

REPUBLIC OF THE PHILIPPINES  
HOUSE OF REPRESENTATIVES  
Quezon City

SEVENTEENTH CONGRESS  
First Regular Session

House Bill No. **4152**



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Introduced by **MAGDALO Party-List Representative**  
**HON. GARY C. ALEJANO**

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**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 practiced by the previous administrations.

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 15<sup>th</sup> 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 finally be enacted into law.

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

  
GARY C. ALEJANO

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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 House of Representatives of the Philippines in Congress  
assembled:*

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

6

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

17

18           When the officer appointed to the position of Chief of Staff of the AFP  
19   reaches the compulsory retirement age before the end of the three (3) year term, the  
20   statutory compulsory retirement of the Chief of Staff (AFP) shall be deferred until the  
21   completion of the prescribed term: *Provided, however,* That the Chief of Staff (AFP)  
22   may be removed by the President as Commander in Chief for loss of confidence at  
23   any time before the end of the term of three (3) 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  
3   judgment of the President, is best qualified for the position of Chief of Staff.

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

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

11  
12           **SEC. 5. Effectivity.** – This Act shall take effect fifteen (15) days following its  
13   publication in the Official Gazette or in at least two (2) newspapers of general  
14   circulation.

Approved,