



HOUSE OF REPRESENTATIVES

H. No. 10089

INTRODUCED BY HONORABLE GOLEZ, CUENCO, LARA, ABAYA (A.),
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BRAGANZA, LLORENTE JR., VERCELES JR., LOBREGAT,
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VALDEZ, BENGSON III, VERGARA, PADILLA, LAGMAN,
TANJUATCO JR., CARLOTO, TEVES, ROXAS, ALFELOR, SAN
BUENAVENTURA, ZARRAGA, ACUÑA, PAYUMO, AQUINO (H.),
GARCIA (E.), DUAVIT, FUENTEBELLA, CAPPLEMAN, DY JR.,
OCAMPO, MARCOS, AUMENTADO, DEL MAR, RODRIGUEZ,
RESPICIO, ALMENDRAS JR., VILLAROSA, CRUZ-DUCUT,
MONTEMAYOR, RUIZ, CALALAY, AND DEJON SR.

AN ACT AMENDING REPUBLIC ACT NO. 6975, OTHERWISE
KNOWN AS THE "DEPARTMENT OF THE INTERIOR
AND LOCAL GOVERNMENT ACT OF 1990," AND FOR
OTHER PURPOSES

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

SECTION 1. Section 7 of Republic Act No. 6975, otherwise known as the "Department of the Interior and Local Government Act of 1990," is hereby amended to read as follows:

"SEC. 7. *Department Proper*. - The Department Proper shall consist of the existing staff services as provided for under Executive Order No. 262 and the following offices:

"(a) *Office of the Secretary* - The Office of the Secretary shall consist of the Secretary and his immediate staff;[and]

"(b) *Office of the Undersecretaries and Assistant Secretaries* - The Secretary shall be assisted by [two (2)] **THREE (3)** Undersecretaries, one (1) for local government, **ONE (1) FOR MANAGEMENT SERVICES**, and the other for [peace and order] **PUBLIC SAFETY**, at least one of whom must belong to the career executive service, and [three (3)] **FOUR (4)** Career Assistant Secretaries, **AT LEAST TWO (2) OF WHOM ARE CAREER EXECUTIVES**[.]; AND

(C) OFFICE OF THE ASSISTANT DIRECTORS - **EACH OF THE STAFF SERVICES SHALL BE HEADED BY A DIRECTOR TO BE ASSISTED BY AN ASSISTANT DIRECTOR.**

SEC. 2. Section 11 of the same Act is hereby amended to read as follows:

1 “SEC. 11. *Regional Offices.* - The Department shall establish,
2 operate and maintain a regional office in each of the administrative
3 regions of the country to implement the policies and programs of the
4 Department. Each regional office shall be headed by a regional
5 director to be assisted by [two (2) assistant regional directors: one (1)
6 for jail management and penology and another for fire protection in
7 addition to the present assistant regional directors of the Department
8 of Local Government] **AN ASSISTANT REGIONAL DIRECTOR.**

9 SEC. 3. Section 13 of the same Act is hereby amended to read as
10 follows:

11 “SEC. 13. *Creation and Composition.* - A National Police
12 Commission, hereinafter referred to as the Commission, is hereby
13 created for the purpose of effectively discharging the functions
14 prescribed in the Constitution and provided in this Act. The
15 Commission shall be a collegial body within the Department. It shall
16 be composed of a Chairman and four (4) regular commissioners[, one
17 (1) of whom shall be designated as Vice-Chairman by the President].
18 The Secretary of the Department shall be the *ex-officio* Chairman [of
19 the Commission while the Vice-Chairman] **AND** shall act as the
20 executive officer of the Commission.”

21 **AS EXECUTIVE OFFICER OF THE COMMISSION, THE CHAIRMAN**
22 **SHALL HAVE THE FOLLOWING POWERS AND DUTIES:**

1 (A) SUPERVISE, DIRECT AND COORDINATE THE OVERALL
2 OPERATIONS OF THE COMMISSION;

3 (B) PREPARE AND SUBMIT PERIODIC REPORTS AND OTHER
4 SPECIAL REPORTS OF THE COMMISSION AS MAY BE REQUIRED FROM
5 TIME TO TIME BY THE PRESIDENT OR CONGRESS; AND

6 (C) IMPLEMENT AND/OR EXECUTE THE POLICIES, DIRECTIVES,
7 PROGRAMS AND PROJECTS FORMULATED AND ADOPTED BY THE
8 COMMISSION.

9 SEC. 4. Section 14 of the same Act is hereby amended to read as
10 follows:

11 "SEC. 14. *Powers and Functions of the Commission.* - The
12 Commission shall exercise the following powers and functions:

13 "(a) Exercise administrative control over the Philippine
14 National Police;

15 "(b) Advise the President on all matters involving police
16 functions and administration;

17 "(c) Foster and develop policies and promulgate rules and
18 regulations, standards and procedures to improve police services based
19 on sound professional concepts and principles;

20 "(d) Examine and audit, and thereafter establish the standards
21 for such purposes on a continuing basis, the performance, activities,
22 and facilities of all police agencies throughout the country;

1 “(e) Prepare a police manual prescribing rules and regulations
2 for efficient organization, administration, and operation, including
3 recruitment, selection, promotion and retirement;

4 “(f) Establish a system of uniform crime reporting;

5 “(g) Conduct surveys and compile statistical data for the proper
6 evaluation of the efficiency and effectiveness of all police units in the
7 country;

8 “(h) Render to the President and to Congress an annual report
9 on its activities and accomplishments during the thirty (30) days after
10 the end of the calendar year, which shall include an appraisal of the
11 conditions obtaining in the organization and administration of police
12 agencies in the municipalities, cities and provinces throughout the
13 country, and recommendations for appropriate remedial legislation;

14 “(i) Approve or modify plans and programs on education and
15 training, logistical requirements, communications, records,
16 information systems, crime laboratory, crime prevention and crime
17 reporting;

18 “(j) Affirm, reverse or modify, through the National Appellate
19 Board, personnel disciplinary actions involving demotion or dismissal
20 from the service imposed upon members of the Philippine National
21 Police by the Chief of the Philippine National Police;

1 “(k) Exercise appellate jurisdiction through the regional
2 appellate boards over administrative cases against policemen and over
3 decisions on claims for police benefits;

4 “(l) Recommend to the President, through the Secretary, within
5 sixty (60) days before the commencement of each calendar year, a
6 crime prevention program;

7 “(m) Prescribe minimum standards for arms, equipment, and
8 uniforms and, after consultation with the Philippine Heraldry
9 Commission, for insignia of ranks, awards and medals of honor;

10 “(n) Issue *subpoena* and *subpoena duces tecum* in matter
11 pertaining to the discharge of its own powers and duties, and designate
12 who among its personnel can issue such processes and administer
13 oaths in connection therewith; [and]

14 “(o) Perform such other functions necessary to carry out the
15 provisions of this Act and as the President may direct[.]” AND;

16 **(P) MONITOR AND INVESTIGATE POLICE ANOMALIES AND**
17 **IRREGULARITIES.**

18 SEC. 5. Section 20 of the same Act is hereby amended to read as
19 follows:

20 “SEC. 20. *Organizational Structure.* - The Commission shall
21 consist of the following units:

1 “(a) *Commission Proper* - This is composed of the offices of the
2 Chairman and the four (4) commissioners.

3 “(b) *Staff Services* - The staff services of the Commission shall
4 be as follows:

5 “(1) The Planning and Research Service, which shall provide
6 technical services to the Commission in areas of overall policy
7 formulation, strategic and operational planning, management systems
8 or procedures, evaluation and monitoring of the Commission’s
9 programs, projects and internal operations; and shall conduct thorough
10 research and analysis on social and economic conditions affecting
11 peace and order in the country;

12 “(2) The Legal Affairs Service, which shall provide the
13 Commission with efficient and effective service as legal counsel of the
14 Commission; draft or study contracts affecting the Commission and
15 submit appropriate recommendations pertaining thereto; and render
16 legal opinions arising from the administration and operation of the
17 Philippine National Police and the Commission;

18 “(3) The Crime Prevention and Coordination Service, which
19 shall undertake criminological researches and studies; formulate a
20 national crime prevention plan; develop a crime prevention and
21 information program and provide editorial direction for all
22 criminology research and crime prevention publications;

1 “(4) The **PERSONNEL AND Administrative Service**, which shall
2 [provide the Commission with assistance on budgetary and financial
3 matters;] **PERFORM PERSONNEL FUNCTIONS FOR THE COMMISSION,**
4 **ADMINISTER THE ENTRANCE AND PROMOTIONAL EXAMINATIONS FOR**
5 **POLICEMEN**, provide the necessary services relating to records,
6 correspondence, supplies, property and equipment, security and
7 general services, and the maintenance and utilization of facilities; and
8 provide services relating to manpower, career planning and
9 development, personnel transactions and employee welfare;

10 “(5) The **Inspection, [and] Monitoring AND INVESTIGATION**
11 **Service**, which shall conduct continuous inspection and management
12 audit of personnel, facilities and operations at all levels of command of
13 the PNP, [and shall] monitor the implementation of the Commission's
14 programs and projects relative to law enforcement; and **MONITOR AND**
15 **INVESTIGATE POLICE ANOMALIES AND IRREGULARITIES;**

16 “(6) The **Installations and Logistics Service**, which shall review
17 the Commission's plans and programs and formulate policies and
18 procedures regarding acquisition, inventory, control, distribution,
19 maintenance and disposal of supplies and shall oversee the
20 implementation of programs on transportation facilities and
21 installations and the procurement and maintenance of supplies and
22 equipment; **AND**

(7) THE FINANCIAL SERVICE, WHICH SHALL PROVIDE THE COMMISSION WITH STAFF ADVICE AND ASSISTANCE ON BUDGETARY AND FINANCIAL MATTERS, INCLUDING THE OVERSEEING OF THE PROCESSING AND DISBURSEMENT OF FUNDS PERTAINING TO THE SCHOLARSHIP PROGRAM FOR SURVIVING CHILDREN OF DECEASED AND/OR PERMANENTLY INCAPACITATED PNP PERSONNEL.

“(c) *Disciplinary Appellate Boards* - The Commission shall establish a formal administrative disciplinary appellate machinery consisting of the National Appellate Board and the regional appellate boards.

