



Rules of the Commission on Appointments

(Amended as of 05 September 2007)

RULES OF THE COMMISSION ON APPOINTMENTS

CHAPTER I

STATEMENT OF POLICY

The Commission on Appointments hereby declares as its policy that the powers vested in it by the Constitution shall be discharged with only one impelling motive, which is the efficient and harmonious functioning of the government.

Cognizant of the fact that the power of appointment is vested in the President of the Philippines, and that the President, in the exercise of that power, had carefully considered the fitness and qualifications of nominees or appointees, the Commission on Appointments shall accord the nomination or appointment weight and respect, to the end that all doubts should be resolved in favor of approval or confirmation. On the other hand, the Commission, being part of our republican system of checks and balances, shall act as a restraint against abuse of the appointing authority, to the end that the power of disapproval should be exercised to protect and enhance the public interest.

CHAPTER II

ORGANIZATION

SECTION 1. COMPOSITION OF THE COMMISSION ON APPOINTMENTS. Within thirty (30) days after both Houses of Congress shall have organized themselves with the election of the Senate President and the Speaker of the House of Representatives, the Commission on Appointments shall be constituted. It shall be composed of twelve (12) Senators and twelve (12) members of the House of Representatives, elected by each House on the basis of proportional representation from the political parties and parties or organizations registered under the party-list system represented herein.

SECTION 2. CHAIRMAN OF THE COMMISSION. The President of the Senate shall be the *ex officio* Chairman of the Commission on Appointments. During his absence or temporary disability, the Vice Chairman shall preside over the meetings of the Commission. In the absence or temporary disability of both the Chairman and the Vice Chairman, the Commission members present and constituting a quorum shall designate one from among themselves a temporary Chairman.

SECTION 3. DUTIES OF THE CHAIRMAN. The Chairman of the Commission on Appointments shall have the following duties:

- a) to issue calls for the meetings of the Commission;

- b) to preside at the meetings of the Commission;
- c) to preserve order and decorum during the session and, for that purpose, to take such steps as may be convenient or as the Commission may direct;
- d) to pass upon all questions of order, but from his decision, any member may appeal to the Commission; and,
- e) to execute such decisions, orders, and resolutions as may have been approved by the Commission.

SECTION 4. VICE CHAIRMAN AND OTHER OFFICERS. Immediately after their election, or as soon as practicable thereafter, the members of the Commission on Appointments shall meet at the call of the Chairman and proceed to elect from among themselves a Vice Chairman, who shall be a member of the House of Representatives; a Majority Floor Leader, who shall be from the House with the greater number of members in the majority party or ruling coalition in the Commission; an Assistant Majority Floor Leader, who shall be from the House with the lesser number of members in the majority party or ruling coalition in the Commission; another Assistant Majority Floor Leader, who may come from either House, as the majority party or ruling coalition may determine; a Minority Floor Leader and two (2) Assistant Minority Floor Leaders, who shall be elected by the members of the minority party or parties from both Houses in the Commission, all of whom shall be the *ex officio* members of all the standing committees of the Commission. They shall also elect the Chairmen, the Vice Chairmen and the members of the standing committees.

The Secretary of the Commission and the Sergeant-at-Arms shall likewise be chosen by members of the Commission and shall serve until their successors shall have been duly elected and qualified.

Such other personnel, as may be necessary for the proper functioning of the Commission, shall be appointed by the Chairman of the Commission.

SECTION 5. STANDING COMMITTEES. There shall be twenty-three (23) standing committees of the Commission on Appointments, to wit:

1. **COMMITTEE ON FOREIGN AFFAIRS:** Composed of eighteen (18) members, to which shall be referred all nominations or appointments to the Department of Foreign Affairs, submitted by the President of the Philippines for confirmation or approval;
2. **COMMITTEE ON NATIONAL DEFENSE:** Composed of twenty-one (21) members, to which shall be referred all nominations or appointments to the Department of National Defense, and all appointments to the Armed Forces of the Philippines, submitted by the President of the Philippines for confirmation or approval;

