

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SIXTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 3572



Introduced by Representative **MARLYN L. PRIMICIAS-AGABAS**

EXPLANATORY NOTE

AN ACT CREATING THE CODE COMMISSION OF THE PHILIPPINES TO REVIEW AND CODIFY PHILIPPINE LAWS AND APPROPRIATING FUNDS THEREFOR

It has been the experience of Members of the Bench and the Bar, including law practitioners, scholars, members of the academe and students to go through so much time and effort gathering applicable laws and its origin. Law research and development takes more time and effort to arrive at the precise law application. Concerns on conflicting provisions arise that makes law research tedious and long.

Thus, the creation of Code Commission is being proposed under this Act to primarily codify all Philippine Laws in order to provide a systematic collation of all laws that is readily accessible to everyone.

The passage of the bill is earnestly sought.

A handwritten signature in black ink, appearing to read "Marlyn L. Primicias-Agabas", with a checkmark at the end.

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**AN ACT CREATING THE CODE COMMISSION OF THE PHILIPPINES TO
REVIEW AND CODIFY PHILIPPINE LAWS AND APPROPRIATING FUNDS
THEREFOR**

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

1 SECTION 1. Short Title. – This Act shall be known as the “Code Commission Act
2 of the Philippines.”

3 SEC. 2. Declaration of Policy. – It is the declared policy of the State to promote
4 and protect the rights of the people. Towards this end, a code commission shall
5 be created to review and codify all laws to make them easily accessible to
6 everyone.

7 SEC. 3. Objective. – The main objective of this Act is to establish a systematic
8 form of arranging, compiling and publishing the whole mass of existing laws that
9 will enable everyone to consult the law easily and conveniently any time in
10 conformity with the custom, traditions and idiosyncrasies of the Filipino people
11 and modern trends in legislation and the progressive principles of law.

12

1 SEC. 4 Creation. – The Code Commission of the Philippines is hereby created,
2 hereinafter referred to as the "Code Commission," to review and codify all
3 Philippine laws.

4 SEC. 5. Composition. – The Chairman of the Code Commission shall be a
5 retired Justice of the Supreme Court to be appointed by the President of the
6 Republic of the Philippines. The two Vice Chairmen of the Code Commission
7 shall be the incumbent Chairman of the Constitutional Amendments, Revision of
8 Codes and Laws of the Philippine Senate, and the incumbent Chairman of the
9 Committee on Revision of Laws of the House of Representatives;

10 The other members of the Code Commission shall be the following:

- 11 1. A representative from the Integrated Bar of the Philippines;
- 12 2. A representative from the University of the Philippines Law Center;
- 13 3. A representatives from the Association of Law Deans;
- 14 4. A representative of the Association of Law Professors;
- 15 5. An undersecretary of the Department of Justice; and
- 16 6. A representative of a non-government organization with an advocacy on
17 the rule of law.

18 After having been nominated by their respective offices, agencies, organizations
19 or groups, the President shall appoint these other members of the Code
20 Commission. Government officials who shall be appointed in the Code
21 Commission shall serve in their ex-officio capacity.

22 The Code Commission shall create the following committees:

- 23 1. Committee on Penal Laws;
- 24 2. Committee Commercial Laws;
- 25 3. Committee on Civil Laws;
- 26 4. Committee on Political Administrative Laws;
- 27 5. Committee on Labor Laws;

- 1 6. Committee on Tax Laws; and
- 2 7. Committee on Environmental Laws

3 The Chairman of the Code Commission shall appoint at least five (5) members
4 for each committee. The members of the Committee who are considered experts
5 in their respective fields shall elect among themselves a presiding officer.

6

7 SEC. 6. Powers and Functions. – The Code Commission shall have the following
8 functions:

- 9 a) To compile all existing laws;
- 10 b) To arrange the statutes relating to each subject in a logical sequence;
- 11 c) To bring together statutes and parts of statutes which, because of
12 similarity of subject matter, properly belong together;
- 13 d) To recommend modification, amendment or repeal of a law when
14 necessary;
- 15 e) To call on any official or employee of any bureau, office, branch,
16 subdivision, agency, or instrumentality of the Government to assist or
17 otherwise extend his cooperation to the Committee in connection with the
18 performance of its functions to carry out the provisions of this Act
- 19 f) To codify the laws and submit to Congress for its approval;
- 20 g) To complete its work not later than three (3) years from the date of its full
21 organization;
- 22 h) To submit to the President of the Philippines a report of the work
23 undertaken by it together with the corresponding drafts of the Code for
24 submission to the Congress of the Philippines;
- 25 i) To publish the laws in the most convenient and usable form, using such
26 aids as numbering, cross referencing, tabling, indexing and sub-indexing
27 consistently as will best facilitate locating the law on any subject;
- 28 j) To deliver to the National Library the records and documents and
29 proceedings of the Code Commission to the National Library for
30 preservation or disposition by the latter office according to law

1 k) To perform such other functions as may be necessary to carry out the
2 objectives of this Act.

