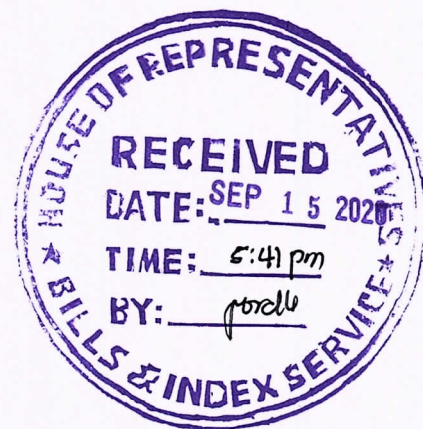


Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City

**EIGHTEENTH CONGRESS**  
*Second Regular Session*

House Bill No. 7677



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Introduced by **HON. ROZZANO RUFINO B. BLAZON**

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**EXPLANATORY NOTE**

Strict conformity to rules and regulations often hampers the immediate fulfillment of government objectives.

Programs of whatever nature, whether government or private, usually require a certain length of time to realize its goals. The person at the helm should thus enjoy a length of service – even better, a term – that would allow him/her adequate time to plan, test and execute matters to best achieve a desired end. This is even more imperative in the case of a key government position such as the Armed Forces of the Philippines (AFP) Chief of Staff who leads the AFP and whose tenure, though limited by the Constitution to three years, is even shortened by compulsory retirement laws. Such situation oftentimes delimits the President's choices to fill in vacancies in the Armed Forces of the Philippines with senior officers whose dates of retirements draw near and provides the perception on the President's action as being politically driven.

The situation of Major Service commanders is no different. Oftentimes, their stay in office is so short for them to initiate plans and implement the same, to the detriment of the major services they serve and the AFP as an institution.

With the positions in question being critical to the country's interests, it is perhaps only proper that the persons chosen to serve in such capacity be the best qualified and, not necessarily among the most senior, and should be able to enjoy a period of service that will allow him/her to implement programs and policies and thus deliver on the objectives of the AFP.

This bill endeavors to shield the selection process for such positions from political and personal considerations by ensuring that merit and fitness prevail. It also grants security of tenure to ensure continuity of programs that is free from patronage and geared only towards good performance.

With the foregoing considerations, the passage of this bill is earnestly sought.

  
**ROZZANO RUFINO B. BLAZON**  
*Representative*  
Lone District, Muntinlupa City

Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City

**EIGHTEENTH CONGRESS**  
*Second Regular Session*

House Bill No. 7677

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Introduced by **HON. ROZZANO RUFINO B. BIAZON**

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**AN ACT**  
**PRESCRIBING A FIXED TERM FOR THE CHIEF OF STAFF AND A MINIMUM**  
**TERM FOR THE MAJOR SERVICE COMMANDERS OF THE ARMED FORCES OF**  
**THE PHILIPPINES (AFP) AND FOR OTHER PURPOSES**

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

SECTION 1. *Declaration of Policy.* – It is hereby declared the policy of the State to give due recognition to the significance of the position of the Chief of Staff and the Major Service Commanders of the Armed Forces of the Philippines (AFP) in order to promote the stability of the AFP as an institution thereby enabling it to perform its constitutional mandate.

Sec. 2. *Terms of Office.* – The Chief of Staff of the AFP shall have a fixed term of office of three (3) years. The Major Service Commanders shall each have a minimum term of office of two (2) years without prejudice to being appointed to a higher position if otherwise qualified: *Provided*, That no officer shall be appointed as a Major Service Commander if that officer has less than two (2) years remaining in the active service: *Provide, further*, That no extension of term shall be allowed, except for the position of Chief of Staff, which may be extended in cases of war or national emergencies as Congress may declare. The terms of office for the Chief of Staff and the Major Service Commanders shall commence upon the date of their assumption of office.

The President shall select from among the officers in the grades of Major General/Rear Admiral to Lieutenant General/Vice Admiral the officer who, in the judgment of the President, is best qualified for the position of Chief of Staff.

When the officer appointed to the position of Chief of Staff (AFP) reaches the compulsory retirement age before the end of the three-year term, the statutory compulsory retirement of the Chief of Staff (AFP) shall be deferred until the completion of the prescribed term: *Provided, however,* That the Chief of Staff and the Major Service Commanders may be removed by the President at any time: *Provided, further,* That the Chief of Staff removed by the President shall be deemed retired.

The fixed term provided herein shall apply to the Chief of Staff and the Major Service Commanders of the AFP appointed by the President after the effectivity of this Act.

Sec. 3. No provision under this Act shall in any manner or form, affect, impair, diminish or dilute in any way the inherent and intrinsic powers vested under the Constitution that “the President shall be the Commander-in-Chief of all armed forces of the Philippines.”

Sec. 4. *Rules and Regulations.* – The Secretary of National Defense shall formulate the rules and regulations necessary to implement the provisions of this Act.

Sec. 5. *Separability Clause.* – If any provision of this Act or any part hereof is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

Sec. 6. *Repealing Clause.* – All issuances, laws, decrees, orders, rules and regulations, or parts thereof not consistent with this Act are hereby repealed or modified accordingly.

Sec. 7. *Effectivity.* – This Act shall take effect fifteen (15) days following its publication in the *Official Gazette* or in at least two (2) newspapers of general circulation.

Approved,