3. **COMMITTEE ON FINANCE:** Composed of seventeen (17) members, to which shall be referred all nominations or appointments to the Department of Finance, submitted by the President of the Philippines for confirmation or approval;
4. **COMMITTEE ON BUDGET AND MANAGEMENT:** Composed of seventeen (17) members, to which shall be referred all nominations or appointments to the Department of Budget and Management, submitted by the President of the Philippines for confirmation or approval;
5. **COMMITTEE ON JUSTICE AND JUDICIAL AND BAR COUNCIL:** Composed of nineteen (19) members, to which shall be referred all nominations or appointments to the Department of Justice and the Judicial and Bar Council, submitted by the President of the Philippines for confirmation or approval;
6. **COMMITTEE ON AGRICULTURE AND FOOD:** Composed of fifteen (15) members, to which shall be referred all nominations or appointments to the Department of Agriculture, submitted by the President of the Philippines for confirmation or approval;
7. **COMMITTEE ON PUBLIC WORKS AND HIGHWAYS:** Composed of twenty-one (21) members, to which shall be referred all nominations or appointments to the Department of Public Works and Highways, submitted by the President of the Philippines for confirmation or approval;
8. **COMMITTEE ON EDUCATION, CULTURE AND SPORTS:** Composed of seventeen (17) members, to which shall be referred all nominations or appointments to the Department of Education, Culture and Sports, submitted by the President of the Philippines for confirmation or approval;
9. **COMMITTEE ON LABOR, EMPLOYMENT AND SOCIAL WELFARE:** Composed of eleven (11) members, to which shall be referred all nominations or appointments to the Department of Labor and Employment and the Department of Social Welfare, submitted by the President of the Philippines for confirmation or approval;
10. **COMMITTEE ON HEALTH:** Composed of fifteen (15) members, to which shall be referred all nominations or appointments to the Department of Health, submitted by the President of the Philippines for confirmation or approval;
11. **COMMITTEE ON TRADE AND INDUSTRY:** Composed of fifteen (15) members, to which shall be referred all nominations or appointments to the Department of Trade and Industry, submitted by the President of the Philippines for confirmation or approval;

12. **COMMITTEE ON TOURISM AND ECONOMIC DEVELOPMENT:** Composed of fifteen (15) members, to which shall be referred all nominations or appointments to the Department of Tourism and the National Economic Development Authority, submitted by the President of the Philippines for confirmation or approval;
13. **COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES:** Composed of seventeen (17) members, to which shall be referred all nominations or appointments to the Department of Environment and Natural Resources, the Office of Energy Affairs, and the Energy Regulatory Board, submitted by the President of the Philippines for confirmation or approval;
14. **COMMITTEE ON SCIENCE AND TECHNOLOGY:** Composed of nine (9) members, to which shall be referred all nominations or appointments to the Department of Science and Technology, submitted by the President of the Philippines for confirmation or approval;
15. **COMMITTEE ON INTERIOR AND LOCAL GOVERNMENT, REGIONAL CONSULTATIVE COMMISSIONS AND REGIONAL AUTONOMOUS GOVERNMENTS:** Composed of seventeen (17) members, to which shall be referred all nominations or appointments to the Department of the Interior and Local Government, the Regional Consultative Commissions, and the Regional Autonomous Governments, submitted by the President of the Philippines for confirmation or approval;
16. **COMMITTEE ON CONSTITUTIONAL COMMISSIONS AND OFFICES:** Composed of eighteen (18) members, to which shall be referred all nominations or appointments to the Commission on Elections, the Commission on Audit and the Civil Service Commission, submitted by the President of the Philippines for confirmation or approval;
17. **COMMITTEE ON TRANSPORTATION AND COMMUNICATIONS:** Composed of eighteen (18) members, to which shall be referred all nominations or appointments to the Department of Transportation and Communications, submitted by the President of the Philippines for confirmation or approval;
18. **COMMITTEE ON AGRARIAN REFORM:** Composed of fifteen (15) members, to which shall be referred all nominations or appointments to the Department of Agrarian Reform, submitted by the President of the Philippines for confirmation or approval;
19. **COMMITTEE ON GOVERNMENT CORPORATIONS AND OTHER OFFICES:** Composed of fifteen (15) members, to which shall be referred all nominations or appointments not falling under any of the foregoing standing committees, submitted by the President of the Philippines for confirmation or approval;

20. **COMMITTEE ON ENERGY:** Composed of seventeen (17) members, to which shall be referred all nominations or appointments to the Department of Energy, submitted by the President of the Philippines for confirmation or approval;
21. **COMMITTEE ON ACCOUNTS:** Composed of eight (8) members, to which shall be referred all matters dealing with approval of any disbursements of the funds of the Commission, including the contingent expense fund thereof, and the verification and adjustment of accounts for personal services, maintenance and other operating expenses;
22. **COMMITTEE ON RULES AND RESOLUTION:** Composed of nine (9) members, to which shall be referred all matters affecting the rules of the Commission and its Standing Committees and resolutions submitted for the consideration of the Commission. It shall be headed by the Majority Floor Leader as the ex-officio Chairman; and,
23. **COMMITTEE ON ETHICS:** Composed of seven (7) members, to which shall be submitted all questions of the ethical conduct, privileges, and violations of the Rules of the Commission by members and personnel of the Commission.

