

days after the ratification of this Constitution their option to serve therein, and those Delegates to the nineteen-hundred and seventy-one Constitutional Convention who have opted to serve therein by voting affirmatively for this Article. They may take their oath of office before any officer authorized to administer oath and qualify thereto, after the ratification of this Constitution.

Section 3. (1) The incumbent President of the Philippines shall initially convene the *Interim* National Assembly and shall preside over its sessions until the *Interim* Speaker shall have been elected. He shall continue to exercise his powers and prerogatives under the nineteen hundred and thirty-five Constitution and the powers vested in the President and the Prime Minister under this Constitution until he calls upon the *Interim* National Assembly to elect the *Interim* President and *Interim* Prime Minister who shall then exercise their respective powers vested by this Constitution.

(2) All proclamations, orders, decrees, instructions, and acts promulgated, issued, or done by the incumbent President shall be part of the law of the land, and shall remain valid, legal, binding, and effective even after the lifting of Martial Law or the ratification of this Constitution unless modified, revoked, or superseded by subsequent proclamations, orders, decrees, instructions, or unless expressly and explicitly modified or repealed by the regular National Assembly.

Section 4. The *Interim* Prime Minister and his Cabinet shall exercise all the powers and functions, and discharge the responsibilities of the regular Prime Minister and his Cabinet, and shall be subject to the same disqualifications provided in this Constitution.

Section 5. The *Interim* National Assembly shall give priority to measures for the orderly transition from the Presidential to the Parliamentary system, the reorganization of the Government, the eradication of graft and corruption, programs for the effective maintenance of peace and order, the implementation of declared agrarian reforms, the standardization of compensation of government employees, and such other measures as shall bridge the gap between the rich and the poor.

Section 6. The *Interim* National Assembly shall reapportion the Assembly seats in accordance with Article eight, Section two, of this Constitution.

Section 7. All existing laws not inconsistent with this Constitution shall remain operative until amended, modified, or repealed by the National Assembly.

Section 8. All courts existing at the time of the ratification of this Constitution shall continue and exercise their jurisdiction, until otherwise provided by law in accordance with this Constitution, and all cases pending in said courts shall be heard, tried, and determined under the laws then in force. The provisions of the existing Rules of Court not inconsistent with this Constitution shall remain operative unless amended, modified, or repealed by the Supreme Court or the National Assembly.

Section 9. All officials and employees in the existing government of the Republic of the Philippines shall continue in office until otherwise

provided by law or decreed by the incumbent President of the Philippines, but all officials whose appointments are by this Constitution vested in the Prime Minister shall vacate their respective offices upon the appointment and qualification of their successors.

Section 10. The incumbent Members of the Judiciary may continue in office until they reach the age of seventy years, unless sooner replaced in accordance with the preceding section hereof.

Section 11. The rights and privileges granted to citizens of the United States or to corporations or associations owned or controlled by such citizens under the ordinance appended to the nineteen hundred and thirty-five Constitution shall automatically terminate on the third day of July, nineteen hundred and seventy-four. Titles to private lands acquired by such persons before such date shall be valid as against other private persons only.

Section 12. All treaties, executive agreements, and contracts entered into by the government or any subdivision, agency, or instrumentality thereof, including government-owned or controlled corporations are hereby recognized as legal, valid and binding. When the national interest so requires, the incumbent President of the Republic or the *Interim* Prime Minister may review all contracts, concessions, permits, or other forms of privileges for the exploration, exploitation, development, or utilization of natural resources entered into, granted, issued, or acquired before the ratification of this Constitution.

Section 13. Any public officer or employee separated from the service as a result of the reorganization effected under this Constitution shall, if entitled under the laws then in force, receive the retirement and other benefits accruing thereunder.

Section 14. All records, equipment, buildings, facilities, and other properties of any office or body abolished or reorganized under this Constitution shall be transferred to the office or body to which its powers, functions, and responsibilities substantially pertain.

Section 15. The *Interim* National Assembly, upon special call by the *Interim* Prime Minister may, by a majority vote of all its Members propose amendments to this Constitution. Such amendments shall take effect when ratified in accordance with Article Sixteen hereof.

Section 16. This Constitution shall take effect immediately upon its ratification by a majority of the votes cast in a plebiscite called for the purpose and, except as herein provided, shall supersede the Constitution of nineteen hundred and thirty-five and all amendments thereto.

as President of the nineteen hundred and seventy-one Constitutional Convention, those Members of the Senate and the House of Representatives who shall express in writing to the Commission on Elections within thirty days after the ratification of this Constitution their option to serve therein, and those delegates to the nineteen hundred and seventy-one Constitutional Convention who have opted to serve therein by voting affirmatively for this Article. They may take their oath of office before any officer authorized to administer oath, and qualify thereto, after the ratification of this Constitution.]

[Sec. 3. (1) The incumbent President of the Philippines shall initially convene the interim National Assembly and shall preside over its sessions until the interim Speaker shall have been elected. He shall continue to exercise his powers and prerogatives under the nineteen hundred and thirty-five Constitution and the powers vested in the President and the Prime Minister under this Constitution until he calls upon the interim National Assembly to elect the interim President and the interim Prime Minister, who shall then exercise their respective powers vested by this Constitution.]

(2) All proclamations, orders, decrees, instructions, and acts promulgated, issued, or done by the incumbent President shall be part of the law of the land, and shall remain valid, legal, binding, and effective even after lifting of martial law or the ratification of this Constitution, unless modified, revoked, or superseded by subsequent proclamations, orders, decrees, instructions, or other acts of the incumbent President, or unless expressly and explicitly modified or repealed by the regular National Assembly.]

[Sec. 4. The interim Prime Minister and his Cabinet shall exercise all the powers and functions, and discharge the responsibilities of the regular Prime Minister and his Cabinet, and shall be subject to the same disqualifications provided in this Constitution.]

[Sec. 5. The interim National Assembly shall give priority to measures for the orderly transition from the presidential to the parliamentary system, the reorganization of the Government, the eradication of graft and corruption, the effective maintenance of peace and order, the implementation of declared agrarian reforms, the standardization of compensation of government employees, and such other measures as shall bridge the gap between the rich and the poor.]

[Sec. 6. The interim National Assembly shall reapportion the Assembly seats in accordance with Section two, Article eight, of this Constitution.]

Sec. 7. All existing laws not inconsistent with this Constitution shall remain operative until amended, modified, or repealed by the National Assembly.

Sec. 8. All courts existing at the time of the ratification of this Constitution shall continue and exercise their jurisdiction, until otherwise

Constitution shall remain in effect until otherwise provided by the Supreme Court or the National Assembly.

Sec. 9. All officials and employees in the existing government of the Republic of the Philippines shall continue in office until otherwise provided by law or decreed by the incumbent President of the Philippines, but all officials whose appointments are by this Constitution vested in the Prime Minister shall vacate their respective offices upon the appointment and qualification of their successors.

[Sec. 10. The incumbent Members of the Judiciary may continue in office until they reach the age of seventy years, unless sooner replaced in accordance with the preceding section hereof.]

Sec. 11. The rights and privileges granted to citizens of the United States or to corporations or associations owned or controlled by such citizens under the ordinance appended to the nineteen hundred and thirty-five Constitution shall automatically terminate on the third day of July, nineteen hundred and seventy-four. Titles to private lands acquired by such persons before such date shall be valid as against other private persons only.

Sec. 12. All treaties, executive agreements, and contracts entered into by the Government, or any subdivision, agency, or instrumentality thereof including government-owned or controlled corporations, are hereby recognized as legal, valid, and binding. When the national interest so requires the incumbent President of the Philippines or the interim Prime Minister may review all contracts, concessions, permits, or other forms of privileges for the exploration, development, exploitation, or utilization of natural resources entered into, granted, issued, or acquired before the ratification of this Constitution.

