

SENATE

S. No. 2215

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PREPARED BY THE COMMITTEE WITH SENATORS MERCADO,  
SOTTO III, MACEDA, ROMULO, MACAPAGAL-ARROYO, OPLE,  
TATAD, HONASAN, DRILON, ANGARA, HERRERA AND  
REVILLA AS AUTHORS THEREOF

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AN ACT PROVIDING FOR THE REFORM OF THE  
PHILIPPINE NATIONAL POLICE AND FOR OTHER  
PURPOSES, AMENDING REPUBLIC ACT NUMBERED  
SIXTY-NINE HUNDRED AND SEVENTY-FIVE  
ENTITLED, "AN ACT ESTABLISHING THE PHILIPPINE  
NATIONAL POLICE UNDER A REORGANIZED  
DEPARTMENT OF THE INTERIOR AND LOCAL  
GOVERNMENT, AND FOR OTHER PURPOSES"

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

TITLE I

TITLE AND DECLARATION OF POLICY

SECTION 1. *Title.* - This Act shall be known as the  
"Philippine National Police Reform and Reorganization Act of 1997".

SEC. 2. *Declaration of Policy and Principles.* - It is hereby  
declared the policy of the State to establish a highly efficient and  
competent police force which is national in scope and civilian in  
character administered and controlled by a national police commission.

- 2 -

The Philippine National Police shall be a community and service  
oriented agency responsible for the maintenance of peace and order  
and public safety.

The Philippine National Police shall be so organized to ensure  
accountability and uprightness in police exercise of discretion as well  
as to achieve efficiency and effectiveness of its members and units  
in the performance of their functions.

TITLE II

THE ROLE OF THE PNP IN

COUNTER-INSURGENCY FUNCTIONS

SEC. 3. Section 12 of Republic Act No. 6975 is hereby  
amended, to read as follows:

"SEC. 12. *RELATIONSHIP OF THE DEPARTMENT  
WITH THE DEPARTMENT OF NATIONAL DEFENSE.* -

[ During a period of twenty-four (24) months from the  
effectivity of this Act, the Armed Forces of the Philippines  
(AFP) shall continue its present role of preserving the  
internal and external security of the State: *Provided, That*  
said period may be extended by the President, if he finds  
it justifiable, for another period not exceeding twenty-four  
(24) months, after which, the Department shall  
automatically take over from the AFP the primary role of  
preserving internal security. However, even after] The  
Department OF INTERIOR AND LOCAL  
GOVERNMENT SHALL BE RELIEVED OF THE [has

assumed] primary responsibility on matters [affecting internal security, including,] INVOLVING the suppression of insurgency and OTHER [there are] serious threats to national security. [and public order, such as where insurgents have gained considerable foothold in the community thereby necessitating the employment of bigger tactical forces and the utilization of higher caliber armaments and better armored vehicles, ] HOWEVER, the President may, upon recommendation of the peace and order council, call upon [the Armed Forces of the Philippines to assume the primary role and ] the Philippine National Police (PNP) to play [the] A supportive role [in the area concerned.] TO THE ARMED FORCES OF THE PHILIPPINES ON MATTERS INVOLVING SUPPRESSION OF INSURGENCY AND OTHER THREATS TO NATIONAL SECURITY.

In times of national emergency, [all elements of ] the PNP, the Bureau of Fire Protection, and the Bureau of Jail Management and Penology shall, upon THE direction of the President, assist the Armed Forces [ of the Philippines ] in meeting the national emergency.”

[The complementary relationship between the Department of Interior and Local Government and the Department of National Defense in any of the preceding eventualities shall be jointly prescribed by their respective

Secretaries in a memorandum of agreement that shall thereafter be published and implemented.]

#### THE NATIONAL POLICE COMMISSION

SEC. 4. Section 13 of Republic Act No. 6975 is hereby amended to read as follows:

“SEC. 13. *Creation and Composition.* - A National Police Commission, hereinafter referred to as the Commission, is hereby created for the purpose of effectively discharging the functions prescribed in the Constitution and provided in this Act. The Commission shall be AN AGENCY ATTACHED TO [a collegial body within] the Department FOR POLICY AND PROGRAM COORDINATION. It shall be composed of a CHAIRPERSON [Chairman], [and] four (4) regular commissioners, AND THE DIRECTOR GENERAL OF THE PHILIPPINE NATIONAL POLICE AS *EX-OFFICIO* MEMBER. THREE (3) OF THE REGULAR COMMISSIONERS SHALL COME FROM THE CIVILIAN SECTOR WHO ARE NEITHER ACTIVE NOR FORMER MEMBERS OF THE POLICE OR MILITARY, one (1) of whom shall be designated as VICE CHAIRPERSON [Vice Chairman] by the President. THE FOURTH REGULAR COMMISSIONER SHALL COME FROM THE LAW ENFORCEMENT SECTOR EITHER ACTIVE OR RETIRED: *PROVIDED*, THAT AN ACTIVE

1 MEMBER OF A LAW ENFORCEMENT AGENCY  
2 SHALL BE CONSIDERED RESIGNED FROM SAID  
3 AGENCY ONCE APPOINTED TO THE  
4 COMMISSION[.]: *PROVIDED, FURTHER*, THAT AT  
5 LEAST ONE (1) OF THE COMMISSIONERS SHALL BE  
6 A WOMAN. The Secretary of the Department shall be the  
7 *ex-officio* CHAIRPERSON [Chairman] of the Commission,  
8 while the VICE CHAIRPERSON [Vice-Chairman] shall  
9 act as the executive officer of the Commission.”

