

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

04 NOV 24 10 07

SENATE

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COMMITTEE REPORT NO. 7

Submitted jointly by the Committees on National Defense and Security and on Constitutional Amendments, Revision of Codes and Laws on 12 4 NOV 2004

Re: Senate Bill No. 1862, prepared by the Committees.

Recommending its approval in substitution of Senate Bill Nos. 67 and 1284.

Sponsor: Senators Biazon, Gordon and Ejercito-Estrada (L.)

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**MR. PRESIDENT:**

The Committees on National Defense and Security and on Constitutional Amendments, Revision of Codes and Laws to which were referred Senate Bill No. 67, introduced by Senator Ejercito-Estrada (L.), entitled:

**“AN ACT  
AMENDING SECTION NINE (9) OF REPUBLIC  
ACT TWO HUNDRED NINETY-ONE (291) SO AS  
TO PROVIDE THAT NO OFFICER SHALL BE  
APPOINTED CHIEF OF STAFF IF SAID OFFICER  
HAS LESS THAN A YEAR REMAINING IN THE  
ACTIVE SERVICE”**

and Senate Bill No. 1284, introduced by Senator Biazon, entitled:

**“AN ACT  
PRESCRIBING A FIXED TERM FOR THE CHIEF  
OF STAFF AND MAJOR SERVICE COMMANDERS  
OF THE ARMED FORCES OF THE PHILIPPINES  
AND FOR OTHER PURPOSES”**

have considered the same and have the honor to report them back to the Senate with the recommendation that the attached bill, Senate Bill No. 1862, prepared by the Committees, entitled:

*gall*

"AN ACT *OF OFFICE*  
PRESCRIBING A FIXED TERM FOR THE CHIEF OF  
STAFF AND THE MAJOR SERVICE  
COMMANDERS OF THE ARMED FORCES OF  
THE PHILIPPINES (AFP) AND FOR OTHER  
PURPOSES"

be approved in substitution of Senate Bill Nos. 67 and 1284 with Senators Ejercito-Estrada (L.), Biazon, and Gordon as authors.

*Respectfully submitted.*



**RICHARD J. GORDON**  
Chairman  
Committee on Constitutional Amendments  
Revision of Codes and Laws

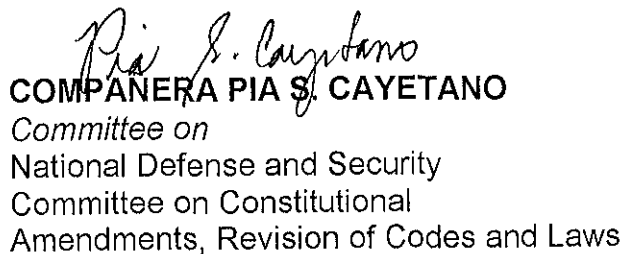


**RODOLFO G. BIAZON**  
Chairman  
Committee on National Defense  
and Security

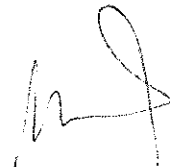


**RAMON B. MAGSAYSAY, JR.**  
Vice Chairman  
Committee on National Defense and Security

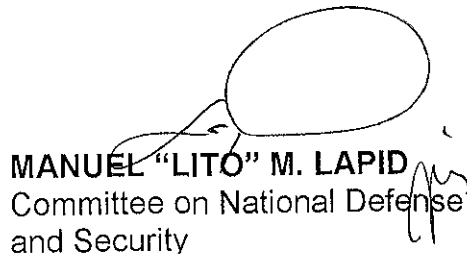
**Members:**



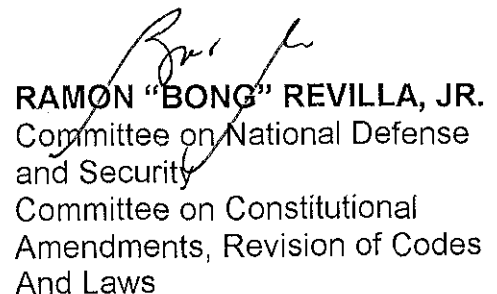
**COMPANERA PIA S. CAYETANO**  
Committee on  
National Defense and Security  
Committee on Constitutional  
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**MANUEL B. VILLAR, JR.**  
Vice Chairman, Committee on  
Constitutional Amendments  
Revision of Codes and Laws



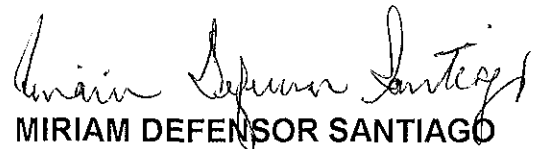
**MANUEL "LITO" M. LAPID**  
Committee on National Defense  
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**RAMON "BONG" REVILLA, JR.**  
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Committee on Constitutional  
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And Laws



**MAR ROXAS**  
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**MIRIAM DEFENSOR SANTIAGO**  
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Committee on Constitutional  
Amendments, Revision of Codes  
And Laws



**JOKER P. ARROYO**  
Committee on National Defense  
And Security  
Committee on Constitutional Amendments  
Revision of Codes and Laws

