

NINETEENTH CONGRESS OF THE  
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**Prepared and Submitted Jointly by the Committees on National Defense and Security, Peace, Unification and Reconciliation *and* Government Corporations and Public Enterprises with Senators Ejercito Estrada, Zubiri and Cayetano, A.P. as authors thereof**

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**AN ACT**

**AMENDING SECTIONS 2, 6, 10, 11 AND 15 OF REPUBLIC ACT NO. 11709 OTHERWISE KNOWN AS "AN ACT STRENGTHENING PROFESSIONALISM AND PROMOTING THE CONTINUITY OF POLICIES AND MODERNIZATION INITIATIVES IN THE ARMED FORCES OF THE PHILIPPINES, BY PRESCRIBING FIXED TERMS FOR KEY OFFICERS THEREOF INCREASING THE MANDATORY RETIREMENT AGE OF GENERALS/FLAG OFFICERS, PROVIDING FOR A MORE EFFECTIVE ATTRITION SYSTEM, AND PROVIDING FUNDS THEREFOR"**

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

1           Section 1. Section 2 of Republic Act No. 11709 is hereby amended to read as  
2 follows:

3                   "SEC. 2. *Tour of Duty* **AND APPOINTMENT** of Key Officers.

4                   – [~~The following officers holding key positions in the AFP,~~

1 upon appointment, shall have a fixed tour of duty of three  
2 (3) years:

3 (a) Chief of Staff;

4 (b) Vice Chief of Staff;

5 (c) The Deputy Chief of Staff;

6 (d) Commanding General, Philippine Army;

7 (e) Commanding General, Philippine Air Force;

8 (f) Flag Officer in Command, Philippine Navy;

9 (g) Unified Command Commanders; and

10 (h) Inspector General.]

11 **(A) THE CHIEF OF STAFF OF THE ARMED FORCES**  
12 **OF THE PHILIPPINES SHALL HAVE A**  
13 **MAXIMUM TOUR OF DUTY OF THREE (3)**  
14 **CONSECUTIVE YEARS, WHICH SHALL**  
15 **COMMENCE ON THE DATE THE APPOINTMENT**  
16 **IS SIGNED, UNLESS SOONER TERMINATED BY**  
17 **THE PRESIDENT;**

18 **(B) THE FOLLOWING OFFICERS HOLDING KEY**  
19 **POSITIONS IN THE AFP SHALL HAVE A**  
20 **MAXIMUM TOUR OF DUTY OF TWO (2)**  
21 **CONSECUTIVE YEARS, WHICH SHALL**  
22 **COMMENCE ON THE DATE THE APPOINTMENT**  
23 **IS SIGNED, UNLESS SOONER TERMINATED BY**  
24 **THE PRESIDENT:**

25 **(1) COMMANDING GENERAL, PHILIPPINE**  
26 **ARMY;**

27 **(2) COMMANDING GENERAL, PHILIPPINE**  
28 **AIR FORCE; AND**

29 **(3) FLAG OFFICER IN COMMAND,**  
30 **PHILIPPINE NAVY.**

31 ~~[The tour of duty of the aforementioned officers shall~~  
32 ~~commence on the date the appointment is signed and shall be for~~

1 three ~~(3)~~ consecutive years unless sooner terminated by the  
2 President: *Provided*, That those] **THE TENURED KEY OFFICERS**  
3 mentioned in Section 2(b) [~~to 2(h)~~] shall not be eligible for any  
4 [other] position in the AFP unless promoted to the position of Chief  
5 of Staff.

