

74 SEP 22 P5 29

SENATE

RECEIVED BY: 

S. No. 2419

Prepared by the Committee on Justice and Human Rights, with Senators Escudero, Defensor-Santiago, Estrada, and Pimentel as Authors thereof.

AN ACT
BANNING THE RE-APPOINTMENT OF A REGULAR MEMBER OF
THE JUDICIAL AND BAR COUNCIL (JBC) WHO HAS ALREADY
SERVED TWO FULL TERMS

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

1 **SECTION 1.** *Short Title.* This Act shall be known as the "*Judiciary*
2 *Independence Enhancing Act*".

3
4 **SEC. 2.** *Declaration of Policy.* - It is hereby declared the policy of the
5 State to enhance the independence of the judiciary by insulating it from
6 political pressure.

7
8 **SEC. 3.** *Definition.* - For purposes of this Act and pursuant to *Article*
9 *VIII, Section 8 (2), of the 1987 Constitution,* the following are the regular
10 members of the Judicial and Bar Council, appointed by the President for a
11 term of four years with the consent of the Commission on Appointments:

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21

SEC. 4. *Persons Covered.* - A regular member of the Judicial and Bar Council who has served two (2) full terms of office, whether they be consecutive or not, shall be totally disqualified from being re-appointed as a regular member of the Judicial and Bar Council.

SEC. 5. *Separability Clause.* - Should any provision of this Act be declared invalid, the remaining provisions shall continue to be valid and subsisting.

SEC. 6. *Repealing Clause.* - All laws, executive orders, or administrative orders, rules and regulations or parts thereof, which are inconsistent with this Act are hereby amended, repealed or modified accordingly.

SEC. 7. *Effectivity.* - This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved,