

**Title:** Calderon vs. Carale, G.R. No. 79974

**Facts:**

- Legislative Background:** In March 1989, Republic Act No. 6715 (Herrera-Veloso Law) was enacted, amending the Labor Code of the Philippines (PD 442). Section 13 of RA 6715 stipulated that the Chairman, Division Presiding Commissioners, and other Commissioners of the National Labor Relations Commission (NLRC) were to be appointed by the President with the confirmation of the Commission on Appointments (CA).
- Presidential Appointments:** Pursuant to RA 6715, President Corazon Aquino appointed the Chairman and Commissioners of the NLRC representing the public, workers, and employers' sectors without submitting these appointments to the CA for confirmation.
- Procedural Posture:** After the appointments, Labor Secretary Franklin Drilon issued Administrative Order No. 161, series of 1989, designating the places of assignment of the newly appointed commissioners.
- Petition for Prohibition:** In response, Peter John D. Calderon filed a petition for prohibition challenging the constitutionality of the appointments made by the President without CA confirmation, per the requirements of RA 6715.
- Lower Court Proceedings:** The lower court's proceedings are not detailed in the provided text. The case was directly reviewed by the Supreme Court.
- Government's Argument:** The Solicitor General contended that RA 6715 transgresses Section 16, Article VII of the 1987 Constitution, which limits the CA's confirmation powers to specific high-ranking posts explicitly listed in the first sentence of the said provision. The Solicitor General argued that appointments made under the second sentence of this section, such as the NLRC Commissioners, do not require CA confirmation.

**Issues:**

- Whether Congress can require CA confirmation for presidential appointments not listed in the first sentence of Section 16, Article VII of the 1987 Constitution through statutory enactment.**
- Whether Section 13 of RA 6715, which demands CA confirmation for NLRC Commissioners, is unconstitutional.**

**\*\*Court's Decision:\*\***

1. **\*\*Scope of CA Confirmation Powers:\*\*** The Supreme Court ruled that the power of the CA to confirm presidential appointments extends only to those explicitly mentioned in the first sentence of Section 16, Article VII of the 1987 Constitution. These include the heads of executive departments, ambassadors, other public ministers and consuls, officers of the armed forces from the rank of colonel or naval captain, and officers whose appointments are vested in the President by the Constitution.

2. **\*\*Legislative Overreach:\*\*** The Supreme Court declared that by expanding the list of appointments requiring CA confirmation through RA 6715, Congress overstepped its bounds. The Constitution explicitly outlines a limited list of appointments requiring such confirmation, and enlarging this scope via legislation would imply amending the Constitution itself.

3. **\*\*Second Sentence of Section 16, Article VII:\*\*** The Court held that NLRC Chairman and Members fall under the second sentence of Section 16, Article VII, which encompasses "all other officers of the Government whose appointments are not otherwise provided for by law and those whom the President may be authorized by law to appoint." This categorization does not require CA confirmation.

4. **\*\*Unconstitutionality of Section 13 of RA 6715:\*\*** Specifically, the Court declared that Section 13 of RA 6715, insofar as it mandates CA confirmation for the NLRC appointments, is unconstitutional.

**\*\*Doctrine:\*\***

1. **\*\*Appointments Requiring CA Confirmation:\*\*** Confirmation by the Commission on Appointments is required only for the high-ranking officials mentioned in the first sentence of Section 16, Article VII of the Constitution and for those officers whose appointments the Constitution explicitly vests in the President.

2. **\*\*Scope of Presidential Appointment Powers:\*\*** Appointments made under the second sentence of Section 16, Article VII, which are "all other officers of the Government whose appointments are not otherwise provided for by law and those whom the President may be authorized by law to appoint," do not require CA confirmation.

**\*\*Class Notes:\*\***

1. **Appointment Powers Under 1987 Constitution:**

- **First Sentence (Sec. 16, Art. VII):** CA confirmation required for heads of executive departments, ambassadors, public ministers, consuls, officers of the armed forces from rank of colonel or naval captain, and others vested in President by the Constitution.
- **Second Sentence:** Includes all other officers whose appointments are not otherwise provided for by law and those authorized by law for presidential appointments without CA confirmation.
- **Keywords:** Legislative overreach, constitutional interpretation, separation of powers.

2. **Relevant Legal Statutes:**

- **Sec. 16, Art. VII, 1987 Constitution:** Differentiates between appointments requiring CA confirmation and those that do not.
- **RA 6715 (Labor Code Amendment):** Attempted to require CA confirmation for NLRC appointments, deemed unconstitutional.

**Historical Background:**

This case falls within the period post-1987 Constitution's adoption, a time when the Philippine government was recalibrating its balance of power among branches after significant political upheaval. It highlights the judiciary's role in maintaining constitutional boundaries and preventing legislative encroachments on executive powers. The decision underscores a critical interpretation of appointment powers, reaffirming the separation of powers principle and ensuring that constitutional amendments do not occur inadvertently through legislative actions.