SECTION 6. DUTIES OF THE SECRETARY. The Secretary of the Commission on Appointments shall serve at the pleasure of the Commission, shall have his office in such place as maybe designated, and shall have the following duties:

- a) Under the direction of the Chairman, to see to it that the orders and resolutions of the Commission on Appointments are duly performed and complied with;
- b) To draft the minutes of the meeting of the Commission on Appointments, which shall contain a clear and succinct statement of whatever took place or was agreed upon thereat;
- c) To certify, under his signature and the seal of the Commission, the resolutions and orders of the Commission;
- d) To duly publicize and publish within three (3) days from the date of referral, in two (2) newspapers of general circulation, all nominations or appointments referred by the Chairman to the standing committees;
- e) To execute a certification upon compliance with his duty mentioned in the preceding paragraph and to serve said certification on the Chairman of the standing committees concerned;
- f) To attend the meetings of the Commission, as well as, the meetings of the standing committees;

- g) To issue calls for the meeting of the Commission, as well as, those of the standing committees under the direction of the Chairman concerned; and
- h) To perform such other duties which the Commission or its Chairman may direct.

SECTION 7. DUTIES OF THE SERGEANT-AT-ARMS. The Sergeant-At-Arms shall have the following duties:

- a) To attend all meetings of the Commission;
- b) To maintain order under the direction of the Chairman; and,
- c) To execute all commands of the Commission and all processes issued by authority thereof when directed by the Chairman or the Secretary.

SECTION 8. ACTING SECRETARY AND ACTING SERGEANT-AT-ARMS. In the absence or incapacity of the Secretary, the Chairman may designate any of the deputy secretaries of the Commission as Acting Secretary. In the absence or incapacity of the Sergeant-At-Arms, the Chairman may designate any employee of the Commission as acting Sergeant-At-Arms.

SECTION 9. SEAL OF THE COMMISSION. The Seal of the Commission on Appointments shall be circular in form and shall contain, on its upper part, the words "COMMISSION ON APPOINTMENTS"; in the center, the coat of arms of the Republic of the Philippines; and, at the bottom, the words "CONGRESS OF THE PHILIPPINES".

CHAPTER III

MEETINGS OF THE COMMISSION

SECTION 10. PLACE OF MEETING AND QUORUM. The Commission shall meet at either the session hall of the Senate or the House of Representatives upon call of the Chairman, or as the Commission may designate. The presence of at least thirteen (13) members is necessary to constitute a quorum: Provided, however, that at least four (4) of the members constituting the quorum should come from either House. Provided, further, that the presence of the Chairman shall be considered in determining the existence of a quorum. There shall be a regular meeting of the Commission every Wednesday and on the last two (2) days of each session of Congress, unless otherwise decided by the Commission or the Chairman.

SECTION 11. PUBLIC MEETING; EXCEPTION. The meeting of the Commission on Appointments shall be public. However, on motion of a member, duly seconded and approved, the Commission shall meet in Executive Session.

SECTION 12. SECRECY OVER MATTERS TAKEN IN CLOSED SESSION. The rule of secrecy over all matters taken up in Executive Session shall be maintained by the members of the Commission, the Secretary, staff members, and all other personnel of the Commission. This rule of secrecy as to the whole or any part of the proceedings, or any matter taken up in closed session, may be lifted only by a majority of the members present, on motion duly made and seconded.

SECTION 13. DOCUMENTS OF A CONFIDENTIAL CHARACTER. If and when, on request of the Commission on Appointments or any of its committees, the President of the Philippines should send documents of a confidential character, the rule of secrecy shall apply.

With respect to all other documents of a confidential character, as determined by the Chairman of the Commission or of the standing committee concerned, transmitted thereto, the same rule of secrecy shall apply.