“The National Appellate Board shall decide cases on appeal from decisions rendered by the PNP chief, while the regional appellate boards shall decide cases on appeal from decisions rendered by officers other than the PNP chief, the mayor, and the People’s Law Enforcement Board (PLEB) created hereunder.”

SEC. 6. Section 26 of the same Act is hereby amended to read as follows:

“SEC. 26. *Powers, Functions and Term of Office of the PNP Chief*. - The command and direction of the PNP shall be vested in the Chief of the PNP who shall have the power to direct and control tactical as well as strategic movements, deployment, placement, utilization of the PNP or any of its units and personnel, including its equipment, facilities and other resources. Such command and direction

1 of the Chief of the PNP may be delegated to subordinate officials with
2 respect to the units under their respective commands, in accordance
3 with the rules and regulations prescribed by the Commission. The
4 Chief of the PNP shall also have the power to issue detailed
5 implementing policies and instructions regarding personnel, funds,
6 properties, records, correspondence and such other matters as may be
7 necessary to effectively carry out the functions, powers and duties of
8 the Bureau. The Chief of the PNP shall be appointed by the President
9 from among the senior officers down to the rank of chief
10 superintendent, subject to confirmation by the Commission on
11 Appointments: *Provided*, That the Chief of the PNP shall serve a term
12 of office not to exceed four (4) years UNLESS HE IS RELIEVED AND/OR
13 REASSIGNED FOR CAUSE: *Provided, further*, That in times of war or
14 other national emergency declared by Congress, the President may
15 extend such term of office.”

16 SEC. 7. Section 30 of the same Act is hereby amended to read as
17 follows:

18 “SEC. 30. *General Qualifications for Appointment.* - No person
19 shall be appointed as officer or member of the PNP unless he possesses
20 the following minimum qualifications:

21 “(a) A citizen of the Philippines;

22 “(b) A person of good moral conduct;

1 “(c) Of sound mind and body;

2 “(d) Must possess a formal baccalaureate degree for
3 appointment as officer and must have finished at least second year
4 college or the equivalent of seventy-two (72) collegiate units for
5 appointment as non-officer or an equivalent training or experience for
6 those already in the service upon the effectivity of this Act[;];

7 ***PROVIDED, THAT IN THE APPOINTMENT FOR NON-OFFICERS, COLLEGE***
8 ***GRADUATES SHALL BE GIVEN PREFERENCE;***

9 “(e) Must be eligible in accordance with the standards set by the
10 Commission;

11 “(f) Must not have been dishonorably discharged from military
12 employment or dismissed for cause from any civilian position in the
13 Government;

14 “(g) Must not have been convicted by final judgment of an
15 offense or crime involving moral turpitude;

16 “(h) Must be at least one meter and sixty-two centimeters (1.62
17 m.) in height for male and one meter and fifty-seven centimeters (1.57
18 m.) for female;

19 “(i) Must weigh not more or less than five kilograms (5 kg.) of
20 the standard weight corresponding to his or her height, age, and sex;
21 and

1 “(j) For a new applicant, must not be less than twenty-one (21)
2 nor more than thirty (30) years of age[.]: *PROVIDED, HOWEVER, THAT*
3 *THE HEIGHT AND AGE REQUIREMENTS AS PRESCRIBED ABOVE, MAY BE*
4 *WAIVED IN THE EXIGENCY OF THE SERVICE IN ACCORDANCE WITH*
5 *THE RULES AND REGULATIONS TO BE PROMULGATED BY THE*
6 *NATIONAL POLICE COMMISSION;*

7 **(K) MUST HAVE PASSED THE APPROPRIATE PSYCHIATRIC AND**
8 **DRUG TESTS ADMINISTERED BY THE PNP;**

9 **(L) A PERSON ACKNOWLEDGED AND/OR RECOGNIZED AS A**
10 **LAW-ABIDING CITIZEN;**

11 **(M) MUST NOT BE AN ALCOHOLIC; AND**

12 **(N) MUST HAVE NO PENDING ADMINISTRATIVE OR CRIMINAL**
13 **CASE OR HAVE NOT BEEN ADJUDGED LIABLE OR CONVICTED OF ANY**
14 **CRIME PENDING APPEAL.**

15 The above Section 30 as amended is hereby transferred to
16 Chapter VII, Common Provisions for Uniformed Personnel - of
17 Republic Act No. 6975.

18 SEC. 8. Section 31 of the same Act is hereby amended to read as
19 follows:

20 “SEC. 31. *Appointment of PNP Officers and Members.* - The
21 appointment of the officers and members of the PNP shall be effected
22 in the following manner:

1 “(a) *Police Officer I to Senior Police Officer IV* - Appointed by
2 the PNP regional director for regional personnel or by the Chief of the
3 PNP for the national headquarters personnel and attested by the Civil
4 Service Commission;

5 “(b) *Inspector to Superintendent* - Appointed by the Chief of the
6 PNP, as recommended by their immediate superiors, and attested by
7 the Civil Service Commission;

8 “(c) *Senior Superintendent to Deputy Director General* -
9 Appointed by the President upon recommendation of the Chief of the
10 PNP, with proper endorsement by the Chairman of the Civil Service
11 Commission [and subject to confirmation by the Commission on
12 Appointments]; and

13 “(d) *Director General* - Appointed by the President from among
14 the senior officers down to the rank of chief superintendent in the
15 service, [subject to confirmation by the Commission on Appointments]

16 **UPON RECOMMENDATION OF THE NATIONAL POLICE COMMISSION:**

17 *Provided*, That the Chief of the PNP shall serve a tour of duty not to
18 exceed four (4) years, **UNLESS HE IS RELIEVED AND/OR REASSIGNED**
19 **FOR CAUSE: *Provided, further***, That, in times of war or other national
20 emergency declared by Congress, the President may extend such tour
21 of duty.”

1 SEC. 9. Section 32 of the same Act is hereby amended to read as
2 follows:

3 “SEC. 32. *Examinations of Policemen.* - The [Civil Service
4 Commission] NATIONAL POLICE COMMISSION shall administer the
5 [qualifying] entrance AND PROMOTIONAL examinations for policemen
6 on the basis of the standards set by the [NAPOLCOM] COMMISSION:
7 *PROVIDED, THAT GRADUATES OF CRIMINOLOGY FROM ANY*
8 *ACCREDITED PHILIPPINE SCHOOL OF CRIMINOLOGY SHALL BE*
9 *ALLOWED TO ENLIST OR BE APPOINTED AS MEMBERS OF THE*
10 *PHILIPPINE NATIONAL POLICE WITH A RANK OF AT LEAST POLICE*
11 *OFFICER I WITHOUT THE NEED OF TAKING THE QUALIFYING*
12 *EXAMINATION.”*

13 SEC. 10. Section 33 of the same Act is hereby amended to read
14 as follows:

15 “SEC. 33. *Lateral Entry of Officers into the PNP, BUREAU OF*
16 *FIRE PROTECTION (BFP) AND BUREAU OF JAIL MANAGEMENT AND*
17 *PENOLOGY (BJMP).* - In general, all original appointments of
18 commissioned officers in the PNP/BFP/BJMP shall commence with
19 the rank of inspector, to include all those highly technical
20 qualifications applying for the PNP technical services, such as
21 [dentists, optometrists, nurses, engineers, and graduates of forensic
22 sciences.] THOSE WHO OBTAINED A BACCALAUREATE DEGREE OF NOT
23 LESS THAN FOUR (4) YEARS NOR MORE THAN FIVE (5) YEARS: [Doctors

of medicine, members of the Bar, and chaplains] *PROVIDED, THAT,*
THOSE WHO OBTAINED A BACCALAUREATE DEGREE OF MORE THAN
FIVE (5) YEARS shall be appointed to the rank of senior inspector in
their particular technical service: *PROVIDED, FURTHER, THAT IN ALL*
CASES THEY SHALL HAVE PASSED THE REQUIRED EXAMINATIONS
WHICH SHALL ENTITLE THEM TO PRACTICE THEIR RESPECTIVE
PROFESSIONS. Graduates of the Philippine National Police Academy
(PNPA), AND OF THE BACHELOR OF SCIENCE IN PUBLIC SAFETY
(BSPS) IN-SERVICE PROGRAM shall be automatically appointed to the
initial rank of inspector to fill up any vacancy after promotions from
the ranks are completed.

“Licensed criminologists AND RESERVE OFFICERS WHO ARE
ALREADY IN THE BJMP AND BFP [may] SHALL be appointed to the
rank of inspector to fill up any vacancy after promotions from the
ranks are completed.”

MEMBERS OF THE PNP/BFP/BJMP WHO HAVE COMPLETED
AND HAVE BEEN CONFERRED THE MASTERAL DEGREE FOR COURSES
ACCREDITED BY THE CIVIL SERVICE COMMISSION SHALL BE GIVEN
PREFERENCE FOR APPOINTMENT TO THE RANK OF INSPECTOR.

The above Section 33 as amended is hereby transferred to
Chapter VII, Common Provisions for Uniformed Personnel - of
Republic Act No. 6975.

1 SEC. 11. Section 35 of the same Act is hereby amended to read
2 as follows:

3 "SEC. 35. *NATIONAL Support Units.* - The PNP shall be
4 supported by administrative and operational support units. The
5 administrative support units shall consist of the [Crime Laboratory,]
6 Logistics Unit, Communications Unit, Computer Center, Finance
7 Center, [and Civil Security Unit], MEDICAL CENTER, DENTAL
8 CENTER, LEGAL AFFAIRS UNIT, GENERAL AFFAIRS, CHAPLAIN
9 SERVICE, ENGINEERING SERVICE, AND POLICE TRAINING UNIT. The
10 operational support units shall be composed of the Maritime Police
11 Unit, [Police Intelligence Unit,] Police Security Unit, Criminal
12 Investigation Unit, Special Action Force, [Narcotics Unit,] Aviation
13 Security Unit, [Traffic Management Unit,] THE ENVIRONMENTAL
14 PROTECTION UNIT, [the Medical and Dental Centers and] the Civil
15 Relations Unit[.], CRIME LABORATORY UNIT AND CIVIL SECURITY
16 UNIT. To enhance police operational efficiency and effectiveness, the
17 Chief of the PNP may constitute such [other support units as may be
18 necessary subject to the approval of the Commission: *Provided*, That
19 no support unit headed by a chief superintendent or a higher rank can
20 be created unless provided by law] UNITS AS MAY BE NECESSARY TO
21 ADDRESS A PARTICULAR CONTINGENCY OR TO FURTHER THE
22 MANDATED FUNCTIONS AND PURPOSES OF THE ORGANIZATION. THE

1 PNP CHIEF MAY ALSO DISSOLVE AND MERGE UNITS WITH
2 OVERLAPPING FUNCTIONS.

3 “(a) *Administrative Support Units - [(1) Crime Laboratory.*

4 There shall be established a central Crime Laboratory to be headed by
5 a Director with the rank of chief superintendent, which shall provide
6 scientific and technical investigative aid and support to the PNP and
7 other government investigative agencies.

