



HOUSE OF REPRESENTATIVES

H. No. 6517

BY REPRESENTATIVES ROMUALDEZ (F.M.), TUPAS, ALVAREZ (M.), YU (D.G.), BUSTOS, FLORES, CAGAS, UNGAB, ADIONG, PADUANO, COLADA, GORRICETA, PANALIGAN, ORDANES, DE JESUS, ROMUALDO, EMANO, GARDIOLA, OLASO, ZAMORA (M.C.), ACIDRE, SALI, GOLEZ, DIONISIO, YU (J.V.) AND DALIPE, PER COMMITTEE REPORT NO. 206

**AN ACT
FURTHER STRENGTHENING PROFESSIONALISM AND PROMOTING THE
CONTINUITY OF POLICIES AND MODERNIZATION INITIATIVES IN THE
ARMED FORCES OF THE PHILIPPINES**

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:

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SEC. 2. ***FIXED Tour of Duty AND LATERAL MOVEMENT of Key Officers.*** – (A)
The following officers holding key positions in the AFP, upon [appointment]
DESIGNATION shall have a fixed tour of duty of three (3) CONSECUTIVE years,
UNLESS SOONER TERMINATED BY THE PRESIDENT

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[(a)] (1) Chief of Staff

9

[(b)] [Vice Chief of Staff]

10

[(c)] [The Deputy Chief of Staff]

11

[(d)] (2) Commanding General, Philippine Army

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[(e)] (3) Commanding General, Philippine Air Force; AND

13

[(f)] (4) Flag Officer in Command, Philippine Navy

14

[(g)] [Unified Command Commanders; and]

15

[(h)] [Inspector General.]

1 [The tour of duty of the aforementioned officers shall commence on the date the
2 appointment is signed and shall be for three (3) consecutive years unless sooner
3 terminated by the President;] *Provided*, That **THE COMMANDING**
4 **GENERALS/FLAG OFFICER IN COMMAND OF THE MAJOR SERVICES**
5 [those mentioned in Section 2(b) to 2(h)] shall not be eligible for any other position in
6 the AFP unless promoted to the position of Chief of Staff.

7
8 **(B) LATERAL MOVEMENT SHALL BE ALLOWED FOR OFFICERS**
9 **HOLDING THE FOLLOWING KEY POSITIONS:**

- 10
11 **(a) VICE CHIEF OF STAFF**
12 **(b) THE DEPUTY CHIEF OF STAFF**
13 **(c) UNIFIED COMMAND COMMANDERS; AND**
14 **(d) THE INSPECTOR GENERAL AFP**

15
16 ***PROVIDED, THAT, EXCEPT FOR THE POSITION OF CHIEF OF STAFF, NO***
17 ***OFFICER SHALL BE DESIGNATED TO KEY POSITIONS IF THE OFFICER***
18 ***HAS LESS THAN ONE (1) YEAR OF ACTIVE SERVICE REMAINING PRIOR***
19 ***TO COMPULSORY RETIREMENT OR PROMOTED TO THE RANK OF***
20 ***BRIGADIER GENERAL/COMMODORE, OR HIGHER IF THE OFFICER***
21 ***HAS LESS THAN SIX (6) MONTHS OF ACTIVE SERVICE REMAINING***
22 ***PRIOR TO COMPULSORY RETIREMENT.***

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25 SEC. 2. Section 6, subsection (a), paragraph (3) of the same Act is hereby amended to read
26 as:

27
28 SEC. 6. *Compulsory Retirement for Military Personnel.*

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

31
32 (1) X x x

33
34 (2) Those in the grades of Brigadier General/Commodore (O-7) upon reaching the age
35 of **FIFTY-SEVEN (57); MAJOR GENERAL/REAR ADMIRAL (O-8) UPON**
36 **REACHING THE AGE OF FIFTY-EIGHT (58); LIEUTENANT**
37 **GENERAL/VICE ADMIRAL (O9) UPON REACHING THE AGE OF** fifty-nine
38 (59) or the maximum tenure-in-grade as defined in this Act, whichever comes earlier;

39
40 (3) Those occupying [a] key positionS, as defined in Section 2 of this Act, upon
41 completion of the fixed tour of duty regardless of age, unless promoted [to Chief of
42 Staff] **IN ACCORDANCE WITH SAID SECTION 2** or who is relieved from post
43 [and is not designated to or occupying any position in the AFP Table of organization];
44 and

45 (4) X x x

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47 SEC. 3. Section 8 of the same Act is hereby repealed.

