

Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Constitution Hills, Quezon City  
  
**NINETEENTH CONGRESS**  
Third Regular Session



**HOUSE BILL NO. 10599**

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Introduced by **REP. JOEL R. CHUA**

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**EXPLANATORY NOTE**

Thirty-seven (37) years after the 1987 Constitution came into force, Congress has not yet enacted a law on presidential succession in an Acting President situation.

The Constitution tasked Congress to provide, by law, who shall serve as Acting President and Acting Vice President when there is no President, President-elect, Vice President, or Vice President-elect in the very specific situations described in Article VII, Sections 7 and 8 of the Constitution.

This bill, therefore, does not amend the Constitution. This bill implements the constitutional mandate to enact an enabling law on Presidential Succession in case those who are in the line of succession designated in the Constitution are unable to serve in acting capacity.

There are three situations addressed in this bill:

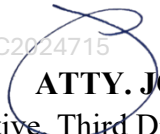
1. Succession when the Vice President is elected, has qualified, and assumes the Vice Presidency, but the President has not yet been chosen and qualified, so the Presidency is vacant. In this situation, the Vice President becomes Acting President. Section 3 of the bill addresses this situation.
2. Succession when the President of the Senate or Speaker of the House of Representatives serves as Acting President by reason of succession. When either becomes Acting President, the position of Vice President is vacant. This vacancy has to be filled. Section 4 addresses this particular situation. In Section 4, the vacancy is the Vice Presidency is filled according to the Constitution, specifically Article VII, Section 9, where the Vice President is nominated from among the Members of the Senate and Members of the House of Representatives.

However, if the Speaker of the House is unable to serve as Acting President, the positions of President and Vice President become vacant. Section 5 addresses this situation with the Governors choosing the Acting President and the City Mayors choosing the Acting Vice President.

3. Succession when the President and Vice President are unable to, incapacitated, or die before the Senate President and Speaker of the House are elected, leaving both the Presidency and Vice Presidency vacant. In this situation, the Chief Justice of the Supreme Court becomes Caretaker of the Executive Branch with general supervisory powers only to ensure continuity of government and public services until the Senate President and Speaker of the House are elected by their peers.

The Chief Justice, as Caretaker of the Executive Department, shall only exercise temporary general supervision authority over the Executive Department, the local governments, and the Armed Forces of the Philippines to ensure the continuity of delivery of public services and operations of the national government. The Caretaker shall not exercise executive power reserved only to the President of the Philippines as specified in the Constitution and residual powers as provided in various laws of the land.

This bill designates the Chief Justice of the Supreme Court as a Caretaker under very specific circumstances. In this sense, the Chief Justice is the “designated survivor” when the constitutional succession line is exhausted. The Caretaker role is consistent with current practice on caretakers when the President is overseas. We chose the Chief Justice because that position commands respect. The Caretaker role is temporary because it is there to ensure continuity of government.

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**AN ACT  
PROVIDING FOR THE MANNER OF SELECTION  
OF THE ACTING PRESIDENT AND ACTING VICE PRESIDENT WHEN  
VACANCY OCCURS IN THE POSITIONS  
OF PRESIDENT, VICE PRESIDENT,  
PRESIDENT-ELECT, AND VICE PRESIDENT-ELECT,  
PROVIDING FUNDS THEREFORE, AND FOR OTHER PURPOSES**

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

Section 1. **Short Title.** This Act shall be known as the “*Presidential Succession Act of 2024*”.

Section 2. **Declaration of Policy.** It is the declared policy of the State that Congress shall provide, by law, for who shall serve as Acting President and Acting Vice President under the specific circumstances set for in Article VI, Sections 7 and 8 of the Constitution.

Section 3. **Succession to Acting President by the Vice President until the President-elect shall have been chosen and qualified.** Where after having been elected and sworn into office, the Vice President-elect becomes Vice President and acts as President until the President-elect has not been chosen and qualified. The Acting President shall serve until the President-elect has qualified and sworn into office as President.

Section 4. **Succession when the President of the Senate or Speaker of the House of Representatives serves as Acting President.** Where no President and Vice-President shall have been chosen or shall have qualified, or where both shall have died or become permanently disabled, the President of the Senate shall serve as Acting President in accordance with Article VII, Section 8 (1) of the 1987 Constitution. If the President of the Senate is unable to serve as

Acting President, then the Speaker of the House becomes Acting President also in accordance with Article VII, Section 8 (1) of the 1987 Constitution.