8 “It shall also provide crime laboratory examination, evaluation
9 and identification of physical evidences involved in crimes with
10 primary emphasis on their medical, chemical, biological and physical
11 nature.

12 “There shall likewise be established regional and city crime
13 laboratories as may be necessary in all regions and cities of the
14 country.]

15 “[(2)](1) *Logistics Unit.* Headed by a Director with the rank of
16 chief superintendent, the Logistics Unit shall be responsible for the
17 procurement, distribution and management of all the logistical
18 requirements of the PNP including firearms and ammunition.

19 “[(3)](2) *Communications Unit.* Headed by a Director with the
20 rank of chief superintendent, the Communications Unit shall be
21 responsible for establishing an effective police communications
22 network.

1 “[(4)](3) *Computer Center*. Headed by a Director with the
2 rank of chief superintendent, the Computer Center shall be responsible
3 for the design, implementation and maintenance of a database system
4 for the PNP.

5 “[(5)](4) *Finance Center*. Headed by a Director with the rank
6 of chief superintendent, the Finance Center shall be responsible for
7 providing finance services to the PNP.

8 [“(6) *Civil Security Unit*. Headed by a Director with the rank of
9 chief superintendent, the Civil Security Unit shall provide
10 administrative services and general supervision over the organization,
11 business operation and activities of all organized private detectives,
12 watchmen, security guard agencies and company guard forces.

13 “The unit shall likewise supervise the licensing and registration
14 of firearms and explosives.

15 “The approval of applications for licenses to operate private
16 security agencies, as well as the issuance of licenses to security guards
17 and the licensing of firearms and explosives, shall be decentralized to
18 the PNP regional offices.]

19 (5) *MEDICAL CENTER*. HEADED BY A DIRECTOR WITH THE
20 RANK OF CHIEF SUPERINTENDENT, THE MEDICAL CENTER SHALL BE
21 RESPONSIBLE FOR PROVIDING MEDICAL SERVICES FOR THE PNP.

1 **(6) DENTAL CENTER.** HEADED BY A DIRECTOR WITH THE RANK
2 OF CHIEF SUPERINTENDENT, THE DENTAL CENTER SHALL BE
3 RESPONSIBLE FOR PROVIDING DENTAL SERVICES FOR THE PNP.

4 **(7) LEGAL AFFAIRS UNIT.** HEADED BY A DIRECTOR WITH THE
5 RANK OF CHIEF SUPERINTENDENT, THE LEGAL AFFAIRS UNIT SHALL
6 SERVE AS LEGAL COUNSEL FOR THE PNP, DRAFT OR STUDY
7 CONTRACTS AFFECTING THE PNP AND SUBMIT APPROPRIATE
8 RECOMMENDATIONS PERTAINING THERETO, RENDER LEGAL OPINION
9 ARISING FROM THE ADMINISTRATION AND OPERATION OF THE PNP,
10 AND PROVIDE LEGAL ASSISTANCE AND ADVISE TO PNP PERSONNEL.

11 **(8) GENERAL SERVICES UNIT.** HEADED BY A DIRECTOR WITH
12 THE RANK OF CHIEF SUPERINTENDENT, THE GENERAL SERVICES UNIT
13 SHALL BE RESPONSIBLE FOR THE MANAGEMENT AND MAINTENANCE
14 OF THE FACILITIES OF THE GENERAL HEADQUARTERS OF THE PNP
15 AND PERFORM GENERAL HOUSEKEEPING ACTIVITIES.

16 **(9) CHAPLAIN SERVICE.** HEADED BY A DIRECTOR WITH THE
17 RANK OF CHIEF SUPERINTENDENT, THE CHAPLAIN SERVICE SHALL BE
18 RESPONSIBLE FOR PROVIDING SPIRITUAL SERVICES FOR THE PNP.

19 **(10) ENGINEERING SERVICE.** HEADED BY A DIRECTOR WITH
20 THE RANK OF CHIEF SUPERINTENDENT, THE ENGINEERING SERVICE
21 SHALL BE RESPONSIBLE FOR PROVIDING ENGINEERING WORKS FOR
22 THE PNP.

1 **(11) POLICE TRAINING UNIT. HEADED BY A DIRECTOR WITH**
2 **THE RANK OF CHIEF SUPERINTENDENT, THE POLICE TRAINING UNIT**
3 **SHALL CONDUCT JOB ENRICHMENT AND SPECIALIZATION COURSES**
4 **FOR THE PNP PERSONNEL.**

5 “(b) *Operational Support Units. - (1) Maritime Police Unit.*
6 Headed by a Director with the rank of chief superintendent, the
7 Maritime Police Unit shall perform all police functions over Philippine
8 territorial waters and rivers.

9 [“(2) *Police Intelligence Unit.* Headed by a Director with the
10 rank of chief superintendent, the Police Intelligence Unit shall serve as
11 the intelligence and counterintelligence operating unit of the PNP.]

12 “[(3)](2) *Police Security Unit.* Headed by a Director with the
13 rank of chief superintendent, the Police Security Unit shall provide
14 security for government officials, visiting dignitaries and private
15 individuals authorized to be given protection.

16 “[(4)](3) *Criminal Investigation Unit.* Headed by a Director
17 with the rank of chief superintendent, the Criminal Investigation Unit
18 shall undertake the monitoring, investigation and prosecution of all
19 crimes involving economic sabotage, and other crimes of such
20 magnitude and extent as to indicate their commission by highly placed
21 or professional criminal syndicates and organizations.

1 "This unit shall likewise investigate all major cases involving
2 violations of the Revised Penal Code and operate against organized
3 crime groups, unless the President assigns the case exclusively to the
4 National Bureau of Investigation (NBI).

5 "[~~(5)~~](4) *Special Action Force*. Headed by a Director with the
6 rank of chief superintendent, the Special Action Force shall function
7 as a mobile strike force or reaction unit to augment regional,
8 provincial, municipal and city police forces for civil disturbance
9 control, counterinsurgency, hostage-taking rescue operations, and
10 other special operations.

11 [“(6) *Narcotics Unit*. Headed by a Director with the rank of
12 chief superintendent, the Narcotics Unit shall enforce all laws relative
13 to the protection of the citizenry against dangerous and other
14 prohibited drugs and substances.]

15 “[~~(7)~~](5) *Aviation Security Unit*. Headed by a Director with the
16 rank of chief superintendent, the Aviation Security Unit, in
17 coordination with airport authorities, shall secure all the country’s
18 airports against offensive and terroristic acts that threaten civil
19 aviation, exercise operational control and supervision over all agencies
20 involved in airport security operation, and enforce all laws and
21 regulations relative to air travel protection and safety.

1 ["(8) *Traffic Management Unit*. Headed by a Director with the
2 rank of chief superintendent, the Traffic Management Unit shall
3 enforce traffic laws and regulations.]

4 [" (9) *Medical and Dental Centers*. Headed by a Director with
5 the rank of chief superintendent, the Medical and Dental Centers shall
6 be responsible for providing medical and dental services for the PNP.]

7 "[(10)](6) *Civil Relations Unit*. Headed by a Director with the
8 rank of chief superintendent, the Civil Relations Unit shall implement
9 plans and programs that will promote community and citizens'
10 participation in the maintenance of peace and order and public safety."

11 (7) *ENVIRONMENTAL PROTECTION UNIT*. HEADED BY A
12 DIRECTOR WITH THE RANK OF CHIEF SUPERINTENDENT, THE
13 ENVIRONMENTAL PROTECTION UNIT SHALL ENFORCE LAWS AND
14 ORDINANCES ON ENVIRONMENTAL PROTECTION, CONSERVATION,
15 UTILIZATION, POLLUTION AND OTHER RELATED ISSUANCES
16 INVOLVING NATURAL RESOURCES.

17 (8) *CRIME LABORATORY UNIT*. HEADED BY A DIRECTOR, WITH
18 THE RANK OF CHIEF SUPERINTENDENT, THE CRIME LABORATORY
19 UNIT SHALL BE RESPONSIBLE FOR PROVIDING CRIME LABORATORY
20 SERVICES FOR THE PNP AND SHALL ACT AS CUSTODIAN OF PERTINENT
21 EVIDENCES OF CASES REFERRED.

1 **(9) CIVIL SECURITY UNIT. HEADED BY A DIRECTOR WITH THE**
2 **RANK OF CHIEF SUPERINTENDENT, THE CIVIL SECURITY UNIT SHALL**
3 **BE RESPONSIBLE FOR ALL CIVIL SECURITY OPERATIONS OF THE PNP.**

4 SEC. 12. Section 36 of the same Act is hereby amended to read
5 as follows:

6 “SEC. 36. *Status of Members of the Philippine National Police.*

7 - The members of the PNP shall be considered employees of the
8 National Government and shall draw their salaries therefrom:
9 *Provided, That* PNP members [assigned in Metropolitan Manila,
10 chartered cities and first class municipalities] may be paid an
11 additional monthly allowance by the local government unit
12 concerned.”

13 SEC. 13. Section 38(b) of the same Act is hereby amended to
14 read as follows:

15 “(b) Special promotion OR INCENTIVES may be extended to any
16 member of the PNP for acts of conspicuous courage and gallantry at
17 the risk of his life above and beyond the call of duty, or selected as
18 such in a nationwide search conducted by the PNP or any accredited
19 civic organization.”