SECTION 14. VIOLATION OF RULES. Any violation of the rule of secrecy or of any other provision of these Rules shall be dealt with by the Commission in the manner it deems fit.

SECTION 15. REQUISITE VOTE OF THE COMMISSION. The Commission shall rule on all nominations or appointments brought before it by a majority vote of all its members. Only members present shall be entitled to vote. The ex officio Chairman shall not vote except to break a tie. All other matters shall be decided by a majority vote of the members present constituting a quorum.

CHAPTER IV

ACTION ON REFERRAL OF NOMINATIONS OR APPOINTMENTS

SECTION 16. REFERRAL OF NOMINATIONS OR APPOINTMENTS TO COMMITTEES; EXCEPTION. All nominations or appointments submitted to the Commission on Appointments for confirmation or approval shall be directly and immediately referred by the Chairman to the appropriate Standing Committees after the nominees or appointees have submitted the complete documentary requirements mentioned in Section 24, Chapter V of the Rules of the Commission. The Standing Committee concerned shall begin consideration of the qualifications of the nominees or appointees through public hearing within thirty (30) calendar days from referral, in the order that they have submitted the complete documentary requirements: Provided, that for purposes of the plenary session, the order of precedence in the confirmation of the nominations or appointments of military or foreign service officers shall be on the basis of rank.

The Commission, on petition of not less than ten (10) members may, however, directly consider a nomination or appointment and, thereupon, vote on it after the lapse of the ten (10) day period. It may also directly consider a nomination or appointment and, thereupon, vote on it before the lapse of the ten (10) day period, on petition of at least thirteen (13) members.

SECTION 17. UNACTED NOMINATIONS OR APPOINTMENTS RETURNED TO THE PRESIDENT. Nominations or appointments submitted by the President of the Philippines which are not finally acted upon at the close of the session of Congress shall be returned to the President and, unless new nominations or appointments are made, shall not again be considered by the Commission.

SECTION 18. RECONSIDERATION OF RESOLUTION OF THE COMMISSION. Resolution of the Commission on any nomination or appointment may be reconsidered on written motion by any member who voted with the majority or the prevailing side presented to the Chairman not later than one (1) day after the approval of the resolution: Provided, that said motion for reconsideration be taken up on the next plenary session of the Commission. If the majority of the members present approves such motion for reconsideration, the nomination or appointment shall be reopened and submitted anew to the Commission. A motion to reconsider the vote on any nomination or appointment may, however, be laid on the table and which decision shall be considered as a final disposition of such a motion for reconsideration.

A motion to reconsider, however, is not in order if filed during the last plenary session of the Commission prior to an adjournment of Congress.

SECTION 19. SUSPENSION OF NOTICE TO THE PRESIDENT DURING THE PERIOD OF RECONSIDERATION. Notice of confirmation or disapproval of a nomination or appointment shall not be sent to the President of the Philippines before the expiration of the period for its reconsideration or while motion for reconsideration is pending.

SECTION 20. SUSPENSION OF CONSIDERATION OF NOMINATIONS OR APPOINTMENTS. Any member may move for the suspension of action by the Commission on any nomination or appointment favorably recommended by a standing committee and the Chairman shall suspend the consideration of said nomination or appointment: Provided, that, such suspension may be taken up on the next succeeding session of the Commission; Provided, further, that this section shall not apply to nominations or appointments taken up by the Commission during the last session prior to a *sine die* adjournment of Congress.

SECTION 21. AUTHORITY TO INVITE OR SUBPOENA WITNESSES. The Commission or any of its Committees may invite or subpoena (*duces tecum* and *ad testificandum*) a person to testify on any matter or case pending before it. In plenary sessions of the Commission on Appointments and, in meetings and hearings conducted by the standing committees, in connection with the complaints filed against the confirmation of pending nominations or appointments, the Secretary may avail of the services of the Stenographers Division of the Senate, the House of Representatives, or both. In case of failure of the nominee or appointee or witness to attend, the Chairman, upon proof thereof may issue a warrant to the Sergeant-At-Arms to arrest the nominee, appointee, or witness and bring him before the Commission.

SECTION 22. OPPOSITION MUST BE UNDER OATH. No opposition, filed by a non-member of the Commission, to a nomination or appointment shall be considered by the Commission, unless, it be in writing, under oath, and presented to the Standing Committee concerned before the said committee has made its final recommendation, and under no circumstance will it be entertained thereafter; Provided, that, on the ground of fraud, accident, mistake, excusable neglect or newly discovered evidence, an opposition may be considered prior to final confirmation of the nomination or appointment.

