

SENATE

S. No. 2491

(In substitution of Senate Bill Nos. 2002, 2014, and 2035)

Prepared by the Committees on Higher, Technical and Vocational Education; and National Defense and Security, Peace, Unification and Reconciliation, with Senators Villanueva, Angara, Binay, Poe, Hontiveros, Zubiri, Pangilinan, De Lima, and Lacson, as authors thereof

AN ACT

INSTITUTIONALIZING THE 1989 UNIVERSITY OF THE PHILIPPINES – DEPARTMENT OF NATIONAL DEFENSE ACCORD, AMENDING FOR THIS PURPOSE REPUBLIC ACT NO. 9500, OTHERWISE KNOWN AS THE UNIVERSITY OF THE PHILIPPINES, CHARTER OF 2008, AND FOR OTHER PURPOSES

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

1 **SECTION 1.** A new Section 11-A is hereby inserted to read as follows:

2
3 **SEC. 11-A. PRIOR NOTIFICATION ON THE ENTRY OF LAW**
4 **ENFORCEMENT AGENCIES WITHIN THE PREMISES OF THE**
5 **NATIONAL UNIVERSITY. – PRIOR NOTIFICATION SHALL**
6 **BE GIVEN BY THE LAW ENFORCEMENT AGENCY, SUCH AS,**
7 **BUT NOT LIMITED TO, THE ARMED FORCES OF THE**
8 **PHILIPPINES (AFP), THE PHILIPPINE NATIONAL POLICE**
9 **(PNP), OR ANY OTHER AGENCY INTENDING TO CONDUCT**
10 **OPERATIONS WITHIN THE PREMISES OF THE NATIONAL**
11 **UNIVERSITY NATIONWIDE, TO THE PRESIDENT OF THE**
12 **UNIVERSITY, OR THE CHANCELLOR OF THE CONSTITUENT**

1 UNIVERSITY, OR THE DEAN OF THE REGIONAL UNIT
2 CONCERNED, OR THEIR RESPECTIVE OFFICERS-IN-
3 CHARGE, IN THE EVENT OF THEIR ABSENCE, WHEN THE
4 SITUATION SO WARRANTS.

5
6 **SEC. 2.** A new Section 11-B is hereby inserted to read as follows:

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8 **SEC. 11-B. PROHIBITION ON THE ENTRY OF LAW**
9 **ENFORCEMENT AGENCY PERSONNEL WITHIN THE**
10 **PREMISES OF THE NATIONAL UNIVERSITY. – EXCEPT IN**
11 **CASES OF HOT PURSUIT AND SIMILAR OCCASIONS OF**
12 **EMERGENCY, OR IF INDISPENSABLY NECESSARY IN THE**
13 **MAINTENANCE OF SECURITY, PEACE AND ORDER AS**
14 **DETERMINED BY THE PRESIDENT OF THE UNIVERSITY, OR**
15 **CHANCELLOR OF THE CONSTITUENT UNIVERSITY, OR THE**
16 **DEAN OF THE REGIONAL UNIT CONCERNED, OR THEIR**
17 **RESPECTIVE OFFICERS-IN-CHARGE IN THE EVENT OF**
18 **THEIR ABSENCE, NO MEMBER OF A LAW ENFORCEMENT**
19 **AGENCY OR ANY PERSON/S ACTING ON THEIR BEHALF**
20 **SHALL ENTER THE PREMISES OF THE NATIONAL**
21 **UNIVERSITY.**

22
23 **WHENEVER REQUESTED BY LAW ENFORCERS, THE**
24 **APPROPRIATE UNIVERSITY OFFICIALS SHALL EXTEND**
25 **THE NECESSARY ASSISTANCE IN LAW ENFORCEMENT**
26 **WITHIN THE PREMISES OF THE CAMPUSES.**

27
28 **WHENEVER THE PRESIDENT OF THE UNIVERSITY, OR THE**
29 **CHANCELLOR OF THE CONSTITUENT UNIVERSITY, OR THE**
30 **DEAN OF THE REGIONAL UNIT CONCERNED, OR THEIR**
31 **RESPECTIVE OFFICERS-IN-CHARGE IN THE EVENT OF**
32 **THEIR ABSENCE, DETERMINES THAT THE ASSISTANCE OF**

1 THE AFP, THE PNP, OR OTHER LAW ENFORCEMENT
2 AGENCY IS INDISPENSABLE TO THE MAINTENANCE OF
3 SECURITY AND PEACE AND ORDER WITHIN THE
4 UNIVERSITY PREMISES, THE SAID OFFICIAL SHALL SO
5 INFORM IN WRITING THE HEAD OF THE AFP, PNP, OR
6 OTHER LAW ENFORCEMENT AGENCY UNIT IN THE AREA,
7 AND THE LATTER SHALL PROMPTLY DISPATCH SUCH
8 ASSISTANCE AS MAY BE WARRANTED BY THE
9 CIRCUMSTANCES.