20 SEC. 14. Section 39 of the same Act is hereby amended to read
21 as follows:

1 "SEC. 39. *Compulsory Retirement.* - Compulsory retirement for
2 officer and non-officer shall be upon the attainment of age fifty-six
3 (56): *PROVIDED, HOWEVER, THAT THOSE WHO ARE APPOINTED TO,*
4 *AND PERMANENTLY ASSIGNED WITH, THE CHAPLAIN SERVICE,*
5 *MEDICAL AND DENTAL SERVICE AND SUCH OTHER TECHNICAL*
6 *SERVICES BY REASON OF THEIR RESPECTIVE HIGHLY TECHNICAL*
7 *QUALIFICATIONS, MAY BE EXTENDED UP TO AGE SIXTY (60): Provided,*
8 *FINALLY, That in case of any officer with the rank of chief*
9 *superintendent AND ABOVE, the PRESIDENT [director or deputy director*
10 *general, the Commission] may allow his retention in the service for an*
11 *unextendible period of one (1) year."*

12 SEC. 15. Section 40 of the Same Act is hereby amended to read
13 as follows:

14 "SEC. 40. *Optional Retirement.* - Upon accumulation of at least
15 twenty (20) years of satisfactory active service, an officer or non-
16 officer, at his own request and with the approval of the Commission IN
17 THE CASE OF PNP PERSONNEL OR OF THE UNDERSECRETARY FOR
18 PUBLIC SAFETY IN THE CASE OF BFP AND BJMP PERSONNEL, shall be
19 retired from the service and entitled to receive benefits provided for by
20 law: *PROVIDED, HOWEVER, THAT IN THE EXIGENCY OF THE SERVICE*
21 *AND ON THE BASIS OF SUCH FACTORS AS: (A) SERVICE REPUTATION,*
22 *(B) PHYSICAL AND OR MENTAL CAPACITY TO SUBSTANTIALLY*

1 PERFORM POLICE, JAIL OR FIRE FUNCTIONS AND DUTIES, (C) SERVICE
2 PERFORMANCE FOR THE LAST THREE (3) YEARS; OR (D) EFFICIENCY,
3 A UNIFORMED PERSONNEL WHO HAS ACCUMULATED AT LEAST
4 TWENTY (20) YEARS OF ACTIVE SERVICE MAY BE INVOLUNTARILY
5 RETIRED, WITH BENEFITS UPON RECOMMENDATION OF THE CHIEF OF
6 THE BUREAU AND UPON APPROVAL OF THE COMMISSION IN THE CASE
7 OF PNP PERSONNEL OR UNDERSECRETARY FOR PUBLIC SAFETY IN
8 THE CASE OF BJMP AND BFP PERSONNEL.”

9 The above Sections 39 and 40 as amended are hereby
10 transferred to Chapter VII, Common Provisions For Uniformed
11 Personnel - of Republic Act No. 6975.

12 SEC. 16. Section 41 of the same Act is hereby amended to read
13 as follows:

14 “SEC. 41. (a) *Citizen's Complaints.* - Any complaint by [an
15 individual] A NATURAL OR JURIDICAL person against any member of
16 the PNP shall be brought before the following:

17 “(1) Chiefs of police, where the offense is punishable by
18 withholding of privileges, restriction to specified limits, suspension or
19 forfeiture of salary, or any combination thereof, for a period not
20 exceeding fifteen (15) days;

21 “(2) Mayors of cities or municipalities, where the offense is
22 punishable by withholding of privileges, restriction to specified limits,
23 suspension or forfeiture of salary, or any combination thereof, for a

1 period of not less than sixteen (16) days but not exceeding thirty (30)
2 days;

3 “(3) People’s Law Enforcement Board, as created under Section
4 43 hereof, where the offense is punishable by withholding of
5 privileges, restriction to specified limits, suspension or forfeiture of
6 salary, or any combination thereof, for a period exceeding thirty (30)
7 days; or by dismissal.

8 “The Commission shall provide in its implementing rules and
9 regulations a scale of penalties to be imposed upon any member of the
10 PNP under this section.

11 “(b) *Internal Discipline.* - On dealing with minor offenses
12 involving internal discipline found to have been committed by any
13 regular member of their respective commands, the duly designated
14 supervisors and equivalent officers of the PNP shall, after due notice
15 and summary hearing, exercise disciplinary powers as follows:

16 “(1) Chiefs of police or equivalent supervisors may summarily
17 impose the administrative punishment of admonition or reprimand;
18 restriction to specified limits; withholding of privileges; forfeiture of
19 salary or suspension; or any of the combination of the foregoing:
20 *Provided, That, in all cases, the total period shall not exceed fifteen*
21 *(15) days;*

1 “(2) Provincial directors or equivalent supervisors may
2 summarily impose administrative punishment of admonition or
3 reprimand; [restriction to specified limits] RESTRICTIVE CUSTODY OR
4 DETENTION; withholding of privileges; forfeiture of salary or
5 suspension; or any combination of the foregoing: *Provided, That, in*
6 all cases, the total period shall not exceed thirty (30) days;

7 “(3) Police regional directors or equivalent supervisors shall
8 have the power to impose upon any member the disciplinary
9 punishment of dismissal from the service. He may also impose the
10 administrative punishment of admonition or reprimand; [restriction
11 specified limits] RESTRICTIVE CUSTODY OR DETENTION; withholding
12 of privileges; suspension or forfeiture of salary; demotion; or any
13 combination of the foregoing: *Provided, That, in all cases, the total*
14 period shall not exceed sixty (60) days;

15 “(4) The Chief of the PNP, WHO WILL BE THE SOLE
16 DISCIPLINARY AUTHORITY OVER ADMINISTRATIVE OFFENSES
17 COMMITTED BY POLICE PERSONNEL WITH THE RANK OF INSPECTOR
18 UP TO SUPERINTENDENT, shall have the power to impose the
19 disciplinary punishment of dismissal from the service; suspension or
20 forfeiture of salary; or any combination thereof for a period not
21 exceeding one hundred eighty (180) days[.]: *PROVIDED, FURTHER,*
22 THAT THE CHIEF OF THE PNP SHALL HAVE THE AUTHORITY TO
23 PLACE POLICE PERSONNEL UNDER RESTRICTIVE CUSTODY OR

1 DETENTION DURING THE PENDENCY OF A GRAVE ADMINISTRATIVE
2 CASE FILED AGAINST HIM OR EVEN AFTER THE FILING OF A CRIMINAL
3 COMPLAINT, GRAVE IN NATURE, AGAINST SUCH POLICE PERSONNEL.

4 “(c) *Exclusive Jurisdiction.* - A complaint or a charge filed
5 against a PNP member shall be heard and decided exclusively by the
6 disciplining authority who has acquired original jurisdiction over the
7 case and notwithstanding the existence of concurrent jurisdiction as
8 regards the offense: *Provided,* That offenses which carry higher
9 penalties referred to a disciplining authority shall be referred to the
10 appropriate authority which has jurisdiction over the offense.

11 “For purposes of this Act, a ‘minor offense’ shall refer to an act
12 or omission not involving moral turpitude, but affecting the internal
13 discipline of the PNP, and shall include, but not be limited to:

14 “(1) Simple misconduct or negligence;

15 “(2) Insubordination;

16 “(3) Frequent absences or tardiness;

17 “(4) Habitual drunkenness; and

18 “(5) Gambling prohibited by law.”

19 (D) *FORUM SHOPPING OR MULTIPLE FILING OF COMPLAINTS.*

20 WHEN AN ADMINISTRATIVE COMPLAINT IS FILED WITH A POLICE
21 DISCIPLINARY AUTHORITY, SUCH AS THE PEOPLE'S LAW
22 ENFORCEMENT BOARD (PLEB), NO OTHER CASE INVOLVING THE

1 SAME CAUSE OF ACTIONS SHALL BE FILED WITH ANY OTHER
2 DISCIPLINARY AUTHORITY.

3 IN ORDER TO PREVENT FORUM SHOPPING OR MULTIPLE FILING
4 OF COMPLAINTS, THE COMPLAINANT OR PARTY SEEKING RELIEF IN
5 THE COMPLAINT SHALL CERTIFY UNDER OATH IN SUCH PLEADING, OR
6 IN A SWORN CERTIFICATION ANNEXED THERETO AND
7 SIMULTANEOUSLY FILED THERewith, TO THE TRUTH OF THE
8 FOLLOWING FACTS AND UNDERTAKING:

9 (A) THAT HE HAS NOT HERETOFORE COMMENCED ANY OTHER
10 ACTION OR PROCEEDING INVOLVING THE SAME ISSUES IN OTHER
11 DISCIPLINARY FORUM;

12 (B) THAT TO THE BEST OF HIS KNOWLEDGE, NO SUCH ACTION
13 OR PROCEEDING IS PENDING IN OTHER POLICE ADMINISTRATIVE
14 DISCIPLINARY MACHINERY OR AUTHORITY;

15 (C) THAT IF THERE IS ANY SUCH ACTION OR PROCEEDING
16 WHICH IS EITHER PENDING OR MAY HAVE BEEN TERMINATED, HE
17 MUST STATE THE STATUS THEREOF; AND

18 (D) THAT IF HE SHOULD THEREAFTER LEARN THAT A SIMILAR
19 ACTION OR PROCEEDING HAS BEEN FILED OR IS PENDING BEFORE ANY
20 OTHER POLICE DISCIPLINARY AUTHORITY, HE MUST UNDERTAKE TO
21 REPORT THAT FACT WITHIN FIVE (5) DAYS THEREFROM TO THE
22 DISCIPLINARY AUTHORITY WHERE THE ORIGINAL COMPLAINT OR
23 PLEADING HAS BEEN FILED.

