



# **Rules of the Standing Committees**

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*(Amended as of 05 September 2007)*

## **RULES OF THE STANDING COMMITTEES**

By virtue of Section 18, Article VI of the Constitution of the Philippines, the following Rules are hereby adopted for the Standing Committees.

### **ARTICLE I**

#### **STATEMENT OF POLICY**

The Standing Committees of the Commission on Appointments, aware of the demands of public service, in the discharge of their duties, shall act expeditiously but judiciously, promptly but with circumspection.

In the task of evaluating presidential appointees or nominees, the Committee Members shall be guided by no consideration other than that of the integrity, competence and fitness of the nominees or appointees.

### **ARTICLE II**

#### **JURISDICTION**

Section 1. **Jurisdiction.** The appropriate Standing Committee shall have jurisdiction over all nominations or appointments referred to it by the Chairman, except, when the Commission, on petition of not less than ten (10) or thirteen (13) members, as the case may be, in accordance with Section 16 of the Rules of the Commission on Appointments, directly considers a nomination or appointment and votes upon it.

Section 2. **Publication.** All initial nominations referred by the Chairman to a Standing Committee shall be duly publicized or published within three (3) days from the date of referral, in two (2) newspapers of general circulation. A certification, to the effect that the nominations have been published in the manner provided above, shall be executed and signed by the Secretary of the Commission and shall be served on the Chairman of the appropriate Committee before the Committee meeting called to consider the nomination.

Section 3. **Committee Consideration.** The Standing Committee concerned shall commence consideration of any nomination or appointment only after the lapse of one (1) week from the date of publication as required in Section 2 above in the order that the nominees/appointees have submitted the complete documentary requirements as provided for in Section 24 of the Rules of the Commission: 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.

No opposition or objection shall cause the automatic deferment of a nomination or appointment unless the deferment has been approved by the Standing Committee concerned.

### ARTICLE III

#### OFFICERS OF THE COMMITTEES

Section 1. **Principal Officers.** The Chairman of each Committee, chosen by the Commission, shall be the Chief Executive thereof and the Presiding Officer of all its meetings and public hearings with all the powers and duties inherent in said office.

Section 2. **Vice Chairmen.** Each Committee shall have one (1) Vice Chairman except the Committee on National Defense, which shall have seven (7) Vice Chairmen; the Committee on Foreign Affairs, which shall have seven (7) Vice Chairmen; the Committee on Public Works and Highways, which shall have two (2) Vice Chairmen; and the Committee on Rules and Resolutions, which shall have three (3) Vice Chairmen.

### ARTICLE IV

#### MEETINGS OF THE COMMITTEES

Section 1. **Meetings and Notices.** Each Committee shall hold meetings, on such days, times and places as may be determined by the Chairman or by at least one-third (1/3) of the members of each Committee, while the Congress is in session or during any voluntary recess. Notice, together with the agenda of such meeting, shall be given three (3) days in advance to every member of the Committee. The three (3) day notice shall not apply when the Committee Chairman, for reasons of emergency, sets a date for the next meeting and announces the same during a meeting of the Committee.

Section 2. **Quorum.** A majority of all the members of each Committee shall constitute a quorum to do business. However, *ex officio* members present may be considered in determining the existence of a quorum.

Section 3. **Representatives in Public Hearings.** A Commission member may be represented by his duly authorized representative in any Committee hearing. The representative, however, cannot participate in the deliberation therein. If he has any question or manifestation, the same should be addressed verbally or in writing to the Chairman of the Committee.

## ARTICLE V

### RECOMMENDATIONS OF THE COMMITTEES

Section 1. **Approval of Committee Recommendations.** All Committee recommendations relative to any nomination or appointment, brought to it for consideration, shall be reached after deliberation and discussion by the members of the Committee. All recommendations shall be made in the form of a resolution or a motion, either verbally or in writing and approved by a majority of the members of the Committee. Members of the Commission who are not *ex officio* or regular members of the Committee may participate, without the right to vote, in the deliberations and discussions of the Committee.

## ARTICLE VI

### INVESTIGATION OF THE COMMITTEES

Section 1. **Initiation of Investigations.** On its own initiative or at the instance of any member, each Committee may initiate an inquiry on any nomination or appointment submitted by the President of the Philippines.