10
11 IN CASE THE REQUEST FOR ASSISTANCE IS GRANTED,
12 ONLY UNIFORMED MEMBERS OF THE AFP, PNP, OR OTHER
13 LAW ENFORCEMENT AGENCIES IN PROPER UNIFORM AND
14 WITH PROPER IDENTIFICATION SHALL BE ALLOWED
15 ENTRY INTO THE CAMPUS OR REGIONAL UNIT
16 CONCERNED, EXCEPT WHERE THE ASSISTANCE
17 REQUESTED SPECIFIES OTHERWISE.

18 **SEC. 3.** A new Section 11-C is hereby inserted to read as follows:

19
20 **SEC. 11-C. SERVICE AND EXECUTION OF WARRANTS. –**
21 **THE SERVICE OR EXECUTION OF SEARCH, ARREST,**
22 **DEPORTATION, OR ANY OTHER WARRANT ON ANY**
23 **STUDENT, FACULTY, OR PERSONNEL, REGARDLESS OF**
24 **THEIR STATUS OF ENROLLMENT, ENGAGEMENT OR**
25 **ARRANGEMENT, AND/OR INVITED GUESTS OR**
26 **PARTICIPANTS IN ANY OFFICIAL ACTIVITY, SHALL BE IN**
27 **ACCORDANCE WITH THE RULES AND REGULATIONS**
28 **PROMULGATED BY THE SUPREME COURT OR OTHER**
29 **APPROPRIATE GOVERNMENT AGENCY, AS MAY BE**
30 **APPLICABLE, AND AS FAR AS PRACTICABLE, WITH PRIOR**
31 **NOTIFICATION TO THE PRESIDENT OF THE UNIVERSITY,**

1 OR THE CHANCELLOR OF THE CONSTITUENT UNIVERSITY,
2 OR THE DEAN OF THE REGIONAL UNIT CONCERNED, OR
3 THEIR RESPECTIVE OFFICERS-IN-CHARGE IN THE EVENT
4 OF THEIR ABSENCE. THE SAME REQUIREMENT OF
5 NOTIFICATION APPLIES TO ANY ORAL OR WRITTEN
6 INVITATION FOR QUESTIONING OR SIMILAR PURPOSES.
7

8 IN CASE OF PRIOR NOTIFICATION, THE PARTY SERVING
9 OR EXECUTING THE WARRANT SHALL COORDINATE
10 CLOSELY WITH MEMBERS OF THE CAMPUS SECURITY
11 GROUP WHO SHALL ACCOMPANY AND ASSIST SUCH
12 PARTY IN THE SERVICE OR EXECUTION OF THE
13 WARRANTS. SIMILARLY, NO WARRANT SHALL BE SERVED
14 OR EXECUTED WITHOUT THE PRESENCE OF AT LEAST TWO
15 (2) U.P. FACULTY MEMBERS DESIGNATED BY THE
16 APPROPRIATE U.P. OFFICIAL.
17

18 IF PRIOR NOTIFICATION IS NOT PRACTICABLE, A REPORT
19 ON THE SAME SHALL BE SUBMITTED TO THE CONCERNED
20 U.P. OFFICIAL IMMEDIATELY, BUT NOT LATER THAN
21 TWENTY-FOUR (24) HOURS AFTER SUCH UNSUCCESSFUL
22 ATTEMPT.
23

24 **SEC. 4.** A new Section 11-D is hereby inserted to read as follows:
25

26 **SEC. 11-D. ARREST, DETENTION, AND CUSTODIAL**
27 **INVESTIGATIONS. – THE ARREST OR DETENTION**
28 **ANYWHERE IN THE PHILIPPINES OF ANY STUDENT,**
29 **FACULTY, OR PERSONNEL, OR INVITED GUESTS OR**
30 **PARTICIPANTS IN ANY OFFICIAL ACTIVITY SHALL BE**
31 **REPORTED IMMEDIATELY BY THE RESPONSIBLE HEAD OF**
32 **THE LAW ENFORCEMENT AGENCY EFFECTING THE ARREST**

1 OR DETENTION TO THE PRESIDENT OF THE UNIVERSITY,
2 OR THE CHANCELLOR OF THE CONSTITUENT UNIVERSITY,
3 OR THE DEAN OF THE REGIONAL UNIT CONCERNED, OR
4 THEIR RESPECTIVE OFFICERS-IN-CHARGE IN THE EVENT
5 OF THEIR ABSENCE, WHO SHALL THEN TAKE THE
6 NECESSARY ACTION. THE SAME PRIOR NOTIFICATION
7 APPLIES TO ANY ORAL OR WRITTEN "INVITATION" FOR
8 QUESTIONING OR SIMILAR PURPOSES.