24 SEC. 17. Section 42 of the same Act is hereby amended to read
25 as follows:

1 "SEC. 42. *Summary Dismissal Powers of the NATIONAL POLICE*
2 *COMMISSION, PNP Chief [and], PNP Regional Directors AND*
3 *ADMINISTRATIVE AND OPERATIONAL SUPPORT UNIT DIRECTORS.* - The
4 NATIONAL POLICE COMMISSION, the Chief of the PNP [and], PNP
5 regional directors AND ADMINISTRATIVE AND OPERATIONAL SUPPORT
6 UNITS DIRECTORS, after due notice and summary hearings, may
7 immediately remove or dismiss any respondent PNP member in any of
8 the following cases:

9 "(a) When the charge is serious and the evidence of guilt is
10 strong;

11 "(b) When the respondent is a recidivist or has been repeatedly
12 charged and there are reasonable grounds to believe that he is guilty of
13 the charges; and

14 "(c) When the respondent is guilty of A SERIOUS OFFENSE
15 INVOLVING conduct unbecoming of a police officer."

16 THE COMMISSION MAY DIRECT THE TRANSFER OF CASES FROM
17 ANY SUMMARY DISMISSAL AUTHORITY OR, WHEN THE INTEREST OF
18 EFFICIENT AND EXPEDITIOUS DISPENSATION OF JUSTICE REQUIRES,
19 ASSUME JURISDICTION OVER SUCH CASES: *PROVIDED, THAT ITS*
20 DECISION THEREOF SHALL BE FINAL AND IMMEDIATELY EXECUTORY.

21 ANY MEMBER OR OFFICER OF THE PHILIPPINE NATIONAL
22 POLICE WHO SHALL GO ON ABSENCE-WITHOUT-OFFICIAL LEAVE
23 (AWOL) WITHOUT ANY VALID REASON FOR THIRTY (30) DAYS OR

1 MORE SHALL BE DISMISSED IMMEDIATELY FROM THE SERVICE. HIS
2 ACTIVITIES AND WHEREABOUTS DURING THE PERIOD SHALL BE
3 INVESTIGATED AND IF FOUND TO HAVE COMMITTED A CRIME, HE
4 SHALL BE PROSECUTED ACCORDINGLY.

5 SEC. 18. Section 44 of the same Act is hereby amended to read
6 as follows:

7 "SEC. 44. *Disciplinary Appellate Boards.* - The formal
8 administrative disciplinary machinery for the PNP shall be the
9 National Appellate Board and the regional appellate boards.

10 "The National Appellate Board shall [consist of four (4)
11 divisions, each division composed of a Commissioner as Chairman
12 and two (2) other members] BE COMPOSED OF THE FOUR (4) REGULAR
13 COMMISSIONERS AND SHALL BE CHAIRED BY THE EXECUTIVE
14 OFFICER. The Board shall consider appeals from decisions of the
15 Chief of the PNP.

16 "The National Appellate Board may conduct its hearings or
17 sessions in Metropolitan Manila or any part of the country as it may
18 deem necessary.

19 "There shall be at least one (1) regional appellate board per
20 administrative region in the country to be composed of a senior officer
21 of the regional Commission as Chairman and one (1) representative
22 each from the PNP, and the regional peace and order council as
23 members. It shall consider appeals from decisions of the regional

1 directors, other officials, mayors, and the PLEBs: *Provided*, That the
2 Commission may create additional regional appellate boards as the
3 need arises.”

4 SEC. 19. Section 47 of the same Act is hereby amended to read
5 as follows:

6 “SEC. 47. *Preventive Suspension Pending Criminal Case.* -

7 Upon the filing of a complaint or information sufficient in form and
8 substance against a member of the PNP for grave felonies where the
9 penalty imposed by law is six (6) years and one (1) day or more, the
10 court shall immediately suspend the accused from office [until the case
11 is terminated.] FOR A PERIOD NOT EXCEEDING NINETY (90) DAYS
12 FROM ARRAIGNMENT: *PROVIDED, HOWEVER, THAT IF IT CAN BE*
13 *SHOWN BY EVIDENCE THAT THE ACCUSED IS HARASSING THE*
14 *COMPLAINANT AND/OR WITNESSES, THE COURT MAY ORDER THE*
15 *PREVENTIVE SUSPENSION OF THE ACCUSED PNP MEMBER EVEN IF THE*
16 *CHARGE IS PUNISHABLE BY A PENALTY LOWER THAN SIX (6) YEARS*
17 *AND ONE (1) DAY: PROVIDED, FURTHER, THAT THE PREVENTIVE*
18 *SUSPENSION SHALL NOT BE MORE THAN NINETY (90) DAYS EXCEPT IF*
19 *THE DELAY IN THE DISPOSITION OF THE CASE IS DUE TO THE FAULT,*
20 *NEGLIGENCE OR PETITIONS OF THE RESPONDENT: PROVIDED, FINALLY,*
21 *THAT SUCH PREVENTIVE SUSPENSION MAY BE SOONER LIFTED BY THE*
22 *COURT IN THE EXIGENCY OF THE SERVICE UPON RECOMMENDATION*
23 *OF THE CHIEF, PNP. Such case shall be subject to continuous trial and*

1 shall be terminated within ninety (90) days from arraignment of the
2 accused.”

3 SEC. 20. Section 49 of this same Act is hereby amended to read
4 as follows:

5 “SEC. 49. *Legal Assistance.* - The Secretary of the Department
6 of Justice, the Chairman of the Commission or the Chief of the PNP
7 may authorize lawyers of their respective agencies to provide legal
8 assistance to any member of the PNP who is facing before the
9 prosecutor's office, the court or any competent body, a charge or
10 charges arising from any incident which is related to the performance
11 of his official duty: *Provided*, That government lawyers so authorized
12 shall have the power to administer oaths[.]: *PROVIDED, FURTHER,*
13 **THAT IN SUCH CASES, WHEN NECESSARY, AS DETERMINED BY THE**
14 **COMMISSION, A PRIVATE COUNSEL MAY BE PROVIDED AT THE**
15 **EXPENSE OF THE GOVERNMENT.** The Secretary of Justice, the
16 Chairman of the Commission, and the Chief of the PNP shall jointly
17 promulgate rules and regulations to implement the provisions of this
18 Section.”

19 SEC. 21. Section 50 of the same Act is hereby amended to read
20 as follows:

21 “SEC. 50. *Power to Administer Oaths.* - Officials of the
22 Commission who are appointed by the President, as well as officers of

1 the PNP [from] WITH THE RANK OF INSPECTOR [to senior
2 superintendent] OR HIGHER shall have the power to administer oaths
3 on matters which are connected with the performance of their official
4 duties.”

5 The above Section 50 as amended is hereby transferred to
6 Chapter VII Common Provisions for Uniformed Personnel of Republic
7 Act No. 6975.

8 SEC. 22. Section 52 of the same Act is hereby amended to read
9 as follows:

10 “SEC. 52. *Suspension [of Operational Supervision and Control.]*
11 *OR WITHDRAWAL OF DEPUTATION.* - The President may, DIRECTLY OR
12 THRU THE NATIONAL POLICE COMMISSION, [upon] AFTER
13 consultation with the provincial governor and congressman concerned,
14 suspend OR WITHDRAW the [power of operational supervision and
15 control] DEPUTATION of any local executive [over police units assigned
16 or stationed in his jurisdiction] for any of the following grounds:

17 “(a) Frequent unauthorized absences;

18 “(b) Abuse of authority;

19 “(c) Providing material support to criminal elements; or

20 “(d) Engaging in acts inimical to national security or which
21 negate the effectiveness of the peace and order campaign.

1 “Upon good cause shown, the President may, **DIRECTLY OR**
 2 **THRU THE COMMISSION, *motu proprio*** [or upon the recommendation of
 3 the National Police Commission,] restore such [power] **DEPUTATION**
 4 withdrawn from any local executive.”

5 **SEC. 23.** Section 55 of the same Act is hereby amended to read
 6 as follows:

7 “**SEC. 55. *Organization.*** - The Fire Bureau shall be headed by a
 8 **FIRE Chief** who shall be assisted by **ONE (1) deputy FIRE chief [.] AND**
 9 **ONE (1) CHIEF OF THE DIRECTORIAL STAFF, BOTH OF WHOM SHALL BE**
 10 **APPOINTED BY THE PRESIDENT UPON RECOMMENDATION BY THE**
 11 **SECRETARY OF THE DEPARTMENT FROM AMONG THE MOST SENIOR**
 12 **AND QUALIFIED OFFICERS IN THE SERVICE: *PROVIDED, HOWEVER,***
 13 **THAT IN NO CASE SHALL ANY OFFICER WHO HAS RETIRED OR IS**
 14 **RETIRABLE WITHIN SIX (6) MONTHS FROM HIS COMPULSORY**
 15 **RETIREMENT AGE BE APPOINTED AS CHIEF OF THE BFP.**

16 “**[It]THE FIRE BUREAU** shall be composed of a **NATIONAL**
 17 **OFFICE, REGIONAL OFFICES, provincial offices, district offices and city**
 18 **or municipal [stations] offices.”**

19 **AT THE NATIONAL LEVEL, THE FIRE BUREAU SHALL MAINTAIN**
 20 **ITS OFFICE IN METROPOLITAN MANILA WHICH SHALL HOUSE THE**
 21 **DIRECTORIAL STAFF, PERSONAL STAFF AND SPECIAL SUPPORT UNITS.**
 22 **THE DIRECTORIAL STAFF SHALL INITIALLY BE COMPOSED OF THE**
 23 **FOLLOWING DIRECTORATE POSITIONS:**

1 (A) DIRECTORATE FOR ADMINISTRATION;

2 (B) DIRECTORATE FOR LOGISTICS;

3 (C) DIRECTORATE FOR OPERATION;

4 (D) DIRECTORATE FOR COMPTROLLERSHIP; AND

5 (E) DIRECTORATE FOR PLANS AND PROGRAMS.

6 *PROVIDED, THAT THE SECRETARY OF THE DEPARTMENT MAY*
7 *INCREASE THE DIRECTORATE POSITIONS AS THE NEED ARISES SUBJECT*
8 *TO EXISTING LAWS, RULES AND REGULATIONS.*

9 AT THE REGIONAL LEVEL, THE FIRE BUREAU SHALL HAVE
10 REGIONAL OFFICES, INCLUDING THAT OF THE NATIONAL CAPITAL
11 REGION (NCR).

12 AT THE NATIONAL CAPITAL REGION, THE EXISTING DISTRICT
13 OFFICES SHALL BE INCREASED FROM FOUR (4) TO FIVE (5) WITH
14 QUEZON CITY CONSISTING THE FIFTH FIRE DISTRICT.