The moment the President of the Senate or the Speaker of the House takes his oath as Acting President, the vacancy in the Office of the Vice-President shall be filled, in accordance with Article VII, Section 9 of the 1987 Constitution, by the Acting President who shall nominate a Vice-President from among the Members of the Senate and the House of Representatives. The Vice President shall assume office upon confirmation by a majority vote of all the Members of both Houses of Congress, voting separately.

Section 5. ***Succession when the Speaker of the House is unable to serve as Acting President.*** If the Speaker of the House is unable to serve as Acting President, the Chief Justice of the Supreme Court serves as Caretaker of the Executive Branch until the positions of President and Vice President are filled with an Acting President and Acting Vice President, respectively.

The Commission on Elections, in an emergency en banc session convened within three (3) calendar days, shall convene the elected Governors and City Mayors. The Governors shall choose the Acting President from among the Members of the Senate. The City Mayors shall choose the Acting Vice President from among the Members of the House of Representatives. They have to choose the Acting President and the Acting Vice President within five (5) days from the day they convene.

The Acting President and Acting Vice President chosen in accordance with this Section shall serve until the next President and Vice President are elected and qualified in special elections held in accordance with Article VII, Section 10 of the 1987 Constitution.

The Chairperson of the Commission on Elections shall administer the oath of office to the Acting President chosen by the Governors and to the Acting Vice President chosen by the City Mayors immediately after they were chosen.

Section 6. **Caretaker of the Executive Department.** The Chief Justice of the Supreme Court shall also serve as Caretaker of the Executive Branch in the event that the President-elect and the Vice President-elect are unable to take their respective Oath of Office after having been elected and qualified and before Congress elect their Senate President and Speaker of the House of Representatives. The Chief Justice shall serve as Caretaker until such time that the Senate President and Speaker of the House have been elected by their respective peers.

The Chief Justice shall also serve as Caretaker as provided in Section 5 and Section 8 of this Act.

The Chief Justice, as Caretaker of the Executive Department, shall only exercise temporary general supervision authority over the Executive Department, the local governments, and the Armed Forces of the Philippines to ensure the continuity of delivery of public services and operations of the national government. The Caretaker shall not exercise executive power reserved only to the President of the Philippines as specified in the Constitution and residual powers as provided in various laws of the land.

The outgoing President shall not serve in a holdover capacity because the Constitution does not allow such circumstances.

Section 7. **Special Election.** Where the provisions of the immediately preceding Section are implemented, the conduct of a Special Election for President and Vice President shall proceed as provided in Article VII, Section 10 of the Constitution.

Section 8. **Extraordinary Circumstance.** Where, by reason of catastrophe or calamity that is either natural or man-made, the President, Vice President, all the Members of the Senate of the Philippines, all the Members of the House of Representatives, and the Chairman and Commissioners of the Commission on Elections are incapacitated or die, the Chief Justice of the Supreme Court shall serve as Caretaker of the Executive Department until the Governors have chosen new Acting President and the City Mayors have chosen an Acting Vice President.

It is for this reason of Extraordinary Circumstance, therefore, that on the occasion of the State of the Nation Address, the Chief Justice and Members of the Supreme Court shall inhibit from attending the SONA and any other occasions when all the elected officials of the Executive and Legislative branches of government and the Comelec are all invited.

The Supreme Court, in *en banc* session, shall convene all the proclaimed elected Governors and City Mayors for the selection of an Acting President and Acting Vice President as provided in Section 4 of this Act.

Section 9. **Appropriations.** Funding the conduct of the special election for President and Vice President shall be automatically appropriated and sourced from Unprogrammed Funds.

Funds for the offices of the Caretaker of the Executive Branch, Acting President and Acting Vice President shall also be sourced from the Unprogrammed Funds.

Section 10. **Separability.** - If any provision or part of this Act is declared invalid or unconstitutional, the remaining parts or provisions not affected shall continue to be in full force and effect.

Section 11. **Repealing Clause.** - All laws, executive orders, and administrative orders or parts thereof inconsistent with any provision of this Act are hereby repealed or amended accordingly.

Section 12. **Effectivity Clause.** - This Act shall take effect fifteen (15) days after its publication in the online version of the *Official Gazette* or in two (2) newspapers of general circulation or with an established internet website presence.

Approved.