

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

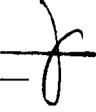


Senate  
Office of the Secretary

'16 JUL 19 P5:29

SENATE

S. No. 606

RECEIVED BY: 

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Introduced by Sec. Antonio "Sonny" F. Trillanes IV

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

**EXPLANATORY NOTE**

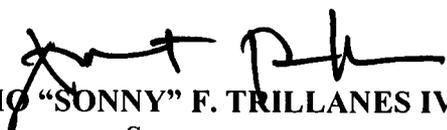
The positions of Chief of Staff of the Armed Forces of the Philippines (AFP) as well as those of the Major Services Commanders of the AFP, namely: (a) Commanding General of the Philippine Army; (b) Flag Officer in Command of the Philippine Navy (PN); and (c) Commanding General of the Philippine Air Force (PAF) are very critical and sensitive positions, involving as they do the leadership of the Armed Services entrusted with the security and defense of the country. The problem is that because of the fact that the appointing authority is usually limited in his choice to only the most senior officers of the AFP, the appointees normally serve for only very short periods of time, usually for just one (1) year or even less before going into retirement.

There is no doubt that this state of things is adversely affecting the AFP and the nation, with the Chief of Staff of the AFP and Chiefs of the Major Services only staying long enough to warm up their seats but not long enough to be able to develop, put into place and implement meaningful medium and long term plans and programs for their commands. Moreover, the appointees to the subject positions are prone to being "politicized" with the positions being dangled before potential appointees under such dubious practices like the "revolving door policy" which was previously practiced by the current administration.

This bill, hence, proposes to provide for a fixed term of three (3) years for the Chief of Staff of the AFP as well as his Major Services Commanders. The idea is to give them a fixed term or tenure to provide for continuity and stability in the leadership of the AFP and shield the same from the perils of partisan politics.

This bill was passed by both Houses during the 15th Congress. Unfortunately, the same was vetoed by the President. It is my hope that in this Congress, a compromise could be arrived at and this bill could be finally enacted into law.

In view of the foregoing circumstances, approval of this bill is urgently requested.

  
ANTONIO "SONNY" F. TRILLANES IV  
Senator

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

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

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

5           **SEC. 2. Terms of Office.** – The Chief of Staff of the Armed Forces of the Philippines  
6 shall have a fixed term of office of three (3) years. The Major Service Commanders shall  
7 each have a minimum term of office of two (2) years without prejudice to being appointed as  
8 Chief of Staff if otherwise qualified. *Provided, That,* no officer shall be appointed as a Major  
9 Service Commander if that officer has less than two (2) years remaining in the active service:  
10 *Provided, further,* That no extension of term shall be allowed, except for the position of the  
11 Chief of Staff, which may be extended in cases of war or national emergencies as Congress  
12 may declare. The terms of office for both the Chief of Staff and the Major Service  
13 Commanders shall commence on the date of appointment by the President.

14           When the officer appointed to the position of Chief of Staff (AFP) reaches the  
15 compulsory retirement age before the end of the three (3) year term, the statutory compulsory  
16 retirement of the Chief of Staff (AFP) shall be deferred until the completion of the prescribed  
17 term: *Provided, however,* That the Chief of Staff (AFP) may be removed by the President as  
18 Commander in Chief for loss of confidence at any time before the end of the term of three (3)  
19 years.

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

4           **SEC. 3. *Rules and Regulations.*** – The Secretary of National Defense shall formulate  
5 the rules and regulations necessary to implement the provisions of this Act.

6           **SEC. 4. *Repealing Clause.*** – All issuances, laws, decrees, orders, rules and  
7 regulations, or parts thereof not consistent with this Act are hereby repealed or modified  
8 accordingly.

9           **SEC. 5. *Effectivity.*** – This Act shall take effect fifteen (15) days following its  
10 publication in the Official Gazette or in at least two (2) newspapers of general circulation.

*Approved,*