


FIFTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
First Regular Session )

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S E N A T E

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COMMITTEE REPORT NO. 48

Submitted by the Committee on Justice and Human Rights on  
JUN - 2 2011.

Re: Senate Bill No. 2861.

Recommending its approval in substitution of Senate Bill Nos. 2366 and 2521

Sponsor: Senator Escudero

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**MR. PRESIDENT:**

The Committee on Justice and Human Rights to which were referred Senate Bill No. 2366, introduced by Senator Francis G. Escudero, entitled:

**“AN ACT  
BANNING THE RE-APPOINTMENT OF A REGULAR MEMBER OF THE  
JUDICIAL AND BAR COUNCIL (JBC) WHO HAS ALREADY SERVED  
THE FULL TERM”**

*And* S.No. 2521, introduced by Senator Miriam Defensor-Santiago, entitled:

**“AN ACT  
BANNING THE RE-APPOINTMENT OF A REGULAR MEMBER OF THE  
JUDICIAL AND BAR COUNCIL WHO HAS ALREADY SERVED THE  
FULL TERM”**

has considered the same and has the honor to report them back to the Senate with the recommendation that the attached Senate Bill No. 2861 prepared by the Committee, entitled:

**“AN ACT  
LIMITING THE TERM OF OFFICE OF THE REGULAR MEMBERS OF  
THE JBC.”**

be approved in substitution of Senate Bill Nos. 2366 and 2521, with Senators Ecuero *and* Defensor-Santiago, as authors thereof.

Respectfully submitted:



**SEN. FRANCIS G. ESCUDERO**  
Chairman,  
Committee on Justice and Human Rights

*will interpellate*



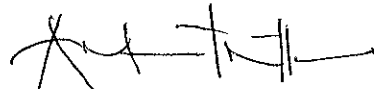
**SEN. TEOFISTO GUINGONA III**  
Vice Chairman,  
Committee on Justice and Human Rights

**MEMBERS:**

*will interpellate*



**SEN. SERGIO R. OSMEÑA III**



**SEN. ANTONIO F. TRILLANES IV**



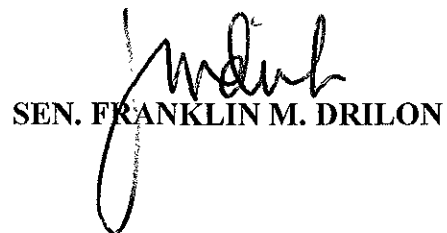
**SEN. MANNY VILLAR**



**SEN. LOREN B. LEGARDA**



**SEN. RAMON REVILLA, JR.**




**SEN. FRANKLIN M. DRILON**




**SEN. JOKER P. ARROYO**

Ex-Officio Members:

**SEN. ALAN PETER CAYETANO**  
*Senate Minority Floor Leader*



**SEN. VICENTE C. SOTTO III**  
*Senate Majority Floor Leader*




**SEN. JINGGOY EJERCITO-ESTRADA**  
*Senate President Pro-Tempore*

**HON. JUAN PONCE ENRILE**  
**Senate President**

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SENATE

S. No. 2861

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Prepared by the Committee on Justice and Human Rights with Senators  
Escudero and Defensor-Santiago as authors thereof.

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AN ACT  
LIMITING THE TERM OF OFFICE OF THE  
REGULAR MEMBERS OF THE JBC

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

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2       **SECTION 1.** *Declaration of Policy.* - It is hereby declared the policy of the  
3 State to enhance the independence of the judiciary by insulating it from political  
4 pressure and influence, especially in the nomination and selection of appointees  
5 to the judiciary.

6  
7       **SEC.2.** *Regular Members.* - For purposes of this Act and pursuant to Section  
8 8 (2), Article VIII of the 1987 Constitution, the following are the regular members  
9 of the Judicial and Bar Council, appointed by the President for a term of four  
10 years with the consent of the Commission on Appointments:

- 11  
12       a. Representative of the Integrated Bar of the Philippines;  
13       b. Professor of Law;  
14       c. Retired Member of the Supreme Court; and  
15       d. Representative of the Private Sector.

16  
17       **SEC.3.** *Limitation.* - A regular member of the Judicial and Bar Council who  
18 has completed the service of his/her term of office shall no longer be eligible for  
19 re-appointment to the same position in whatever capacity.

20  
21       **SEC.4.** *Separability Clause.* - If any provision of this Act shall be declared  
22 void or unconstitutional, any other provisions not affected thereby shall remain  
23 in full force and effect.

24  
25       **SEC.5.** *Repealing Clause.* - All laws, decrees, orders, rules and regulations,  
26 or parts thereof inconsistent with this Act are hereby repealed or amended  
27 accordingly.

28  
29       **SEC.6.** *Effectivity.* - This Act shall take effect fifteen (15) days after its  
30 publication in the Official Gazette or in at least two (2) newspapers of general  
31 circulation.

32  
33       *Approved,*  
34