15 "At the provincial level, there shall be an office of the
16 provincial fire marshal which shall implement the policies, plans and
17 programs of the [Department] FIRE BUREAU; and monitor, evaluate
18 and coordinate the operations and activities of the fire service
19 operating units at the city and municipal levels. [In the case of large
20 provinces, district offices may be established, to be headed by a district
21 fire marshal.]

22 "At the city or municipal level, there shall be a fire station, each
23 headed by a city or municipal fire marshal[: *Provided, That, in the*

1 case of large cities and municipalities, a district office with
2 subordinate fire stations headed by a district fire marshal may be
3 organized as necessary].

4 **DISTRICT OFFICES OTHER THAN THE NATIONAL CAPITAL**
5 **REGION MAY BE CREATED OR ORGANIZED AS THE NEED ARISES AND**
6 **SHALL BE HEADED BY A DISTRICT FIRE MARSHAL.**

7 "The Fire Chief shall, WITHIN SIXTY (60) DAYS FROM THE
8 EFFECTIVITY OF THIS ACT AND IN ACCORDANCE WITH THE
9 GUIDELINES TO BE FORMULATED, recommend to the Secretary OF THE
10 INTERIOR AND LOCAL GOVERNMENT FOR APPROVAL the
11 organizational structure [as well as the disciplinary machinery for
12 officers and men of the Bureau, in accordance with the guidelines set
13 forth herein and as provided in Section 85 of this Act.] OF THE FIRE
14 BUREAU FROM NATIONAL LEVEL DOWN TO CITY/MUNICIPAL LEVEL IN
15 ACCORDANCE WITH EXISTING LAWS, RULES AND REGULATIONS. THE
16 CORRESPONDING STAFFING PATTERN OF THE BUREAU SHALL
17 LIKEWISE BE SUBMITTED TO THE DEPARTMENT OF BUDGET AND
18 MANAGEMENT (DBM) FOR APPROVAL AND APPROPRIATE FUNDING. "
19 [The local government units at the city and municipal levels shall be
20 responsible for the fire protection and various emergency services such
21 as rescue and evacuation of injured people at fire-related incidents

and, in general, all fire prevention and suppression measures to secure the safety of life and property of the citizenry.”]

SEC. 24. The following new provisions are hereby included under Chapter IV - Bureau of Fire Protection - of Republic Act No. 6975.

SEC. 60. *POWERS, FUNCTIONS AND TERM OF OFFICE OF THE BFP CHIEF.* - THE COMMAND AND DIRECTION OF THE FIRE BUREAU SHALL BE VESTED IN THE CHIEF OF THE BFP WHO SHALL HAVE THE POWER TO DIRECT AND CONTROL TACTICAL AS WELL AS STRATEGIC MOVEMENTS, DEPLOYMENT, PLACEMENT, UTILIZATION OF THE BFP OR ANY OF ITS UNITS AND OTHER RESOURCES. SUCH COMMAND AND DIRECTION OF THE CHIEF OF THE BFP MAY BE DELEGATED TO SUBORDINATE OFFICIALS WITH RESPECT TO THE UNITS UNDER THEIR RESPECTIVE OFFICES, IN ACCORDANCE WITH THE RULES AND REGULATIONS PRESCRIBED BY THE DEPARTMENT. THE CHIEF OF THE BFP SHALL ALSO HAVE THE POWER TO ISSUE IMPLEMENTING POLICIES AND INSTRUCTIONS REGARDING PERSONNEL, FUNDS, PROPERTIES, RECORDS, CORRESPONDENCE AND SUCH OTHER MATTERS AS MAY BE NECESSARY TO EFFECTIVELY CARRY OUT THE POWERS, FUNCTIONS AND DUTIES OF THE FIRE BUREAU. THE CHIEF OF THE BFP SHALL BE APPOINTED BY THE PRESIDENT FROM AMONG THE SENIOR OFFICERS DOWN TO THE RANK OF CHIEF SUPERINTENDENT: *PROVIDED, THAT THE CHIEF OF THE BFP SHALL SERVE A TERM OF OFFICE NOT TO EXCEED FOUR (4) YEARS: PROVIDED, FURTHER, THAT*

1 IN TIMES OF WAR OR OTHER NATIONAL EMERGENCY DECLARED BY
2 CONGRESS, THE PRESIDENT MAY EXTEND SUCH TERM OF OFFICE.

3 SEC. 61. *MANNING LEVELS.* - ON THE AVERAGE NATIONWIDE,
4 THE MANNING LEVEL OF THE FIRE BUREAU SHALL BE
5 APPROXIMATELY IN ACCORDANCE WITH FIREMAN TO FIRETRUCK
6 RATIO OF SEVEN (7) FIREMEN FOR EVERY ONE (1) FIRETRUCK AT
7 THREE (3) SHIFTS PER DAY: *PROVIDED*, THAT HIGHLY URBANIZED
8 AREAS SHALL HAVE A HIGHER MINIMUM FIREMAN TO FIRETRUCK
9 RATIO AS MAY BE PRESCRIBED BY REGULATIONS.

10 SEC. 62. *GENERAL QUALIFICATIONS FOR APPOINTMENT.* - NO
11 PERSON SHALL BE APPOINTED AS OFFICER OR MEMBER OF THE BFP
12 UNLESS HE POSSESSES THE MINIMUM QUALIFICATIONS EMBODIED IN
13 THE CIVIL SERVICE COMMISSION'S APPROVED QUALIFICATION
14 STANDARDS OF THE BFP.

15 SEC. 63. *APPOINTMENT OF BFP OFFICERS AND MEMBERS.*-
16 THE APPOINTMENT OF THE OFFICERS AND MEMBERS OF THE BFP
17 SHALL BE EFFECTED IN THE FOLLOWING MANNER:

18 (A) FIRE OFFICER I TO SENIOR FIRE OFFICER IV - APPOINTED BY
19 THE BFP REGIONAL FIRE MARSHAL FOR REGIONAL PERSONNEL OR BY
20 THE FIRE CHIEF FOR THE NATIONAL OFFICE PERSONNEL UPON
21 RECOMMENDATION OF THE SELECTION BOARD AND ATTESTED BY THE
22 CIVIL SERVICE COMMISSION;

1 **(B) INSPECTOR TO SUPERINTENDENT - APPOINTED BY THE**
2 **FIRE CHIEF, AS RECOMMENDED BY THE SELECTION BOARD AND**
3 **ATTESTED BY THE CIVIL SERVICE COMMISSION;**

4 **(C) SENIOR SUPERINTENDENT - APPOINTED BY THE**
5 **SECRETARY OF THE DEPARTMENT UPON THE RECOMMENDATION OF**
6 **THE FIRE CHIEF;**

7 **(D) DIRECTOR AND CHIEF SUPERINTENDENT - APPOINTED BY**
8 **THE PRESIDENT UPON THE RECOMMENDATION OF THE SECRETARY OF**
9 **THE DEPARTMENT.**

10 **SEC. 64. *EXAMINATION FOR FIREMEN.* - THE CIVIL SERVICE**
11 **COMMISSION SHALL ADMINISTER THE QUALIFYING ENTRANCE**
12 **EXAMINATIONS FOR FIREMEN ON THE BASIS OF THE STANDARDS SET**
13 **BY THE BFPSEC. 25. Subsections 55-A and 55-B are hereby included**
14 **under Chapter IV of the same Act, to read as follows:**

15 **SEC. 65. *STATUS OF MEMBERS OF THE BUREAU OF FIRE***
16 ***PROTECTION.* - THE MEMBERS OF THE BUREAU OF FIRE PROTECTION**
17 **SHALL BE CONSIDERED AS EMPLOYEES OF THE NATIONAL**
18 **GOVERNMENT AND SHALL DRAW THEIR SALARIES THEREFROM:**
19 ***PROVIDED, THAT BFP MEMBERS ASSIGNED IN METROPOLITAN***
20 ***MANILA, CHARTERED CITIES AND FIRST CLASS MUNICIPALITIES MAY***
21 ***BE PAID AN ADDITIONAL MONTHLY ALLOWANCE BY THE LOCAL***
22 ***GOVERNMENT UNIT CONCERNED: PROVIDED, FURTHER, THAT***
23 ***OFFICERS OF THE FIRE BUREAU FROM THE RANK OF INSPECTOR TO***
24 ***SENIOR SUPERINTENDENT, SHALL HAVE THE POWER TO ADMINISTER***

1 OATHS ON MATTERS WHICH ARE CONNECTED WITH THE
2 PERFORMANCE OF THEIR OFFICIAL DUTIES.

3 SEC.25. Section 57 of the same Act is hereby amended to read
4 as follows:

5 "SEC. 57. *Qualification Standards.* - The qualification standards
6 of the members of the Fire Bureau [shall be as prescribed by the
7 Department based on the requirement of the service.] SHALL BE
8 SUBJECT TO THE APPROVED STANDARDS BY THE CIVIL SERVICE
9 COMMISSION: *PROVIDED*, THAT SUCH STANDARDS MAY BE AMENDED
10 SUBJECT TO THE REQUIREMENTS OF THE SERVICE."

11 SEC. 26. Section 59 of the same Act is hereby amended to read
12 as follows:

13 "SEC. 59. *Key Positions.* - The head of the [Fire Bureau]
14 BUREAU OF FIRE PROTECTION with the rank of Director shall have
15 the position title of the [Chief of the Fire Bureau] FIRE CHIEF. [He
16 shall be assisted by a deputy chief] THE SECOND IN COMMAND with
17 the rank of chief superintendent SHALL BE THE DEPUTY FIRE CHIEF.
18 THE THIRD IN COMMAND WITH THE RANK ALSO OF CHIEF
19 SUPERINTENDENT SHALL BE THE CHIEF OF THE DIRECTORIAL STAFF.

20 [{"The assistant heads of the Department's regional offices with
21 the rank of senior superintendent shall assume the position title of
22 Assistant Regional Director for fire Protection as provided in Section
23 11 of this Act.]

