

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

THIRTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 1960



Introduced by **Representative PROSPERO A. PICHAY, JR.**

EXPLANATORY NOTE

The Armed Forces of the Philippines, being the protector of the people and the State, is mandated by the Constitution "to secure the sovereignty of the State and the integrity of the national territory". (Article II, Section 3)

The role Lieutenant Generals and Admirals play in the pursuit of this constitutional mandate cannot be overemphasized. However, the tenure in position of these officers is cut short by specific instances set forth in Section 4 of Republic Act No. 8186. This results in a fast turnover of officers. In the case of the Philippine Army alone, records show that from 1986 to 1999 it had a total of 12 service commanders in a span of 13 years. Of this number, seven (7) served less than 12 months, three (3) for almost 18 months and only two (2) were able to serve for more than 24 months.

Obviously, the limitation prescribed under Section 4 of Republic Act No. 8186 adversely affects the continuity in the programs of the AFP, and consequently the management and operation of the organization. Besides, it effectively deprives the country of the services of these officers who have gained extensive knowledge and experience in active service. Their years of experience can very well be transformed into concrete programs for the AFP. Why put them to waste? Why not maximize their potentials for the interest of our people?

This bill seeks to address this concern by providing key officers with the rank of Lieutenant General/Admiral, officers who are designated to O-9 positions, an additional two (2) years of tenure in their positions effective on the date their tenure in position terminates as prescribed in Section 4 of R. A. 8186.

In view of the foregoing, passage of this bill is earnestly sought.

PROSPERO A. PICHAY, JR.



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AN ACT
AMENDING SECTION 4 OF REPUBLIC ACT NO. 8186 OTHERWISE KNOWN AS
“AN ACT PRESCRIBING OFFICER GRADE DISTRIBUTION IN THE ACTIVE
FORCE OF THE ARMED FORCES OF THE PHILIPPINES AND LIMITING THE
TENURE OF OFFICERS IN THE GRADES OF COLONEL/CAPTAIN (PN) AND
GENERAL/FLAG OFFICERS IN THE AFP”

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

SECTION. 1. Section 4 of Republic Act No. 8186 is hereby amended to
read as follows:

“SEC. 4. Maximum Tenure in Position – Officers holding the following
key positions are hereby limited to maximum tenure in position of three (3)
years unless otherwise earlier relieved by competent authority or compulsorily
retired under existing laws:

Chief of Staff, AFP
Vice Chief of Staff, AFP
The Deputy Chief of Staff, AFP
Major Service Commanders

*Provided, That except for the Chief of Staff of the AFP, no officer shall be
assigned/designated to the aforementioned key positions or promoted to the
rank of Brigadier General/Commodore or higher if he has less than one (1) year
of active service remaining prior to compulsory retirement: PROVIDED,
FURTHER, THAT IF THE TENURE IN POSITION OF OFFICERS DESIGNATED TO
POSITIONS AUTHORIZED WITH GRADE 0 – 9 AND PROMOTED TO SAID GRADE
AT THE TIME OF THE APPROVAL OF THIS ACT TERMINATES FOR REASONS
HERETOFORE SPECIFIED, SUCH OFFICERS SHALL BE ALLOWED AN
ADDITIONAL TENURE IN POSITION OF TWO (2) YEARS, EFFECTIVE ON THE
DATE OF SUCH TERMINATION OR COMPLETE THE AUTHORIZED MAXIMUM
TENURE IN POSITION WHICHEVER COMES LATER.”*

SEC. 2. This Act shall take effect fifteen (15) days after its publication in the Official Gazette or a newspaper of general circulation.

Approved,