48
49 SEC. 4. Section 10, subsection (b), paragraph (2) of the same Act is hereby amended to read
50 as:

1 SEC. 10. *Forced Attrition of Officers. X x x*

2
3 (a) X x x

4
5 (b) *Maximum Tenure-In-Grade for Officers*

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7 (1) *Generals/Flag Officers. X X X*

8
9 (2) *Officers.* – The maximum tenure of officers in the grades of Colonel, Lieutenant
10 Colonel, Major, and Captain, or their equivalent in the other services in the AFP are
11 hereby prescribed as follows:

Grade	Maximum Tenure-in-Grade
Colonel/Captain (PN) (O-6)	[Eight (8)] NINE (9) 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

12 **PROVIDED, THAT THE PRESIDENT MAY LENGTHEN THE ACTIVE**
13 **SERVICE-IN-GRADE OF OFFICERS IN THE PERMANENT GRADES OF**
14 **CAPTAIN, MAJOR, AND LIEUTENANT COLONEL, OR THEIR**
15 **EQUIVALENT, UP TO THREE (3) CYCLES WHEN NECESSARY, TO**
16 **MAINTAIN THE DESIRABLE OFFICER RANK STRUCTURE AND UPHOLD**
17 **THE PROGRESSIVE PROFESSIONAL DEVELOPMENT OF THE OFFICER**
18 **CORPS: PROVIDED FURTHER, THAT THE MAXIMUM TENURE-IN-**
19 **GRADE HEREIN PRESCRIBED FOR THE GRADE OF COLONEL/CAPTAIN**
20 **(PN) SHALL APPLY TO THOSE PROMOTED UNDER REPUBLIC ACT NO.**
21 **11709.**

22
23 X X X

24
25 SEC. 5. Section 11, subsection (b) of the same Act is hereby amended to read as:

26
27 SEC. 11. *Forced Attrition of Enlisted Personnel*

28
29 (a) X x x

30
31 (b) *Maximum Tenure-in-Grade for Enlisted Personnel.* – [An enlisted personnel shall
32 be separated or retired in accordance with the provisions of existing laws for failure to
33 be promoted after having attained the maximum allowable tenure for the present grade
34 except if occupying a position calling for a higher grade in the AFP Table of
35 Organization.]

[Grade]	[Maximum Tenure-in-Grade]
[First Chief Master Sergeant (E-10)]	[Three (3) years]
[Chief Master Sergeant (E-9)]	[Three (3) years]
[Senior Master Sergeant (E-8)]	[Three (3) years]
[Master Sergeant (E-7)]	[Three (3) years]
[Technical Sergeant (E-6)]	[Five (5) years]
[Staff Sergeant (E-5)]	[Five (5) years]
[Sergeant (E-4)]	[Four (4) years]
[Corporal (E-3)]	[Four (4) years]
[Private First Class (E-2)]	[Four (4) years]
[Private (E-1)]	[Four (4) years]

2 **THE SECRETARY OF NATIONAL DEFENSE SHALL DETERMINE THE**
3 **MAXIMUM TENURE-IN-GRADE OF ENLISTED PERSONNEL.**

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6 SEC. 6. Section 15 of the same Act is hereby amended to read as:

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8 SEC. 15. **AUTHORIZED NUMBER OF OFFICERS** [*Officer Grade Distribution*]. –
9 The Secretary of National Defense, **IN CONSULTATION WITH THE AFP**, shall
10 prescribe the authorized number of officers in the active force in each grade and in each
11 major, technical or administrative service. [and shall implement the gradual decrease in
12 the number of officers in each officer rank as] **THE AUTHORIZED NUMBER OF**
13 **OFFICERS IN EACH RANK SHALL BE** [part of, and] in line with[,] the
14 Modernization Program of the AFP: [*Provided*, That one (1) year after the approval of
15 this Act, such number shall not exceed the number in each grade authorized in the Table
16 of Organization of units of the active force distributed as follows:]