1 THE HEADS OF THE VARIOUS DIRECTORIAL STAFF POSITIONS IN
2 THE DIRECTORIAL STAFF SHALL HAVE THE RANK OF CHIEF
3 SUPERINTENDENT WITH THE POSITION TITLE OF CHIEF OF THEIR
4 RESPECTIVE OFFICE AND UNIT. THE HEADS OF THE OTHER SUPPORT
5 UNITS SHALL HAVE THE RANK OF SUPERINTENDENT WITH POSITION
6 TITLE OF CHIEF OF THEIR RESPECTIVE UNITS.

7 THE HEADS OF THE REGIONAL OFFICES INCLUDING NCR WITH
8 A MAXIMUM RANK OF CHIEF SUPERINTENDENT SHALL ASSUME THE
9 POSITION TITLE OF REGIONAL FIRE MARSHAL.

10 "[t]The heads of the NCR district offices with the rank of senior
11 superintendent shall have the position title of District Fire Marshal[;].

12 "[t]The heads of provincial offices with the rank of SENIOR
13 superintendent shall be known as Provincial Fire Marshal[;].

14 "[t]The head of district offices OTHER THAN NCR with the rank
15 of chief inspector shall have the position title of District Fire
16 Marshal[;].

17 "[and the heads of the municipal or city stations with the rank
18 of senior inspector shall be known as Chief of Municipal/City Fire
19 Station.] THE HEADS OF THE CITY FIRE STATIONS WITH A MINIMUM
20 RANK OF SENIOR INSPECTOR SHALL BE KNOWN AS CITY FIRE
21 MARSHAL, WHILE THE HEADS OF MUNICIPAL FIRE STATIONS WITH A
22 MINIMUM RANK OF INSPECTOR SHALL BE KNOWN AS MUNICIPAL FIRE
23 MARSHAL."

1 SEC. 27. Section 61 of the same Act is hereby amended to read
2 as follows:

3 “SEC. 61. *Powers and Functions.* - The Jail Bureau shall
4 exercise supervision and control over all PROVINCIAL, SUB-
5 PROVINCIAL, DISTRICT, city and municipal jails. [The provincial jails
6 shall be supervised and controlled by the provincial government within
7 its jurisdiction, whose expenses shall be subsidized by the national
8 government for not more than three (3) years after the effectivity of
9 this Act.]”

10 SEC. 28. Section 62 of the same Act is hereby amended to read
11 as follows:

12 “SEC. 62. *Organization.* - The Jail Bureau shall be headed by a
13 Chief who shall be assisted by a deputy chief AND STAFF DIVISION
14 HEADS TO BE RECOMMENDED BY THE CHIEF OF THE BUREAU OF JAIL
15 MANAGEMENT.

16 “The Jail Bureau shall be composed of PROVINCIAL, SUB-
17 PROVINCIAL, DISTRICT, city and municipal jails[, each headed by a city
18 or municipal jail warden]: *Provided*, That, in the case of large cities
19 and municipalities, a district jail with subordinate jails headed by a
20 district jail warden may be established as necessary.

21 “The Chief of the Jail Bureau shall recommend to the Secretary
22 the organizational structure and staffing pattern of the Bureau as well

1 as the disciplinary machinery for officers and men of the Bureau in
2 accordance with the guidelines set forth herein and as prescribed in
3 Section 85 of this Act.”

4 SEC. 29. Section 63 of the same Act is hereby amended to read
5 as follows:

6 “SEC. 63. *Establishment of PROVINCIAL, SUB-PROVINCIAL,*
7 *District, City or Municipal Jails.* - There shall be established and
8 maintained in every PROVINCE, district, city and municipality a
9 secured, clean, adequately equipped and sanitary jail for the custody
10 and safekeeping of PROVINCIAL, city and municipal prisoners, any
11 fugitives from justice, or person detained awaiting investigation or
12 trial and/or transfer to the national penitentiary, and/or violent
13 mentally ill person who endangers himself or the safety of others, duly
14 certified as such by the proper medical or health officer, pending the
15 transfer to a mental institution.

16 “The PROVINCIAL, SUB-PROVINCIAL, DISTRICT, municipal or
17 city jail service shall preferably be headed by a graduate of a four (4)
18 year course in psychology, psychiatry, sociology, nursing, social work
19 or criminology who shall assist in the immediate rehabilitation of
20 individuals or detention of prisoners. Great care must be exercised so
21 that the human rights of these prisoners are respected and protected,

1 and their spiritual and physical well-being are properly and promptly
2 attended to.”

3 SEC. 30. Section 65 of the same Act is hereby amended to read
4 as follows:

5 “SEC. 65. *Key Positions.* - The head of the Jail Bureau with the
6 rank of director shall have the position title of Chief of Jail Bureau. He
7 shall be assisted by a deputy chief with the rank of chief
8 superintendent AND ASSISTANT DEPUTY CHIEF WITH THE RANK OF
9 CHIEF SUPERINTENDENT WHO SHALL BE THE HEAD OF THE VARIOUS
10 STAFF DIVISION CHIEFS.

11 “The [assistant] heads of the Department's regional offices OF
12 THE JAIL BUREAU with the rank of [senior superintendent] CHIEF
13 SUPERINTENDENT shall assume the position title of [Assistant]
14 Regional Director of Jail Management and Penology as provided by
15 Section 12 of this Act[;]: *PROVIDED, THAT THE HEADS OF ALL JAILS*
16 *WITHIN THE PROVINCE UNDER THE CONTROL AND SUPERVISION OF*
17 *THE JAIL BUREAU WITH THE RANK OF SUPERINTENDENT SHALL HAVE*
18 *THE POSITION TITLE OF PROVINCIAL JAIL ADMINISTRATOR:*
19 *PROVIDED, FINALLY, THAT* the heads of the district offices with the
20 rank of chief inspector shall have the position title of District Jail
21 Warden; and the heads of the city or municipal [stations] JAILS with
22 the rank of Senior Inspector shall be known as City/Municipal Jail
23 Warden.”

1 SEC. 31. The following new Section 66 is hereby included to
2 read as follows:

3 "SEC. 66. *PHASES OF IMPLEMENTATION IN THE MERGER OF*
4 *PROVINCIAL AND SUB-PROVINCIAL JAILS WITH THE JAIL BUREAU. -*
5 THE MERGER OF PROVINCIAL AND SUB-PROVINCIAL JAILS WITH THE
6 JAIL BUREAU, SHALL BE UNDERTAKEN IN THREE (3) PHASES, AS
7 FOLLOWS:

8 PHASE I - THE CHIEF OF THE JAIL BUREAU SHALL
9 RECOMMEND TO THE SECRETARY THE RULES AND REGULATIONS FOR
10 THE MERGER WHICH SHALL INCLUDE THE RANKS OF PROVINCIAL
11 GUARDS UPON ASSIMILATION BY THE JAIL BUREAU, THE
12 RATIONALIZATION OF THE COMPENSATION AND RETIREMENT
13 SYSTEMS AND SUCH OTHER PERSONNEL MATTERS AFFECTING THE
14 PROVINCIAL GUARDS, TO BE SUBMITTED WITHIN THREE (3) MONTHS
15 FROM THE DATE OF THE EFFECTIVITY OF THIS ACT.

16 PHASE II - EXERCISE OF OPTION BY THE PROVINCIAL GUARDS
17 TO BE COMPLETED WITHIN THREE (3) MONTHS AFTER THE APPROVAL
18 BY THE SECRETARY OF THE RULES AND REGULATIONS
19 RECOMMENDED BY THE CHIEF OF THE JAIL BUREAU. AT THE END OF
20 THIS PHASE, ALL PROVINCIAL GUARDS SHALL HAVE BEEN COVERED BY
21 ORDER OF ASSIGNMENT.

22 PHASE III - COMPLETION OF THE ASSIMILATION OF
23 PROVINCIAL GUARDS TO THE JAIL BUREAU AND TRANSFER OF THE
24 CONTROL AND SUPERVISION OF PROVINCIAL AND SUB-PROVINCIAL

1 **JAILS TO THE JAIL BUREAU, TO BE COMPLETED WITHIN ONE (1) YEAR**
 2 **FROM THE COMPLETION OF THIS ACT.**

3 SEC. 32. A new paragraph designated as Subparagraph (F) is
 4 hereby added to Section 67 of the same Act to read as follows:

5 “SEC. 67. *Composition, Powers and Functions.* -

6 **(F) GRANT AND CONFER ACADEMIC DEGREES AND/OR**
 7 **CERTIFICATES OF DIPLOMAS AND SUCH OTHER APPROPRIATE**
 8 **PRIVILEGES TO SUCCESSFUL PARTICIPANTS THEREOF, SUBJECT TO**
 9 **THE APPROVAL OF THE SECRETARY OF THE DEPARTMENT OF THE**
 10 **INTERIOR AND LOCAL GOVERNMENT AND THE CHAIRMAN OF THE**
 11 **COMMISSION ON HIGHER EDUCATION, FOR PROPER ACCREDITATION.**

12 SEC. 33. Section 69 of the same Act is hereby amended to read
 13 as follows:

14 “SEC. 69. *Incentives and Awards.* - There shall be established
 15 an incentive and awards system which shall be administered by a
 16 board under such rules, regulations and standards as may be
 17 promulgated by the Department: *Provided*, That equivalent awards
 18 shall be given by the Department for every award duly given by
 19 respectable civic organizations in a nationwide selection for
 20 outstanding achievement and/or performance by any member.”

21 **THE GOVERNMENT SHALL INSTITUTE A COMPREHENSIVE**
 22 **HUMAN RESOURCE DEVELOPMENT PROGRAM FOR UNIFORMED**
 23 **PERSONNEL THAT SHALL INCLUDE LOCAL AND FOREIGN ACADEMIC**

1 SCHOLARSHIP PROGRAMS AND SPECIAL TRAININGS: *PROVIDED*, THAT
2 SUCH PERSONNEL HAVE TO PASS A QUALIFYING EXAMINATION TO BE
3 CONDUCTED AND ADMINISTERED BY THE NATIONAL ECONOMIC AND
4 DEVELOPMENT AUTHORITY (NEDA) AND OTHER GOVERNMENT
5 AGENCIES AND ACCREDITED UNIVERSITIES, COLLEGES OR
6 INSTITUTIONS: *PROVIDED, FURTHER*, THAT ONE-HALF OF ONE
7 PERCENT (1%) OF THE POLICE FORCE IN ANY FISCAL YEAR MAY BE
8 ALLOWED TO AVAIL OF THE SCHOLARSHIP PROGRAM LEADING TO
9 BACCALAUREATE, MASTERAL AND/OR DOCTORAL DEGREE.

