, 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.

"DECISIONS OF THE NATIONAL LABOR RELATIONS COMMISSION UNDER THE LABOR CODE OF THE PHILIPPINES, AS AMENDED, MAY BE SUBJECT OF PETITIONS FOR *CERTIORARI* TO THE COURT OF APPEALS AS A SPECIAL CIVIL ACTION ON THE SOLE GROUND OF GRAVE ABUSE OF DISCRETION."

[These provisions shall not apply to decisions and interlocutory orders issued under the Labor Code of the Philippines, and by the Central Board of Assessment Appeals.]



SEC. 2. All provisions of laws and rules inconsistent with the provisions of this Act are hereby repealed or amended accordingly.

SEC. 3. This Act shall take effect after fifteen (15) days following its publication in a newspaper of general circulation.

Approved,