6 **(C) THE OFFICERS HOLDING THE FOLLOWING KEY**  
7 **POSITIONS MAY BE APPOINTED TO ANY OF**  
8 **THE TENURED KEY POSITIONS MENTIONED**  
9 **IN SECTION 2(B) AND SECTION 3, PROVIDED,**  
10 **THAT THEY SHALL HAVE AT LEAST ONE (1)**  
11 **YEAR REMAINING OF ACTIVE SERVICE**  
12 **BEFORE COMPULSORY RETIREMENT UNLESS**  
13 **PROMOTED AS CHIEF OF STAFF:**

- 14 **(1) VICE CHIEF OF STAFF;**  
15 **(2) THE DEPUTY CHIEF OF STAFF;**  
16 **(3) UNIFIED COMMAND COMMANDERS; AND**  
17 **(4) THE INSPECTOR GENERAL.**

18 **(D) TO BE ELIGIBLE FOR APPOINTMENT TO**  
19 **TENURED KEY POSITIONS MENTIONED IN**  
20 **SECTION 2(B) AND SECTION 3, OR TO KEY**  
21 **POSITIONS MENTIONED IN SECTION 2(C),**  
22 **THE OFFICER SHALL HAVE AT LEAST ONE (1)**  
23 **YEAR REMAINING OF ACTIVE SERVICE**  
24 **BEFORE COMPULSORY RETIREMENT.**

25  
26 Sec. 2. Section 6 of Republic Act No. 11709 is hereby amended to read as  
27 follows:

28 "SEC. 6. *Compulsory Retirement for Military Personnel.*

29 "(a) The following officers of the AFP shall be compulsorily  
30 retired:

31 "(1) x x x.

1           “(2) Those in the grades of Brigadier General/Commodore  
2           (O-7) [~~to Lieutenant General/Vice Admiral (O-9)~~], upon  
3           reaching the age of [~~fifty-nine (59)~~] **FIFTY-SEVEN (57)** or  
4           the maximum tenure-in-grade as defined in this Act,  
5           whichever comes earlier;

6           **“(3) THOSE IN THE GRADES OF MAJOR  
7           GENERAL/REAR ADMIRAL (O-8), UPON REACHING  
8           THE AGE OF FIFTY-EIGHT (58) OR THE MAXIMUM  
9           TENURE-IN-GRADE AS DEFINED IN THIS ACT,  
10          WHICHEVER COMES EARLIER;**

11          **“(4) THOSE IN THE GRADES OF LIEUTENANT  
12          GENERAL/VICE ADMIRAL (O-9), UPON REACHING  
13          THE AGE OF FIFTY-NINE (59) OR THE MAXIMUM  
14          TENURE-IN-GRADE AS DEFINED IN THIS ACT,  
15          WHICHEVER COMES EARLIER, OR UPON RELIEF BY  
16          THE PRESIDENT; AND**

17          ~~“(3) (5)~~ Those occupying a **TENURED** key position, as  
18          defined in Section **2(A), 2(B) and 3** of this Act, upon  
19          completion of the [~~fixed~~] **MAXIMUM** tour of duty regardless  
20          of age [~~, unless promoted to Chief of Staff~~] or [~~who is~~  
21          relieved from post and is not designated to or occupying any  
22          position in the AFP Table of organization; and] **UPON  
23          RELIEF BY THE PRESIDENT; AND”**

24          ~~“(4) (6)~~ x x x.”

25          (b) An enlisted personnel **OF THE AFP** shall be compulsorily  
26          retired upon accumulation of at least thirty (30) years of  
27          satisfactory active duty or upon reaching the age of fifty-six  
28          (56) years old, whichever comes later.

29  
30                Sec. 3. Section 10, subsection (b), paragraph (1) and (2) of Republic Act No.  
31 11709 is hereby amended to read as follows:

32                “SEC. 10. *Forced Attrition of Officers.* x x x.

1           “(a) x x x.

2           “(b) *Maximum Tenure-In-Grade for Officers.* –

3           “(1) *Generals/Flag Officers.*– The maximum tenure of  
4 officers in the grades of General/ Flag Officer in the AFP are  
5 hereby prescribed as follows:

6  
7

Grade	Maximum Tenure-in Grade
General/Admiral (O-10)	Three (3) years
Lieutenant General/ Vice Admiral (O-9)	Three (3) years
Major General/ Rear Admiral (O-8)	Three (3) years
Brigadier General/ Commodore (O-7)	<del>Three (3)</del> <b>FIVE (5) years</b>