10 SEC. 34. Section 73 of the same Act is hereby amended to read
11 as follows:

12 "SEC. 73. *Permanent Physical Disability*. - An officer or non-
13 officer who[, having accumulated at least twenty (20) years of active
14 service, incurs total permanent physical disability in line of duty shall
15 be compulsorily retired: *Provided*, That, if he has accumulated less
16 than twenty (20) years of active service, he shall be separated from the
17 service and be entitled to a separation pay equivalent to one and-fourth
18 (1 1/4) months base pay for every year of service, or fraction thereof,
19 and longevity pay of the permanent grade he holds] IS PERMANENTLY
20 AND TOTALLY DISABLED AS A RESULT OF INJURIES SUFFERED OR
21 SICKNESS CONTRACTED IN THE PERFORMANCE OF HIS DUTY AS DULY
22 CERTIFIED BY THE NATIONAL POLICE COMMISSION, UPON FINDING
23 AND CERTIFICATION BY THE APPROPRIATE MEDICAL OFFICER, THAT
24 THE EXTENT OF THE DISABILITY OR SICKNESS RENDERS SUCH

1 MEMBER UNFIT OR UNABLE TO FURTHER PERFORM THE DUTIES OF HIS
2 POSITION, SHALL BE ENTITLED TO ONE YEAR'S SALARY AND TO
3 LIFETIME PENSION EQUIVALENT TO EIGHTY PERCENT (80%) OF HIS
4 LAST SALARY, IN ADDITION TO OTHER BENEFITS AS PROVIDED UNDER
5 EXISTING LAWS.

6 SHOULD SUCH MEMBER WHO HAS BEEN RETIRED UNDER
7 PERMANENT TOTAL DISABILITY UNDER THIS SECTION DIE WITHIN FIVE
8 (5) YEARS FROM HIS RETIREMENT, HIS SURVIVING LEGAL SPOUSE OR
9 IF THERE BE NONE, THE SURVIVING DEPENDENT LEGITIMATE
10 CHILDREN SHALL BE ENTITLED TO THE PENSION FOR THE REMAINDER
11 OF THE FIVE (5) YEARS GUARANTEED PERIOD.

12 SEC. 35. Section 75 of the same Act is hereby amended to read
13 as follows:

14 "SEC. 75. *Retirement Benefits.* - Monthly retirement pay shall
15 be fifty percent (50%) of the base pay and longevity pay of the retired
16 grade in case of twenty (20) years of active service, increasing by two
17 and one-half percent (2.5%) for every year of active service rendered
18 beyond twenty (20) years to a maximum of ninety percent (90%) for
19 thirty-six (36) years of active service and over: *PROVIDED, THAT, THE*
20 *UNIFORMED PERSONNEL SHALL HAVE THE OPTION TO RECEIVE IN*
21 *ADVANCE AND IN LUMP SUM HIS RETIREMENT PAY FOR THE FIRST FIVE*
22 *(5) YEARS: PROVIDED, FURTHER, THAT PAYMENT OF THE RETIREMENT*
23 *BENEFITS IN LUMP SUM SHALL BE MADE WITHIN SIX (6) MONTHS FROM*
24 *EFFECTIVITY DATE OF RETIREMENT AND/OR COMPLETION OF*
25 *DOCUMENTARY REQUIREMENTS: PROVIDED, FINALLY, THAT*

1 RETIREMENT PAY OF THE OFFICERS/NON-OFFICERS OF THE PNP
2 SHALL BE SUBJECT TO ADJUSTMENTS BASED ON THE PREVAILING
3 SCALE OF BASE PAY OF POLICE PERSONNEL IN THE ACTIVE SERVICE.

4 SEC. 36. Section 76 of the same Act is hereby amended to read
5 as follows:

6 "SEC. 76. *Death and Disability Benefits.* - A uniformed
7 personnel and/or his heirs shall be entitled to all benefits relative to the
8 death or permanent incapacity of said personnel, as provided for under
9 this Act, and/or other existing laws: *PROVIDED, HOWEVER, THAT*
10 PREVIOUSLY AWARDED RETIREMENT PENSION OF PERMANENTLY
11 DISABLED PNP MEMBERS AND THAT OF THE HEIRS OF PNP MEMBERS
12 WHO DIED IN LINE OF DUTY SHALL, UPON THE EFFECTIVITY OF THIS
13 ACT, BE UPGRADED BASED ON THE FIRST STEP OF THE CURRENT
14 SALARY RATE FOR THE CORRESPONDING RANK."

15 SEC. 37. New Sections to be denominated as Sections 69 and
16 70 are hereby added under Chapter VII, to read as follows:

17 SEC. 69. *ORY ASSIGNMENT OF UNIFORMED PERSONNEL* -
18 UNLESS FOR JUST CAUSE, IT SHALL BE MANDATORY FOR ALL
19 UNIFORMED PERSONNEL TO BE ASSIGNED TO POSITIONS
20 CORRESPONDING TO THEIR RANKS, EXCEPT IN SERVICE-ORIENTED
21 CASES. HOWEVER, NO PROVINCIAL DIRECTOR OR CHIEF OF POLICE
22 SHALL BE ASSIGNED TO A PARTICULAR PROVINCE, DISTRICT OR
23 MUNICIPALITY WHERE THE LOCAL CHIEF EXECUTIVE IS RELATED TO

1 HIM WITHIN THE FOURTH CIVIL DEGREE OF CONSANGUINITY OR
2 AFFINITY.

3 NON-COMMISSIONED OFFICERS FROM THE RANK OF POLICE
4 SERGEANT TO PATROLMAN MAY, AS FAR AS PRACTICABLE, BE
5 ASSIGNED TO THEIR PLACE OF DOMICILE.

6 SEC. 70. *PSYCHIATRIC AND PROHIBITED DRUG TESTS.* - ALL
7 UNIFORMED PERSONNEL OF THE DEPARTMENT SHALL UNDERGO
8 PERIODIC PSYCHIATRIC AND PROHIBITED DRUG TESTS UNDER THE
9 SUPERVISION OF THE DEPARTMENT OF HEALTH. ANY PERSONNEL
10 WHO REFUSES OR FAILS TO UNDERGO THE REQUIRED TESTS WITHOUT
11 JUSTIFIABLE REASONS OR MAY BE FOUND POSITIVE OF PROHIBITED
12 DRUGS OR ANY HARMFUL DANGEROUS SUBSTANCES OR WHO FAILED IN
13 THE PSYCHIATRIC TEST SHALL BE DISMISSED FROM THE SERVICE
14 IMMEDIATELY. ANY RESPONSIBLE OFFICER WHO FAILS TO REQUIRE
15 OR REFUSES TO PERMIT THE PERSONNEL ASSIGNED UNDER HIS
16 RESPONSIBILITY TO UNDERGO THE TESTS SHALL BE HELD LIABLE AND
17 PUNISHED BY SUSPENSION OR SEPARATION FROM THE SERVICE.

18 SEC. 38. Section 88 of the same Act is hereby amended to read
19 as follows:

20 "SEC. 88. *Transfer, Merger, and Absorption of Offices and*
21 *Personnel.* - All properties, equipment, and finances of the transferred
22 and absorbed agencies, including their respective financial
23 accountabilities, are hereby transferred to the Department.

24 "The transfer, merger and/or absorption of any government
25 office/unit concerned shall include the functions, appropriations,

1 funds, records, equipment, facilities, choses in action, rights, other
2 assets, and liabilities, if any, of the transferred office/unit as well as
3 the personnel thereof, who shall, unless removed for cause and after
4 due process, in a holdover capacity, continue to perform their
5 respective duties and responsibilities and receive their corresponding
6 salaries and benefits. Those personnel of the transferred, merged,
7 and/or absorbed office/unit whose positions are not included in the
8 new position structure and staffing pattern approved by the
9 Department or who are not reappointed shall be given preference to
10 join the Department or any of the offices thereunder or shall be
11 allowed to retire under existing laws, rules and regulations. Otherwise,
12 they shall be deemed separated and paid gratuity equivalent to one and
13 one-fourth (1 1/4) months basic salary for every year of service or a
14 fraction thereof.

15 "The personnel of the existing Department of THE INTERIOR
16 AND Local Government shall, unless removed for cause and after due
17 process, continue to perform their duties and responsibilities and shall
18 receive their corresponding salaries and benefits.

19 "The SECRETARY [heads of the various bureaus and offices
20 created under this Act] shall, within [six (6) months] ONE (1) YEAR
21 from the effectivity of this AMENDED Act, recommend the
22 organizational structure and staffing pattern of [their bureaus and

1 offices] THE DEPARTMENT for approval by the [Secretary] PRESIDENT
2 UPON THE RECOMMENDATION BY THE DEPARTMENT OF BUDGET AND
3 MANAGEMENT.”

4 SEC. 39. *Funding Requirements.* - The amount necessary for
5 the current year's operations and maintenance of the provincial and
6 sub-provincial jails shall be charged against the funds of the provincial
7 government concerned. Thereafter, such amounts as may be necessary
8 for their continued operations shall be included in the budget of the
9 Bureau of Jail Management and Penology under the General
10 Appropriations Act of the year following its enactment into law and
11 thereafter.

12 The amount needed to fund all other requirements as a result of
13 the creation of new units, offices, services, new positions and other
14 related operating expenses shall be included in the budgets of the
15 respective agencies concerned under the General Appropriations Act
16 of the year following its enactment into law and thereafter.

17 SEC. 40. The appropriate sections in Republic Act No. 6975
18 affected by the amendments contained in this Act are hereby
19 renumbered accordingly.

20 SEC. 41. Any law, order, or rules and regulations contrary to or
21 inconsistent with any of the provisions of this Act are hereby repealed
22 or modified accordingly.

- 1 SEC. 42. This Act shall take effect fifteen (15) days after
- 2 publication in the *Official Gazette* or in two (2) newspapers of general
- 3 circulation.

Approved,

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