9
10 NO STUDENT, FACULTY, PERSONNEL, OR SUCH INVITED
11 GUEST/S OR PARTICIPANT/S REFERRED TO SHALL BE
12 SUBJECTED TO CUSTODIAL INVESTIGATION WITHOUT
13 PRIOR NOTICE TO THE PRESIDENT OF THE UNIVERSITY,
14 OR THE CHANCELLOR OF THE CONSTITUENT UNIVERSITY,
15 OR THE DEAN OF THE REGIONAL UNIT CONCERNED, OR
16 THEIR RESPECTIVE OFFICERS-IN-CHARGE IN THE EVENT
17 OF THEIR ABSENCE: *PROVIDED*, THAT SAID CUSTODIAL
18 INVESTIGATION SHALL BE CONDUCTED IN THE PRESENCE
19 OF THE COUNSEL OF CHOICE OF THE STUDENT, FACULTY,
20 PERSONNEL, OR SUCH INVITED GUEST/S OR
21 PARTICIPANT/S, OR WITH THE ASSISTANCE OF COUNSEL
22 WHO SHALL BE APPOINTED FOR THEM BY THE
23 AFOREMENTIONED OFFICIALS.

24
25 **SEC. 5.** A new Section 11-E is hereby inserted to read as follows:

26
27 **SEC. 11-E. *PROHIBITION ON THE AFP, PNP, AND OTHER***
28 ***LAW ENFORCEMENT AGENCIES TO INTERFERE WITH***
29 ***PEACEFUL PROTEST ACTIONS.*** – MEMBERS OF THE AFP,
30 PNP, OR OTHER LAW ENFORCEMENT AGENCIES SHALL
31 NOT INTERFERE WITH THE PEACEFUL PROTEST ACTIONS
32 BY INDIVIDUALS OR GROUPS WITHIN THE PREMISES OF

1 THE NATIONAL UNIVERSITY AND THOSE HELD OUTSIDE
2 OF ITS PREMISES BY RECOGNIZED STUDENT
3 ORGANIZATIONS, FOR WHICH A PRIOR NOTIFICATION
4 HAVE BEEN MADE BY THE GROUP PARTICIPATING IN
5 SUCH PEACEFUL PROTEST. UNIVERSITY OFFICIALS SHALL
6 BE DEEMED RESPONSIBLE FOR THE BEHAVIOR OF THEIR
7 STUDENTS, FACULTY, AND EMPLOYEES IN SUCH
8 ACTIVITIES.

9 **SEC. 6.** A new Section 11-F is hereby inserted to read as follows:

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11 **SEC. 11-F. *STRENGTHENING OF THE NATIONAL***
12 ***UNIVERSITY'S SECURITY, POLICE, AND FIREFIGHTING***
13 ***CAPABILITIES. – UNIVERSITY OFFICIALS SHALL***
14 ***ENDEAVOR TO STRENGTHEN THE SECURITY, CRIME***
15 ***RESPONSE AND PREVENTION, AND FIREFIGHTING***
16 ***CAPABILITIES OF THE NATIONAL UNIVERSITY TO***
17 ***PREVENT ITS CAMPUSES FROM BEING EXPLOITED BY***
18 ***MALEFACTORS OR CRIMINAL ELEMENTS.***

19
20 **UNIVERSITY OFFICIALS AND THE OFFICIALS OF**
21 **SECURITY FORCES IN THE CAMPUSES, SUCH AS THE**
22 **CAMPUS SECURITY GROUP, SHALL STRIVE TO**
23 **COORDINATE CLOSELY, EFFICIENTLY, AND**
24 **HARMONIOUSLY WITH THE LAW ENFORCEMENT**
25 **AGENCIES TO ENSURE THE SAFETY OF STUDENTS,**
26 **FACULTY, AND PERSONNEL OF THE NATIONAL**
27 **UNIVERSITY, INVITED GUESTS AND PARTICIPANTS IN**
28 **OFFICIAL ACTIVITIES, AS WELL AS THE RESIDENTS OF**
29 **THE CAMPUSES.**

1 THE SECURITY FORCES IN THE CAMPUSES SHALL ENGAGE
2 IN JOINT TRAINING AND ENHANCE THE SHARING OF
3 INFORMATION AND OTHER RESOURCES WITH THE LAW
4 ENFORCEMENT AGENCIES TO COMBAT CRIME AND HELP
5 ENSURE LAW AND ORDER ON THE CAMPUSES.