8  
9           **“NO OFFICER SHALL BE APPOINTED NOR PROMOTED**  
10 **TO THE RANK OF BRIGADIER**  
11 **GENERAL/COMMODORE (O-7) OR MAJOR**  
12 **GENERAL/REAR ADMIRAL (O-8) IF THEY HAVE LESS**  
13 **THAN ONE (1) YEAR OF ACTIVE SERVICE REMAINING**  
14 **BEFORE COMPULSORY RETIREMENT.**

15  
16           “(2) *Officers.* – The maximum tenure of officers in the grades of  
17 Colonel, Lieutenant Colonel, Major, and Captain, or their equivalent in  
18 the other services in the AFP are hereby prescribed as follows:

Grade	Maximum
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	Tenure-in-Grade
Colonel/Captain (PN) (O-6)	<del>[Eight (8)]</del> <b>TEN (10)</b> years
Lieutenant Colonel/Commander (PN) (O-5)	Seven (7) years
Major/Lieutenant Commander (PN) (O-4)	Six (6) years
Captain/Lieutenant (PN) (O-3)	Six (6) years

1  
2 **"PROVIDED, THAT THE PRESIDENT MAY LENGTHEN**  
3 **THE ACTIVE SERVICE-IN-GRADE OF OFFICERS IN THE**  
4 **PERMANENT GRADES OF CAPTAIN, MAJOR, AND**  
5 **LIEUTENANT COLONEL, OR THEIR EQUIVALENT, UP TO**  
6 **TWO (2) CYCLES WHEN NECESSARY, TO MAINTAIN**  
7 **THE DESIRABLE OFFICER RANK STRUCTURE AND**  
8 **UPHOLD THE PROGRESSIVE PROFESSIONAL**  
9 **DEVELOPMENT OF THE OFFICER CORPS.**

10 "x x x."

11  
12 Sec. 4. Section 11 of Republic Act No. 11709 is hereby repealed. Succeeding  
13 sections are hereby renumbered accordingly.

14  
15 Sec. 5. Section 15 of Republic Act No. 11709 is hereby amended to read as:

16 "SEC. 15. *Officer Grade Distribution.* – The Secretary of  
17 National Defense, **IN CONSULTATION WITH THE**  
18 **ARMED FORCES OF THE PHILIPPINES**, shall prescribe  
19 the authorized number of officers in the active force in each  
20 grade and in each major, technical or administrative service  
21 and shall implement the gradual **INCREASE OR** decrease in  
22 the number of officers in each officer rank as part of, and in  
23 line with, the Modernization Program of the AFP: *Provided,*

1 That ~~[one (1) year after the approval of this Act,]~~ such  
2 number shall not exceed the number in each grade  
3 ~~[authorized in the Table of Organization of units of the~~  
4 ~~active force distributed as follows]~~ **PROVIDED**  
5 **HEREUNDER:**

6       “(1) ~~[One percent (1%)]~~ **ONE AND ONE HUNDRED**  
7 **TWENTY-FIVE THOUSANDTHS PER CENTUM**  
8 **(1.125%)** in the General/Flag Officer grade based on the  
9 total officer strength ~~[authorized for the AFP or zero point~~  
10 ~~one per centum (0.1%) of the total troop strength~~  
11 ~~authorized for the AFP, whichever is lower;]~~ **UNDER THE**  
12 **AFP TABLE OF ORGANIZATION;**

13       “(2) Six percent (6%) in the grade of Colonel/Captain  
14 (PN) based on the total officer strength ~~[authorized for the~~  
15 ~~AFP]~~ **UNDER THE AFP TABLE OF ORGANIZATION;**

16       “(3) Twelve percent (12%) in the grade of Lieutenant  
17 Colonel/Commander (PN) based on the total officer strength  
18 ~~[authorized for the AFP]~~ **UNDER THE AFP TABLE OF**  
19 **ORGANIZATION;**

20       “(4) Eighteen percent (18%) in the grade of  
21 Major/Lieutenant Commander (PN) based on the total officer  
22 strength ~~[authorized for the AFP]~~ **UNDER THE AFP TABLE**  
23 **OF ORGANIZATION;**

24       “(5) Twenty percent (20%) in the grade of  
25 Captain/Lieutenant (PN) based on the total officer strength  
26 ~~[authorized for the AFP]~~ **UNDER THE AFP TABLE OF**  
27 **ORGANIZATION;** and