The rights of person appearing in, or affected by, such inquiries shall be respected.

Section 2. **Quorum at Public Hearings.** The presence of the Chairman or Vice-Chairman, or at least three (3) members, one of whom shall serve as Acting Chairman, shall be sufficient for the purpose of conducting public hearings and acting on motions and other incidents related thereto.

Section 3. **Oppositions or Complaints.** No opposition or complaint filed by a non-member of the Commission to a nomination or appointment shall be considered by the Committee unless it be in writing, under oath and presented to it before the said committee has made its final recommendation. The oppositor or complainant shall be duly notified of the date when his opposition or complaint will be considered.

Section 4. **Anonymous Letters and Complaints.** Anonymous letters, unsubstantiated complaints, unverified reports, and those not complying with the requirement of the preceding section, shall not be considered by the Committee and shall not prejudice nor prevent any favorable recommendation reached by the Committee. However, the same may be the basis of interpellation or inquiry during the hearings of the Committee.

Section 5. **Executive Sessions.** A Standing Committee may go into executive session whenever the security of the state or public interest so requires or whenever the integrity of the nominee or appointee may be unnecessarily and unduly prejudiced.

**Section 6. Subpoena Ad Testificandum and Duces Tecum.**

- a) Each Committee may issue a subpoena requiring a nominee or witness to testify at its hearing or for the taking of his deposition or to bring books, documents or other things under his control;
- b) The subpoena shall be signed, under the seal of the Commission, by the Chairman of the Committee issuing it;
- c) The subpoena shall state the subject matter under inquiry and the nominee or witness whose attendance is required, and, in case of a subpoena *duces tecum*, shall particularly describe the books, documents or things to be produced;
- d) The subpoena shall be served through the Sergeant-at-Arms of the Commission, who shall exhibit the original and deliver a copy thereof to the person named therein.

**Section 7. Compulsory Process.** In case of a failure of the nominee or witness to attend, the Chairman of the Committee issuing the subpoena, upon proof of service thereof, may issue a warrant to the Sergeant-at-Arms of the Commission to arrest the nominee or witness and bring him before the Committee.

**Section 8. Examination of Witness.**

- a) The testimony of the witness or witnesses before each Committee shall be taken under oath or affirmation;
- b) Questions directed to a nominee or witness may be propounded by any member of each Committee and of the Commission;
- c) A nominee or witness, by himself or through counsel, may ask the Presiding Officer for a ruling on objections to questions propounded to him or to the production of documents or things required by a subpoena *duces tecum*.

**Section 9. Contempt.**

- a) Any person guilty of any misbehavior, obstruction or interruption of the proceedings of a Committee, including gross disrespect to the members thereof, or of failure, without adequate reason, to appear pursuant to a subpoena shall be deemed in contempt of the Committee and of the Commission, for which reason, he may be ordered by the Chairman to be arrested and detained by the Sergeant-at-Arms of the Commission for such period not exceeding ten (10) days, as the Commission may direct;

- b) Refusal of a nominee, appointee or witness to be sworn or to answer questions propounded to him in a Committee meeting or to produce documents pursuant to subpoena *duces tecum* shall, likewise constitute contempt of the Committee and of the Commission;
- c) A report on the detention of any person for contempt shall be submitted, without delay, to the Committee and the Commission.

Section 10. **Withholding or Concealing of Information or Giving False Testimony.** The Commission may initiate the filing of the corresponding criminal complaint against a witness who, knowingly or willfully, withholds or conceals information or gives false testimony during hearings or meetings of the Standing Committees.

## ARTICLE VII

### COMMITTEE DOCUMENTS

Section 1. **Control of Documents.** No documents shall be copied, withdrawn or taken from the Office of the Secretary of the Commission without permission of the Chairman of the Committee concerned.

Section 2. **Rule of Secrecy.** The rule of secrecy and confidentiality of all matters taken up in Executive Session shall be observed.

## ARTICLE VIII

### AMENDMENTS AND EFFECTIVITY

Section 1. **Amendments.** These rules may be amended by a motion filed at least one (1) day before its consideration and approved by a majority of the members of the Commission.

Section 2. **Effectivity.** These Rules shall take effect on the date of its adoption and shall remain in force until amended or replaced.