Sec. 13. Any public officer or employee separated from the service as a result of the reorganization effected under this Constitution shall, if entitled under the laws then in force, receive the retirement and other benefits accruing thereunder.

Sec. 14. All records, equipment, buildings, facilities, and other properties of any office or body abolished or reorganized under this Constitution shall be transferred to the office or body to which its powers, functions, and responsibilities substantially pertain.

[Sec. 15. The interim National Assembly, upon special call by the interim Prime Minister, may, by a majority vote of all its members, propose amendments to this Constitution. Such amendments shall take effect when ratified in accordance with Article sixteen hereof.]

Sec. 16. This Constitution shall take effect immediately upon its ratification by a majority of the votes cast in a plebiscite called for that purpose and, except as herein provided, shall supersede the Constitution of nineteen hundred and thirty-five and all amendments thereto.

Sec. 7. The Congress shall not, except by general law, provide for the formation, organization, or regulation of private corporations, unless such corporations are owned or controlled by the Government or any subdivision or instrumentality thereof.

Sec. 8. No franchise, certificate, or any other form of authorization for the operation of a public utility shall be granted except to citizens of the Philippines or to corporations or other entities organized under the laws of the Philippines, sixty per centum of the capital of which is owned by citizens of the Philippines, nor shall such franchise, certificate, or authorization be exclusive in character or for a longer period than fifty years. No franchise or right shall be granted to any individual, firm, or corporation, except under the condition that it shall be subject to amendment, alteration, or repeal by the Congress when the public interest so requires.

Sec. 9. The government shall organize and maintain a national police force to preserve order and enforce the law.

Sec. 10. This Constitution shall be officially promulgated in English and Spanish, but in case of conflict the English text shall prevail.

Article XV

VII. AMENDMENTS

Section 1. The Congress in joint session assembled, by a vote of three-fourths of all the Members of the Senate and of the House of Representatives voting separately, may propose amendments of this Constitution or call a convention for the purpose. Such amendments shall be valid as part of this Constitution when approved by a majority of the votes cast at an election at which the amendments are submitted to the people for their ratification.

Article XVI

TRANSITORY PROVISIONS

Section 1. The first election of the officers provided in this Constitution and the inauguration of the Government of the Commonwealth of the Philippines shall take place as provided in Public Act Numbered One hundred and twenty-seven of the Congress of the United States, approved March twenty-four, nineteen hundred and thirty-four.

Sec. 2. All laws of the Philippine Islands shall continue in force until the inauguration of the Commonwealth of the Philippines; hereafter, such laws shall remain operative, unless inconsistent with this Constitution, until amended, altered, modified or repealed by the Congress of the Philippines, and all references in such laws to the Government or officials of the Philippine Islands shall be construed, in so far as applicable, to refer to the Government and corresponding officials under this Constitution.

Sec. 3. All courts existing at the time of the adoption of this Constitution shall continue and exercise their jurisdiction, until otherwise provided

by law in accordance with this Constitution, and all cases, civil and criminal, pending in said courts, shall be heard, tried, and determined under the laws then in force.

Sec. 4. All officers and employees in the existing Government of the Philippine Islands shall continue in office until the Congress shall provide otherwise, but all officers whose appointments are by this Constitution, vested in the President shall vacate their respective offices upon the appointment and qualification of their successors; if such appointment is made within a period of one year from the date of the inauguration of the Commonwealth of the Philippines.

Sec. 5. The members of the House of Representatives for the Mountain Province shall be elected as may be provided by law. The voters of municipalities and municipal districts formerly belonging to a special province and now forming part of regular provinces shall vote in the election for Members of the House of Representatives in such districts as may be provided by law.

Sec. 6. The provisions of this Constitution, except those contained in this article and in Article V, and those which refer to the election and qualifications of officers to be elected under this Constitution, shall not take effect until the inauguration of the Commonwealth of the Philippines.

