

REPUBLIC ACT NO. 8186

AN ACT PRESCRIBING OFFICER GRADE DISTRIBUTION IN  
THE ACTIVE FORCE OF THE ARMED FORCES OF THE  
PHILIPPINES AND LIMITING THE TENURE OF  
OFFICERS IN THE GRADES OF COLONEL/CAPTAIN (PN)  
AND GENERAL/FLAG OFFICERS IN THE AFP

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

SECTION 1. *Officer Grade Distribution.* – The Secretary of National Defense shall prescribe the authorized number of officers in the active force in each grade and in each major, technical or administrative service and shall implement the gradual decrease in the number of officers in each officer rank as part of, and in line with, the Modernization Program of the Armed Forces: *Provided*, That effective one (1) year after the approval of this Act, such number shall not exceed the number in each grade authorized in the Table of Organization of units of the active force distributed as follows: Point seventy-five *per centum* (.75%) in the General/Flag Officer grade; six *per centum* (6%) in the grade of Colonel/Captain (PN); twelve *per centum* (12%) in the grade of Lieutenant Colonel/Commander (PN); eighteen *per centum* (18%) in the grade of Major/Lieutenant Commander (PN); twenty *per centum* (20%) in the grade of Captain/Lieutenant (PN); and forty-three point twenty-five *per centum* (43.25%) in the grades of First Lieutenant/Lieutenant Junior Grade (PN) and Second Lieutenant/Ensign (PN): *Provided, further*, That such distribution is based on the total officer strength authorized for the AFP: *Provided, furthermore*, That the Table of Organization of units of the active force shall be adjusted in accordance with their respective missions and officer requirements, and shall be gradually decreased pursuant to this section and such rules and regulations as the Secretary of National Defense shall prescribe, subject to the condition that the schedule of percentage for each grade as herein prescribed shall not be exceeded: *Provided*,

*furthermore*, That in the determination of the officer to enlisted personnel ratio, the mission requirement, capabilities, scope of responsibility, technical nature of the position and task, and equipment inventory of units shall be taken into consideration: *Provided, furthermore*, That considering the highly technical nature of the Air Force and the Navy, they shall be allocated a higher officer to enlisted personnel ratio which shall not exceed fifteen percent (15%) of the officer to enlisted personnel ratio allocated for the Philippine Army: *Provided, finally*, That if the actual number in a grade is less than the number prescribed, the difference may be applied as an increase to the number prescribed in a lower grade.

SEC. 2. *Distribution of General/Flag Officers.* – The number of general/flag officers herein authorized shall be distributed to the various general/flag officer grades in accordance with the schedule of percentage as hereunder prescribed:

General/Admiral (0-10)	1 per centum
Lieutenant General/Vice Admiral (0-9)	7 per centum
Major General/Rear Admiral (0-8)	26 per centum
Brigadier General/Commodore (0-7)	66 per centum
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Total	100 per centum

*Provided*, That there shall only be one officer with a grade of General/Admiral at any one time: *Provided, further*, That the number corresponding to the schedule of percentage prescribed for the grades of Major General/Rear Admiral, Lieutenant General/Vice Admiral, and General/Admiral shall be the maximum: *Provided, furthermore*, That if the actual number in a grade is less than the number prescribed, the difference may be applied as an increase to the number prescribed in the lower grade: *Provided, finally*, That no officer shall be promoted to the grade of Brigadier General/Commodore or higher unless there is an existing vacancy, and the officer is occupying a position in the Table of Organization that requires the grade or rank for which he is being considered for promotion.

SEC. 3. *Maximum Tenure in Grade.* – The maximum tenure of officers in the grades of Colonel/Captain (PN) and General/Flag Officer in the AFP are hereby prescribed as follows:

GRADE	MAXIMUM TENURE IN GRADE
General/Admiral (0-10)	three (3) years
Lieutenant General/Vice Admiral (0-9)	three (3) years
Major General/Rear Admiral (0-8)	three (3) years
Brigadier General/Commodore (0-7)	five (5) years
Colonel/Captain (PN) (0-6)	ten (10) years

Unless earlier separated, retired or promoted to the next higher grade or occupying a position calling for the ranks of higher grade in the AFP Table of Organizations, Colonels/Captains (PN) and Generals/Flag Officers shall be compulsorily retired upon the attainment of the maximum tenure in grade herein prescribed, or upon reaching the age of compulsory retirement whichever is earlier, except for the Chief of Staff, AFP, who may be allowed by the President of the Philippines to finish tenure in position as provided for in the Constitution: *Provided,* That officers already holding these ranks upon the approval of this Act may be allowed one (1) year more of tenure in grade before the maximum tenure provided in this section shall be applied to them, unless they shall have already reached the compulsory retirement age under existing laws, in which case the compulsory retirement age shall prevail.

SEC. 4. *Maximum Tenure in Position.* – Officers holding the following key positions are hereby limited to a maximum tenure in position of three (3) years unless otherwise earlier relieved by competent authority or compulsorily retired under existing laws:

Chief of Staff, AFP

Vice Chief of Staff, AFP

The Deputy Chief of Staff, AFP

## Major Service Commanders

*Provided*, That except for the Chief of Staff of the AFP, no officer shall be assigned/designated to the aforementioned key positions or promoted to the rank of Brigadier General/Commodore or higher if he has less than one (1) year of active service remaining prior to compulsory retirement.

SEC. 5. *Appropriations*. – The amount necessary to implement the provisions of this Act is hereby authorized to be paid out of savings from the appropriations of the AFP for the current year. Thereafter, the sum necessary for the implementation of this Act shall be included in the annual General Appropriations of the AFP.

SEC. 6. *Implementing Regulations*. – The Secretary of National Defense shall prescribe the rules and regulations necessary for the effective implementation of this Act.

SEC. 7. *Repealing Clause*. – All laws, rules and regulations, and other issuances or parts thereof, which are inconsistent with the provisions of this Act, are hereby repealed or modified accordingly.

SEC. 8. *Effectivity*. – This Act shall take effect upon its approval.

Approved, June 11, 1996.