

EIGHTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
*First Regular Session* )



Senate  
Office of the Secretary

'19 SEP -2 P 3 :35

SENATE  
S. No. 996

RECEIVED BY

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Introduced by Senator Aquilino "Koko" Pimentel III

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AN ACT  
PROVIDING FOR THE MANNER OF SELECTING AN ACTING  
PRESIDENT, AS REQUIRED UNDER ARTICLE VII, SECTION  
7 OF THE CONSTITUTION

EXPLANATORY NOTE

*Article VII, Section 7 of the Constitution* provides that where no President and Vice-President shall have been chosen or shall have qualified, or where both shall have died or become permanently disabled, the President of the Senate shall act as President until a President or a Vice- President shall have been chosen and qualified. If the President of the Senate is unable to act as President, the Speaker of the House of Representatives shall do so. Congress is mandated to provide for the manner in which one who is to act as President shall be selected in the event that both the President of the Senate and the Speaker of the House of Representatives are unable to act as President until a President or a Vice-President shall have qualified.

For thirty-two (32) years, Congress has not acted on this mandate.

It is in line with the foregoing mandate that this bill is filed. Apart from the fact that Congress is obligated to provide for this contingency,

it is important to prepare for all possible scenarios that may arise relating to vacancies in the leadership of our government.

For these reasons, passage of this measure is earnestly sought.

  
**AQUILINO "KOKO" PIMENTEL III**

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

1       **SECTION 1. Policy.** – It is the policy of the State, in accordance  
2 with the *Constitution*, to provide the manner of selecting who shall act as  
3 President until a President or Vice-President shall have qualified, in case  
4 of death, permanent disability, or inability of the President of the Senate  
5 and the Speaker of the House of Representatives to act as President.

6  
7       **SEC. 2. Manner of Selection.** – In the event that the President of  
8 the Senate and the Speaker of the House of Representatives are both  
9 unable to act as President as provided in *Article VII, Section 7,*  
10 *paragraph 6* of the *Constitution*, then the government official who is  
11 highest on the following list, whose nomination or appointment has been  
12 confirmed or approved by the Commission on Appointments, and who  
13 is not under any disability to discharge the powers and duties of the  
14 office of President shall act as President until a President or Vice-  
15 President shall have been qualified:

1 (1) The Secretary of the Department of Foreign Affairs;

2  
3 (2) The Secretary of the Department of the Interior and Local  
4 Government; or

5  
6 (3) The Secretary of the Department of National Defense.  
7

8 **SEC. 3. *Repealing Clause.*** – Any law, presidential decree or  
9 issuance, executive order, letter of instruction, or rule or regulation  
10 inconsistent with the provisions of this Act is hereby repealed modified  
11 accordingly.  
12

13 **SEC. 4. *Effectivity.*** – This Act shall take effect fifteen (15) days  
14 after its complete publication in the Official Gazette or in two (2)  
15 newspapers of general circulation.  
16

*Approved,*