6
7 THE UNIVERSITY SECURITY FORCES SHALL REPORT, AS
8 SOON AS POSSIBLE, ALL CRIMES COMMITTED WITHIN
9 THE CAMPUSES TO THE PNP AND RENDER THE NECESSARY
10 ASSISTANCE TO ENSURE THE PROSECUTION OF
11 CRIMINALS.

12
13 **SEC. 7.** A new Section 11-G is hereby inserted to read as follows:

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15 **SEC. 11-G. ESTABLISHMENT OF THE JOINT MONITORING**
16 **GROUP AND CONSTITUENT UNIVERSITY-BASED AND**
17 **REGIONAL UNIT-BASED JOINT MONITORING GROUPS. –**
18 **THERE SHALL BE ESTABLISHED A NATIONAL UNIVERSITY**
19 **JOINT MONITORING GROUP, WHICH SHALL BE**
20 **COMPOSED OF THE VICE-PRESIDENT FOR PUBLIC**
21 **AFFAIRS OR HIS DULY DESIGNATED REPRESENTATIVE,**
22 **FACULTY REGENT, STAFF REGENT, STUDENT REGENT, ONE**
23 **(1) UNIVERSITY ALUMNUS, AND THE FOLLOWING**
24 **GOVERNMENT OFFICIALS: THE UNDERSECRETARY OF**
25 **NATIONAL DEFENSE FOR CIVILIAN RELATIONS, AFP**
26 **JUDGE ADVOCATE GENERAL OR HIS REPRESENTATIVE,**
27 **THE PNP ASSISTANT CHIEF OF STAFF FOR OPERATIONS,**
28 **THE PNP DIRECTOR OF THE CIVIL SECURITY GROUP. THE**
29 **ALUMNUS SHALL BE APPOINTED BY THE MEMBERS OF THE**
30 **JOINT MONITORING GROUP.**

1 THERE SHALL LIKEWISE BE ESTABLISHED, IN EACH
2 CONSTITUENT UNIVERSITY AND REGIONAL UNIT, JOINT
3 MONITORING GROUPS, WHICH SHALL INCLUDE THE
4 CHANCELLOR OF THE CONSTITUENT UNIVERSITY OR THE
5 DEAN OF THE REGIONAL UNIT, OR THEIR RESPECTIVE
6 OFFICERS-IN-CHARGE IN THE EVENT OF THEIR ABSENCE,
7 ONE (1) REPRESENTATIVE EACH FROM THE STUDENTS,
8 FACULTY, PERSONNEL GROUP IN THE CONCERNED UNIT,
9 AND ONE (1) ALUMNUS, TO BE APPOINTED BY THE
10 MEMBERS OF THE RESPECTIVE JOINT MONITORING
11 GROUPS. CONSTITUENT UNIVERSITY-BASED AND
12 REGIONAL UNIT-BASED JOINT MONITORING GROUPS
13 SHALL PROVIDE REGULAR REPORTS TO THE NATIONAL
14 UNIVERSITY JOINT MONITORING GROUP REGARDING
15 COMPLIANCE WITH THE PROVISIONS OF THIS ACT.

16
17 THE JOINT MONITORING GROUP SHALL MEET AT LEAST
18 TWICE A YEAR TO ENSURE AND DETERMINE COMPLIANCE
19 WITH THE PROVISIONS OF THIS ACT.

20 **SEC. 8. Implementing Rules and Regulations.** Within sixty (60) days from
21 the effectivity of this Act, upon consultation with relevant stakeholders, the members
22 of the Joint Monitoring Group shall formulate the rules and regulations for the effective
23 implementation of this Act.

24
25 **SEC. 9. Separability Clause.** – If, for any reason, any section, clause, or term
26 of this Act is held to be illegal, invalid, or unconstitutional, such parts not affected by
27 such declaration shall remain in full force and effect.

28
29 **SEC. 10. Repealing Clause.** – All laws, presidential decrees, issuances,
30 executive orders, letters of instruction, rules and regulations or any part hereof
31 inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

1 **SEC. 11. Effectivity.** – This Act shall take effect fifteen (15) days its
2 publication in the *Official Gazette* or in at least two (2) newspapers of general
3 circulation, whichever comes earlier.

Approved,