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19 [(1) One percent (1%) in the General/Flag Officer grade based on the total
20 officer strength authorized for the AFP or zero point one *per centum* (0.1%) of the total
21 troop strength authorized for the AFP, whichever is lower;]

22

23 [(2) Six percent (6%) in the grade of Colonel/Captain (PN) based on the total
24 officer strength authorized for the AFP;]

1 [(3) Twelve percent (12%) in the grade of Lieutenant Colonel/Commander (PN)
2 based on the total officer strength authorized for the AFP;]

3
4 [(4) Eighteen percent (18%) in the grade of Major/Lieutenant Commander (PN)
5 based on the total officer strength authorized for the AFP;]

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7 [(5) Twenty percent (20%) in the grade of Captain/Lieutenant (PN) based on
8 the total officer strength authorized for the AFP; and]

9
10 [(6) Forty-three percent (43%) in the grades of First Lieutenant/Lieutenant
11 Junior Grade (PN) and Second Lieutenant/Ensign (PN) based on the total officer
12 strength authorized for the AFP.]

13
14 *Provided [, further],* That the Table of Organization of units of the active force shall be
15 adjusted in accordance with their respective missions and officer requirements, [and
16 shall be gradually decreased pursuant to this section and] **UNDER** such rules and
17 regulations as the Secretary of National Defense shall prescribe[, subject to the
18 condition that the schedule of percentage for each grade as herein prescribed shall not
19 be exceeded]: *Provided [, furthermore]* **FURTHER**, That in the determination of the
20 officer to enlisted personnel ratio, the mission requirement, capabilities, scope of
21 responsibility, technical nature of the position and task, and equipment inventory of
22 units shall be taken into consideration: *Provided, furthermore,* That considering the
23 highly technical nature of the Air Force and the Navy, they shall be allocated a higher
24 officer to enlisted personnel ratio [which shall not exceed fifteen percent (15%) of the
25 officer to enlisted personnel ratio allocated in the Philippine Army]: *Provided,*
26 *furthermore,* That as far as practicable, officers in the technical or administrative
27 services such as surgeon general, chief dental service and chief nurse may be eligible
28 for promotion to General/Flag Officer grade:[*Provided, furthermore,* That the quota
29 limitation provided herein shall not apply in the promotion to the rank of General/Flag
30 Officer of reserve officers in the inactive service:] *Provided, finally,* That if the actual
31 number in a grade is less than the number prescribed, the difference may be applied as
32 an increase to the number prescribed in a lower grade.
33

34 **SEC. 7.** There is hereby created a Congressional Oversight Committee to monitor and oversee
35 the implementation of the provisions of this Act. The Committee shall be composed of six (6)
36 members from the Senate and six (6) members from the House of Representatives with the
37 Chairpersons of the Committee on National Defense and Security, Peace, Unity and
38 Reconciliation of the Senate and the Committee on National Defense and Security of the House
39 of Representatives as joint Chairpersons of this Committee. The five (5) other members from
40 each Chamber are to be designated by the Senate President and the Speaker of the House of
41 Representatives, respectively. The minority shall be entitled to pro rata representation but shall
42 have at least two (2) representatives from each Chamber.
43

44 **SEC. 8.** The Department of National Defense shall conduct a systematic review, evaluation
45 and impact assessment of this Act within five (5) years of its effectivity. A report shall be
46 submitted to the Congressional Oversight Committee created under Section 7 hereof, the
47 Committee on National Defense and Security, Peace, Unification and Reconciliation of the
48 Senate of the Philippines and the Committee on National Defense and Security of the House
49 of Representatives within thirty (30) days after its review and assessment.

1 SEC. 9. If any provision or part of this Act is declared unconstitutional or invalid, the remaining
2 parts or provisions not affected shall remain in full force and effect.

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4 SEC. 10. All laws, executive orders, rules and regulations or parts thereof which are
5 inconsistent with the provisions of this Act are hereby amended or repealed accordingly.

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

Approved,