



HOUSE OF REPRESENTATIVES

H. No. 6040

---

BY REPRESENTATIVES ABAYA, YAP (S.), ESCUDERO, TUPAS, HERNANDEZ,  
REYES, RODRIGUEZ (O.), BELLO (S.), ALIPING, NAVA (P.), ROMUALDO  
AND NOEL, PER COMMITTEE REPORT NO. 838

---

AN ACT BANNING THE REAPPOINTMENT OF A REGULAR MEMBER  
OF THE JUDICIAL AND BAR COUNCIL WHO HAS ALREADY  
SERVED THE FULL TERM

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

1           SECTION 1. This Act shall be known as the “Judiciary Independence  
2   Enhancing Act”.

3           SEC. 2. It is hereby declared the policy of the State to enhance the  
4   independence of the Judiciary by insulating it from political pressure.

5           SEC. 3. For purposes of this Act and pursuant to Article VIII,  
6   Section 8(2) of the Constitution, the regular members of the Judicial and Bar  
7   Council (JBC), who shall be appointed by the President for a term of four (4)  
8   years with the consent of the Commission on Appointments, are the following:

- 9           (a) A representative of the Integrated Bar of the Philippines;  
10          (b) A professor of law;  
11          (c) A retired member of the Supreme Court; and  
12          (d) A representative of the private sector

1           SEC. 4. A regular member of the JBC who has served the full term of  
2 office shall be totally disqualified from being reappointed to the same position  
3 in any capacity. The disqualification shall also apply to any person who has  
4 been appointed and has served the unexpired portion of at least two (2) years  
5 of the term of office of a regular member who ceased to become one by reason  
6 of death, incapacity, or resignation.

7           SEC. 5. If any provision of this Act shall be declared unconstitutional,  
8 any other provision not affected thereby shall remain in full force and effect.

9           SEC. 6. All laws, decrees, orders, rules and regulations, or parts  
10 thereof inconsistent with this Act are hereby repealed or amended accordingly.

11           SEC. 7. This Act shall take effect fifteen (15) days after its publication  
12 in the *Official Gazette* or in a newspaper of general circulation.

Approved,

**O**