Article XVII

SPECIAL PROVISIONS EFFECTIVE UPON THE PROCLAMATION OF THE INDEPENDENCE OF THE PHILIPPINES

Section 1. Upon the proclamation of the President of the United States recognizing the independence of the Philippines —

(1) The property rights of the United States and the Philippines shall be promptly adjusted and settled, and all existing property rights of citizens or corporations of the United States shall be acknowledged, respected, and safeguarded to the same extent as property rights of citizens of the Philippines.

(2) The officials elected and serving under this Constitution shall be constitutional officers of the free and independent Government of the Philippines and qualified to function in all respects as if elected directly under such Government, and shall serve their full terms of office as prescribed in this Constitution.

(3) The debts and liabilities of the Philippines, its provinces, cities, municipalities, and instrumentalities, which shall be valid and subsisting at the time of the final and complete withdrawal of the sovereignty of the United States, shall be assumed by the free and independent Government of the Philippines; and where bonds have been issued under authority of an Act of Congress of the United States by the Philippine Islands, or any province, city, or municipality therein, the Government of the Philippines will make adequate provision for the necessary funds for the payment of interest and principal, and such obligations shall be a first lien on all taxes collected.

Appendix B
THE 1976 AMENDMENTS (AMENDS CONSTITUTION)

First Amendment: There shall be, in lieu of the interim National Assembly, an interim Batasang Pambansa. Members of the interim Batasang Pambansa which shall not be more than 120; unless otherwise provided by law, shall include the incumbent President of the Philippines, representatives elected from the different regions of the nation, those who shall not be less than eighteen years of age elected by their respective sectors, and those chosen by the incumbent President from the Members of the Cabinet. Regional representatives shall be apportioned among the regions in accordance with the number of their respective inhabitants and on the basis of a uniform and progressive ratio while the sectors shall be determined by law. The number of representatives from each region or sector and the manner of their election shall be prescribed and regulated by law.

Second Amendment: The interim Batasang Pambansa shall have the same powers and its members shall have the same functions, responsibilities, rights, privileges, and disqualifications as the interim National Assembly and the regular National Assembly and the members thereof. However, it shall not exercise the power provided in Article VIII, Section 14(1) of the Constitution.

Third Amendment: The incumbent President of the Philippines shall, within 30 days after the election and selection of the members, convene the interim Batasang Pambansa and preside over its session until the speaker shall have been elected. The incumbent President of the Philippines shall be the Prime Minister and he shall continue to exercise all his powers even after the interim Batasang Pambansa is organized and ready to discharge its functions and likewise he shall continue to exercise his powers and prerogatives under the nineteen hundred and thirty-five Constitution and the powers vested in the President and the Prime Minister under this Constitution.

Fourth Amendment: The President (Prime Minister) and his Cabinet shall exercise all the powers and functions, and discharge the responsibilities of the regular President (Prime Minister) and his Cabinet, and shall be subject only to such disqualifications as the President (Prime Minister) may prescribe. The President (Prime Minister) if he so desires may appoint a Deputy Prime Minister or as many Deputy Ministers as he may deem necessary.

Fifth Amendment: The incumbent President shall continue to exercise legislative powers until martial law shall have been lifted.

Sixth Amendment: Whenever in the judgment of the President (Prime Minister) there exists a grave emergency or a threat or imminence thereof, or whenever the interim Batasang Pambansa or the regular National Assembly fails or is unable to act adequately on any matter for any reason that in his judgment requires immediate action, he may, in order to meet the exigency,

issue the necessary decrees, orders or letters of instructions, which shall form part of the law of the land.

Seventh Amendment: The Barangays and Sanggunians shall continue as presently constituted but their functions, powers, and composition may be altered by law.

Referenda conducted thru the Barangays and under the supervision of the Commission on Elections may be called at any time the government deems it necessary to ascertain the will of the people regarding any important matter whether of national or local interest.

Eighth Amendment: All provisions of this Constitution not inconsistent with any of these Amendments shall continue in full force and effect.

Ninth Amendment: These Amendments shall take effect after the incumbent President shall have proclaimed that they have been ratified by a majority of the votes cast in the referendum-plebiscite.