

Senate Minority Leader Aquilino “Nene” Q. Pimentel, Jr. (PDP-Laban) today said retired Supreme Court Justice Jose Melo was right in refusing to assume office after he was appointed chairman of the Commission on Elections (COMELEC) last Feb. 2.

Senator Pimentel expressed agreement with Mr. Melo that he should not take his oath without being confirmed by the Commission on Appointments upon being named to the constitutional office while Congress was in session.

Ad-interim appointments are deemed effective until the next adjournment of Congress.

“I praise Justice Melo for his *delicadeza* in not taking his position as COMELEC chairman. He has shown at least one virtue that other more or less prominent appointees have not done. I wish him well,” he said.

Ex-Justice Melo, who replaced former COMELEC Chairman Benjamin Abalos, has been reappointed by President Gloria Macapagal-Arroyo. Executive Secretary Eduardo Ermita said the President signed the ad-interim appointment of Mr. Melo after Congress went on a Lenten break. He said that since this is an ad-interim appointment, there is no legal obstacle to former Justice Melo’s assumption of office.

Senator Pimentel praises Justice Melo for his *delicadeza* in not taking his position as COMELEC chairman.

Under the 1987 Constitution, ad-interim appointments are deemed effective until the next adjournment of Congress.

Senator Pimentel said he was told that the Commission on Appointments could not act on Melo’s appointment because he has not completed his supporting papers.

Congress is set to resume regular session on April 21. # # #

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