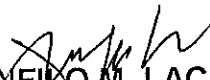


**RALPH G. RECTO**  
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**EDGARDO J. ANGARA**  
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Committee on Constitutional  
Amendments, Revision of Codes  
And Laws

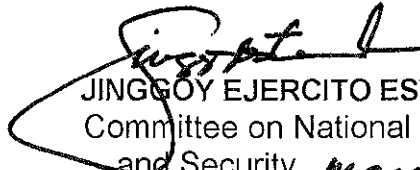


**PANFILO M. LACSON**  
Committee on National Defense  
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Committee on Constitutional Amendments  
Revision of Codes and Laws




**SERGIO OSMEÑA III**  
Committee on National Defense  
and Security  
Committee on Constitutional  
Amendments, Revision of Codes  
And Laws

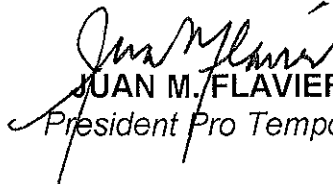
  
**ALFREDO S. LIM**  
Committee on National Defense  
and Security

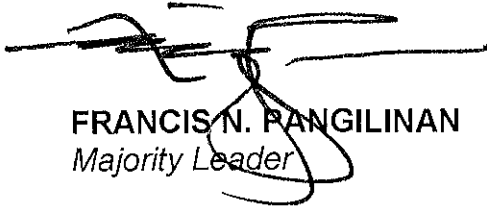
  
**JINGGOY EJERCITO ESTRADA**  
Committee on National Defense  
and Security *may amend  
in due course*

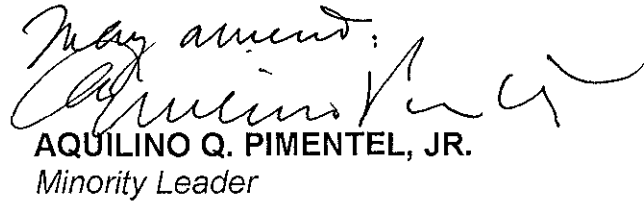
  
**LUISA "LOI" EJERCITO ESTRADA**  
Committee on National Defense  
and Security

  
**M.A. MADRIGAL**  
Committee on National Defense  
and Security

*Ex-Officio Members*

  
**JUAN M. FLAVIER**  
*President Pro Tempore*

  
**FRANCIS N. PANGILINAN**  
*Majority Leader*

*May amend:*  
  
**AQUILINO Q. PIMENTEL, JR.**  
*Minority Leader*

**Honorable FRANKLIN M. DRILON**  
*Senate President  
Senate of the Philippines  
Pasay City*

SENATE  
S. No. **1862**

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Prepared jointly by the Committees on National Defense and Security  
and Constitutional Amendments and Revision of Codes and Laws with  
Senators Ejercito Estrada (L.), Biazon and Gordon as authors.

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**AN ACT**  
**PRESCRIBING A FIXED TERM OF OFFICE FOR THE CHIEF OF STAFF AND**  
**THE MAJOR SERVICE COMMANDERS OF THE ARMED FORCES OF THE**  
**PHILIPPINES (AFP) AND FOR OTHER PURPOSES.**

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

1           Section 1. *Declaration of Policy.* – It is hereby declared the policy of the  
2 State to give due recognition to the significance of the positions of the Chief of  
3 Staff and the Major Service Commanders of the Armed Forces of the Philippines  
4 (AFP).

5           Section 2. *Terms of Office.* - The Chief of Staff of the Armed Forces of the  
6 Philippines shall have a fixed term of office of three (3) years. The Major Service  
7 Commanders shall each have a fixed term of office of two (2) years without  
8 prejudice to being appointed as Chief of Staff if otherwise qualified.

9           The terms shall commence on the date of appointment by the President.  
10 No extension of term shall be allowed, except for the position of Chief of Staff,  
11 which may be extended in cases of war or national emergencies as declared by  
12 Congress.

13           The President shall select from among the officers in the grades of Major  
14 General/Rear Admiral to Lieutenant General/Vice Admiral the officer who, in his  
15 or her opinion, is best qualified for the position of Chief of Staff; *Provided*, That  
16 the officer appointed as Chief of Staff of the AFP shall remain in office unless  
17 sooner removed for cause by the President; and, *Provided further*, That no officer  
18 shall be appointed as Chief of Staff if said officer has less than one (1) year of  
19 service remaining in the active service.

20           When the officer so appointed under this Section reaches the compulsory  
21 retirement age before the end of his term, he shall be allowed to complete his  
22 term but shall be deemed compulsorily retired upon completion of the same.

1           Section 3. *Rules and Regulations.* – The Department of National Defense  
2 shall formulate the rules and regulations necessary to implement the provisions  
3 of this Act.

4           Section 4. *Repealing Clause.* – Section 4 of R. A. No. 8186, with respect  
5 to the maximum tenure in the position of Major Service Commanders, is hereby  
6 amended accordingly.

7           All other issuances, laws, decrees, orders, rules and regulations, or parts  
8 thereof not consistent with this Act are hereby repealed or modified accordingly.

9           Section 5. *Effectivity.* – This Act shall take effect fifteen (15) days  
10 following its publication in the Official Gazette or in at least two (2) newspapers of  
11 general circulation.

Approved,