SECTION 23. VIVA VOCE VOTING; EXCEPTION. Voting by the Commission on any nomination or appointment submitted for confirmation shall be by *viva voce*; except, upon request of any members, the voting shall be nominal.

CHAPTER V

MANDATORY REQUIREMENTS FOR ALL NOMINEES OR APPOINTEES

SECTION 24. INFORMATION OR DOCUMENTS REQUIRED OF NOMINEES OR APPOINTEES. The nominee or appointee shall submit papers or documents containing the following data within fifteen (15) working days from receipt of the notice coming from the Commission for the submission of the documentary requirements mentioned herein:

- a) family background;
- b) curriculum vitae stating the academic qualification; special training and technical qualifications; previous experience; record of positions held; government positions presently occupied, starting salary, per diem, allowance, or other emoluments derived there from other than the position subject for confirmation.

All nominees or appointees shall, likewise, submit the following papers and documents:

- a) Disclosure, under oath, of kinship with any appointive or elective official in the Government, including government-owned or controlled corporations, occupying positions down to the directorship level, within the fourth degree of consanguinity or affinity;
- b) Copies of Income Tax Returns for the four (4) immediately preceding fiscal years;
- c) Verified statements of assets and liabilities for the four (4) immediately preceding fiscal years, including those of his spouse, if the nominee or appointee is in the government service; or verified statements of networth for the four (4) immediately preceding fiscal years, if the nominee or appointee comes from the private sector;

- d) Disclosure of business, financial, personal and professional connections and interest for the four (4) immediately preceding fiscal years, including those of his spouse and unmarried children under eighteen (18) years of age living in his household;
- e) Clearances under oath by the heads of the National Bureau of Investigation, the Bureau of Internal Revenue, and such other concerned Agencies, as may be required by the nature of the position he is nominated or appointed to;
- f) A medical certificate issued by a duly licensed physician containing information about the nominee or appointee's physical and mental conditions; and,
- g) Statement, under oath, whether the nominee or appointee has any pending criminal or administrative case against him.

If the nominee or appointee is in the Armed Forces of the Philippines:

- a) Statement of number in the lineal roster;
- b) If the nominee or appointee is promoted over Senior officers, statement or certificate of justification from superior officer why such senior officers were by-passed.

If the nominee or appointee is in the Department of Foreign Affairs:

- a) Statement of whether the nominee or appointee is in line for promotion;
- b) If nominated or appointed over others who are of higher rank, statement of justification from higher officer of the nominee or appointee.

The Secretary of the Commission shall furnish every member of the Commission with a copy of each of the Curriculum Vitae of the nominee or appointee containing all the information called for in the preceding paragraph.

No hearing of any nomination or appointment shall commence until after the nominee or appointee has fully complied with the documentary requirements. In case the nominee or appointee fails to submit the documentary requirements within the fifteen (15) working day period, the nominee or appointee may request in writing from the Commission, for justifiable reason, a non-extendible period of another fifteen (15) working days within which to submit the documentary requirements. Failure to substantially comply with the submission of the documentary requirements upon the expiration of the fifteen (15) day extended period shall result in the rejection of the nomination or appointment.

Upon notification of the standing committee concerned that the nominee or appointee has failed to submit the documentary requirements, said committee shall recommend to the Committee on Rules and Resolution the rejection of the nomination or appointment. The Committee on Rules and Resolution shall report this to the

Commission in plenary session which shall formally reject the nomination or appointment.

SECTION 25. AMENDMENTS. These Rules and any part thereof may be amended upon the vote of majority of the members of the Commission: Provided, that any proposed amendment shall be put in writing and each member furnished a copy thereof at least one (1) day before it is brought up for consideration.

SECTION 26. RULES OF THE HOUSE AND SENATE SUPPLEMENTARY TO RULES OF THE COMMISSION. The Rules of either the Senate or the House of Representatives shall have a supplementary character in cases where nothing is provided for in these Rules. The precedents of the former Commission on Appointments under the 1935 Constitution in the matter of confirmation and rejection of appointments submitted to by the Chief Executive are hereby made applicable to the proceedings of the Commission, insofar as they do not contravene the provisions of the present Rules.

SECTION 27. EFFECTIVITY. These rules shall take effect upon its approval.