28       “(6) ~~[Forty three percent (43%)]~~ **FORTY-TWO AND**  
29 **EIGHT HUNDRED SEVENTY-FIVE THOUSANDTHS PER**  
30 **CENTUM (42.875%)** in the grades of First  
31 Lieutenant/Lieutenant Junior Grade (PN) and Second  
32 Lieutenant/Ensign (PN) based on the total officer strength

1 ~~[authorized for the AFP]~~ **UNDER THE AFP TABLE OF**  
2 **ORGANIZATION.**

3 *Provided, further,* That the **AFP** Table of  
4 Organization of units of the active force shall be adjusted in  
5 accordance with their respective missions and officer  
6 requirements, and ~~[shall be gradually decreased pursuant to~~  
7 ~~this section and such]~~ **IN ACCORDANCE WITH** rules and  
8 regulations as the Secretary of National Defense shall  
9 prescribe~~[, subject to the condition that the schedule of~~  
10 ~~percentage for each grade as herein prescribed shall not be~~  
11 ~~exceeded]~~: *Provided, furthermore,* That in the determination  
12 of the officer to enlisted personnel ratio, the mission  
13 requirement, capabilities, scope of responsibility, technical  
14 nature of the position and task, and equipment inventory of  
15 units shall be taken into consideration: *Provided,*  
16 *furthermore,* That considering the highly technical nature of  
17 the Air Force and the Navy, they shall be allocated a higher  
18 officer to enlisted personnel ratio;~~[which shall not exceed~~  
19 ~~fifteen percent (15%) of the officer to enlisted personnel~~  
20 ~~ratio allocated in the Philippine Army:]~~*Provided,*  
21 *furthermore,* That as far as practicable, officers in the  
22 technical or administrative services such as surgeon general,  
23 chief dental service and chief nurse may be eligible for  
24 promotion to General/Flag Officer grade: *Provided,*  
25 *furthermore,* That the quota limitation provided herein shall  
26 not apply in the promotion to the rank of General/Flag  
27 Officer of reserve officers in the inactive service: *Provided,*  
28 *finally,* That if the actual number in a grade is less than the  
29 number prescribed, the difference may be applied as an  
30 increase to the number prescribed in a lower grade.”  
31



1           Sec. 6. *Application.* - The maximum tour of duty, compulsory retirement and  
2 tenure-in-grade provided herein shall apply to those officers appointed and/or  
3 promoted on or after 1 July 2022 under Republic Act No. 11709.

4  
5           Sec. 7. *Congressional Oversight Committee.* - There is hereby created a  
6 Congressional Oversight Committee to monitor and oversee the implementation of  
7 the provisions of this Act. The Committee shall be composed of six (6) members  
8 from the Senate and six (6) members from the House of Representatives with the  
9 Chairpersons of the Committee on National Defense and Security, Peace, Unification  
10 and Reconciliation of the Senate and the Committee on National Defense and  
11 Security of the House of Representatives as joint Chairpersons of this Committee.  
12 The five (5) other members from each Chamber are to be designated by the Senate  
13 President and the Speaker of the House of Representatives, respectively. The  
14 minority shall be entitled to *pro rata* representation but shall have at least two (2)  
15 representatives from each Chamber.

16  
17           Sec. 8. *Implementing Rules and Regulations.* - The Department of National  
18 Defense shall formulate the rules and regulations necessary to implement the  
19 provisions of this Act within thirty (30) days from its effectivity.

20  
21           Sec. 9. *Separability Clause.* - If any provision or part of this Act is declared  
22 unconstitutional or invalid, the remaining parts or provisions not affected shall  
23 remain in full force and effect.

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25           Sec. 10. *Repealing Clause.* - All laws, executive orders, rules and regulations  
26 or parts thereof which are inconsistent with the provisions of this Act are hereby  
27 amended or repealed accordingly.

28  
29           Sec. 11. *Effectivity.* This Act shall take effect fifteen (15) days after its  
30 publication in the *Official Gazette* or in a newspaper of general circulation.

31  
*Approved,*