



Senate
Office of the Secretary

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

'11 JUN -2 P2 :06

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

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



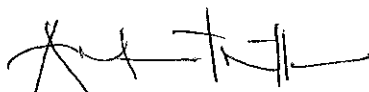
SEN. TEOFISTO GUINGONA III
Vice Chairman,
Committee on Justice and Human Rights

MEMBERS:

will interpellate



SEN. SERGIO R. OSMEÑA III



SEN. ANTONIO F. TRILLANES IV



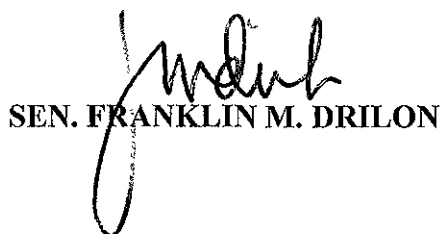
SEN. MANNY VILLAR



SEN. LOREN B. LEGARDA



SEN. RAMON REVILLA, JR.



SEN. FRANKLIN M. DRILON



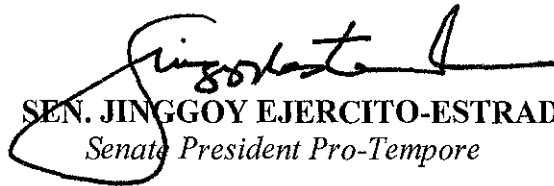
SEN. JOKER P. ARROYO

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

FIFTEENTH CONGRESS OF THE)
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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.

**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:

1
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,*