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SENATE  
S.No. 1849

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Introduced by Senator Miriam Defensor Santiago

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EXPLANATORY NOTE

This bill seeks to prohibit the appointment or designation of resigned elective government officials to posts in the government including government-owned or controlled corporations or their subsidiaries until after the lapse of one year from such resignation of the official concerned.

The Constitution, Article 11, Section 1 states that; "Public office is a public trust. Public officers and employees must at all times be accountable to the people, serve them with utmost responsibility, integrity, loyalty, and efficiency, act with patriotism and justice, and lead modest lives."

Persons in the government service especially elective officials have a commitment to the public. It is assumed that people who run for public office have the common desire to serve the populace of the country. It is therefore their sworn duty, if they are elected into office, to serve the mandate of the people by performing their duty as stated in the Constitution and put the welfare of the public first and foremost in their list of priorities.

In the past, there have been situations when there are tempting and juicy opportunities to assume another office or position caused by vacancies or resignations of certain officials. In such cases, some government officials aspiring to fill in such vacancies resign from their current posts in order for them to be appointed to such office or position. This in effect would create a void in the position left by said official. In the case of elective officials, such act would be tantamount to setting aside the mandate of the people who chose and elected him or her to be their representative and leader.<sup>1</sup>

*Miriam Defensor Santiago*  
MIRIAM DEFENSOR SANTIAGO  
*ms*

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<sup>1</sup> This bill was originally filed during 14<sup>th</sup> Congress, 1<sup>st</sup> Regular Session.

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



Senate  
Office of the Secretary

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SENATE  
S. No. 1849

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Introduced by Senator Miriam Defensor Santiago

1 AN ACT  
2 PROHIBITING THE APPOINTMENT OF ELECTIVE GOVERNMENT OFFICIALS  
3 WITHIN ONE YEAR FROM RESIGNATION

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

4 SECTION 1. No elective government official who has resigned from his or her position  
5 shall, within one (1) year after such resignation, be appointed or designated to any department,  
6 bureau, or agency in the Government or any government-owned or controlled corporations or in  
7 any of their subsidiaries.

8 SECTION 2. *Repealing Clause.* – Any law, presidential decree or issuance, executive  
9 order, letter of instruction, administrative order, rule, or regulation contrary to or inconsistent  
10 with the provisions of this Act is hereby repealed, modified, or amended accordingly.

11 SECTION 3. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its  
12 publication in at least two (2) newspapers of general circulation.

Approved,