

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

04 NOV 12 P1:43

SENATE
S. No. 1852

RECEIVED BY: Quila

Introduced by **Senator Richard J. Gordon**

EXPLANATORY NOTE

The Secretary of the Department of National Defense (DND) and the Chief of Staff of the Armed Forces of the Philippines (AFP) are very sensitive and powerful positions in government that, when monopolized by the same person who just served as AFP Chief of Staff and thereafter immediately appointed as DND Secretary, may lead to apprehensions of corruption or betrayal of public trust.

To ensure that public service shall be dictated by no other consideration than the public good, this proposed legislative measure seeks the disqualification of the AFP Chief of Staff from being eligible for appointment to the position of DND Secretary for a period of three (3) years from his tour of duty as AFP Chief of Staff based on precepts of propriety and ethics.

This prohibition seeks to show integrity to the public and lend effectiveness to the principle that a public office is a public trust.



RICHARD J. GORDON
Senator

THIRTEENTH CONGRESS OF THE REPUBLIC)
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SENATE
S. No. 1852

RECEIVED BY: Ortiz

Introduced by **Senator Richard J. Gordon**

AN ACT AMENDING SECTION 42 CHAPTER 7 SUBTITLE II TITLE VIII OF EXECUTIVE ORDER NO. 292, AS AMENDED, OTHERWISE KNOWN AS THE ADMINISTRATIVE CODE OF 1987

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

1 SECTION 1. Section 42 Chapter 7 Subtitle II Title VIII of Executive Order No. 292, as
2 amended, otherwise known as the Administrative Code of 1987 is hereby amended to read
3 as follows:

4 "Sec. 42. The Chief of Staff. –

5 XXX

6 (4) NO CHIEF OF STAFF OF THE ARMED FORCES OF THE PHILIPPINES
7 SHALL BE ELIGIBLE FOR APPOINTMENT TO THE SECRETARY OF THE
8 DEPARTMENT OF NATIONAL DEFENSE WITHIN A PERIOD OF THREE
9 (3) YEARS FOLLOWING HIS TOUR OF DUTY."

10 Sec. 2. *Repealing Clause.* – All laws, decrees, orders, rules and regulations or other
11 issuances or parts thereof inconsistent with the provisions of this Act are hereby repealed or
12 modified accordingly.

13 Sec. 3. *Effectivity.* – This Act shall take effect after fifteen (15) days following the
14 completion of its publication either in the Official Gazette or in a newspaper of general
15 circulation in the Philippines.

16 Approved,