3 SEC. 7. Secretariat – The Code Commission shall organize a Secretariat headed
4 by an Executive Director coming from the Law Center of the University of the
5 Philippines. The Code Commission in consultation with the Commission on Civil
6 Service shall fix its staffing pattern, determine the duties, qualifications,
7 responsibilities and functions as well as the compensation scheme for the
8 positions to be created upon the recommendation of the Executive Director. The
9 staffing pattern shall be approved and prescribed by the Code Commission in
10 accordance to prescribed civil service rules within sixty (60) days from the
11 approval of this Act.

12 The Secretariat shall provide technical and administrative support to the Code
13 Commission.

14 The Executive Director shall be appointed by the Chairman, He or she shall *inter-*
15 *alia* execute and administer the policies and decisions of the Code Commission,
16 attend the Code Commission's deliberations, monitor the implementation of the
17 programs, and manage the day-to-day operations thereof.

18 SEC. 8. Term of Office. – The Code Commission shall complete its work and
19 shall submit the drafts of the codes with its recommendations to the Congress of
20 the Philippines not later than three (3) years from its full organization. Upon the
21 Completion of its work and the submission of its report, the Code Commission
22 shall cease to exist and the services of the Chairman, Vice-Chairman and the
23 Members of the same, including all Committee Members, and employees
24 working under it shall terminate. All records, documents and proceedings of the
25 Code Commission shall be delivered to the National Library for preservation and
26 disposition by the latter. The other properties shall be disposed of in accordance

1 with existing auditing and accounting rules and regulations. The unexpended
2 balances of its appropriations shall revert to the un-appropriated general fund.

3 SEC. 9. Compensation of the Members of the Code Commission – The
4 Chairman of the Code Commission shall receive a compensation equal to that of
5 a Department Secretary while the members shall receive a compensation equal
6 to that of a Department Undersecretary.

7 The Chairman and members of the Code Commission and members of the
8 committees created may receive per diem for every meeting actually attended at
9 such amount to be fixed by the Code Commission but not to exceed Two
10 Thousand Pesos (P2,000.00) per meeting. The Chairman may, subject to the
11 approval of the President of the Philippines and the provisions of civil service
12 and other relevant laws, appoint such assistants and other subordinate
13 employees as may be necessary.

14 SEC. 10. Office. – The Code Commission shall have its office in Metro Manila
15 and may hold meetings at such time and place within the Philippines, as the
16 Chairman may order in writing.

17 SEC. 11. Appointment of Officials, Employees, etc. – The Chairman shall appoint
18 the personnel and fix their salaries or compensation in accordance with existing
19 laws, as may deem necessary in the exercise and performance of the duties of
20 the Code Commission. The Chairman may contract consultants or local experts
21 such as Information Technology and other technical services experts. Provided,
22 That the consultants or local experts whose services were contracted by the
23 Chairman to provide technical and necessary assistance or conduct seminar and
24 trainings relative to codification of laws shall be entitled to reasonable
25 emoluments for their services as may be determined by the Chairman.

1 SEC. 12. Implementing Rules and Regulations. - Within ninety (90) days upon
2 approval of this Act, the Code Commission in consultation with the Commission
3 on Audit and the Civil Service Commission shall promulgate the implementing
4 rules and regulations of this Act

5 SEC. 13. Appropriation. - The amount necessary for the organization and initial
6 implementation of the Code Commission shall be charge out of any national
7 funds not otherwise appropriated. Thereafter, the sum of One Hundred Million
8 Pesos (Php 100,000,000) for every year of its existence shall be included in the
9 General Appropriations Act for the full implementation of this Act.

10 SEC. 14. Separability Clause. - If any provision or part of hereof is held invalid or
11 unconstitutional, the remainder of the law or provision not otherwise affected
12 shall remain valid and subsisting.

13 SEC. 15 Effectivity Clause. - This Act shall take effect fifteen (15) days from its
14 publication in the Official Gazette or in at least two (2) newspapers of general
15 circulation.

16 *Approved,*