10 SEC. 5. Section 14 of Republic Act No. 6975 is hereby  
11 amended to read as follows:

12 “SEC. 14. *Powers and Functions of the Commission.*

13 - The Commission shall exercise the following powers and  
14 functions:

15 a) Exercise administrative control AND  
16 OPERATIONAL SUPERVISION over the Philippine  
17 National Police WHICH SHALL MEAN THE POWER  
18 TO[;]

19 [ b) Advise the President on all matters involving  
20 police functions and administration;]

21 1) [c)] [Foster and] D[d]evelop policies and  
22 promulgate A POLICE MANUAL PRESCRIBING RULES  
23 AND REGULATIONS FOR EFFICIENT  
24 ORGANIZATION, ADMINISTRATION, AND  
25 OPERATION, INCLUDING RECRUITMENT,

1 SELECTION, PROMOTION, AND RETIREMENT OF  
2 PERSONNEL AND THE CONDUCT OF QUALIFYING  
3 ENTRANCE AND PROMOTIONAL EXAMINATIONS  
4 FOR UNIFORMED MEMBERS; [rules and regulations,  
5 standards and procedures to improve police services based  
6 on sound professional concepts and principles];

7 2) [d)] Examine and audit, and thereafter establish the  
8 standards for such purposes on a continuing basis, the  
9 performance, activities, and facilities of all police agencies  
10 throughout the country;

11 [e) Prepare a police manual prescribing rules and  
12 regulations for efficient organization, administration, and  
13 operation, including recruitment, selection, promotion, and  
14 retirement;]

15 3) [f)] Establish a system of uniform crime reporting;

16 4) [g)] Conduct AN ANNUAL SELF-REPORT  
17 SURVEY [surveys] and compile statistical data for the  
18 ACCURATE ASSESSMENT OF THE CRIME  
19 SITUATION AND THE proper evaluation of the  
20 efficiency and effectiveness of all police units in the  
21 country;

22 [ h) Render to the President and to Congress an  
23 annual report on its activities and accomplishments during  
24 the thirty (30) days after the end of the calendar year,  
25 which shall include an appraisal of the conditions obtaining

1 in the organization and administration of police agencies  
2 in the municipalities, cities and provinces throughout the  
3 country, and recommendations for appropriate remedial  
4 legislation;]

5 5) [i)] Approve or modify plans and programs on  
6 education and training, logistical requirements,  
7 communications, records, information systems, crime  
8 laboratory, crime prevention and crime reporting;

9 6) [j)] Affirm, reverse or modify, through the  
10 National Appellate Board, personnel disciplinary actions  
11 involving demotion or dismissal from the service imposed  
12 upon members of the Philippine National Police by the  
13 DIRECTOR GENERAL [Chief] of the Philippine National  
14 Police;

15 7) [k)] Exercise appellate jurisdiction through the  
16 regional appellate boards over administrative cases against  
17 policemen and over decisions on claims for police benefits;

18 [ l) Recommend to the President, through the  
19 Secretary, within sixty (60) days before the commencement  
20 of each calendar year, a crime prevention program;]

21 8) [m)] Prescribe minimum standards for arms,  
22 equipment, and uniforms and, after consultation with the  
23 Philippine Heraldry Commission, for insignia of ranks,  
24 awards, and medals of honor.[:] WITHIN NINETY (90)  
25 DAYS FROM THE EFFECTIVITY OF THIS ACT, THE

1 STANDARDS OF THE UNIFORMED PERSONNEL OF  
2 THE PNP MUST BE REVISED WHICH SHOULD BE  
3 CLEARLY DISTINCT FROM THE MILITARY AND  
4 REFLECTIVE OF THE CIVILIAN CHARACTER OF  
5 THE POLICE;

6 9) [n)] Issue *subpoena* and *subpoena duces tecum* in  
7 matters pertaining to the discharge of its powers and duties,  
8 and designate who among its personnel can issue such  
9 processes and administer oaths in connection therewith;  
10 [and]

11 10) INSPECT AND ASSESS THE COMPLIANCE  
12 OF THE PNP ON THE ESTABLISHED CRITERIA FOR  
13 MANPOWER ALLOCATION, DISTRIBUTION, AND  
14 DEPLOYMENT AND THEIR IMPACT ON THE  
15 COMMUNITY AND THE CRIME SITUATION; AND  
16 THEREAFTER FORMULATE APPROPRIATE  
17 GUIDELINES FOR MAXIMIZATION OF RESOURCES  
18 AND EFFECTIVE UTILIZATION OF THE PNP  
19 PERSONNEL;

20 11) MONITOR THE PERFORMANCE OF THE  
21 LOCAL CHIEF EXECUTIVES AS DEPUTIES OF THE  
22 COMMISSION; AND

23 12) APPROVE THE LIST OF ELIGIBLES TO BE  
24 SUBMITTED TO THE PROVINCIAL GOVERNORS OR  
25 CITY/MUNICIPAL MAYORS FOR APPOINTMENTS AS

1 PROVINCIAL DIRECTORS OR CHIEFS-OF-POLICE,  
2 RESPECTIVELY.

3 B) ADVISE THE PRESIDENT ON ALL MATTERS  
4 INVOLVING POLICE FUNCTIONS AND  
5 ADMINISTRATION;

6 C) RENDER TO THE PRESIDENT AND TO THE  
7 CONGRESS AN ANNUAL REPORT ON ITS  
8 ACTIVITIES AND ACCOMPLISHMENTS DURING THE  
9 THIRTY (30) DAYS AFTER THE END OF THE  
10 CALENDAR YEAR, WHICH SHALL INCLUDE AN  
11 APPRAISAL OF THE CONDITIONS OBTAINING IN  
12 THE ORGANIZATION AND ADMINISTRATION OF  
13 POLICE AGENCIES IN THE MUNICIPALITIES, CITIES  
14 AND PROVINCES THROUGHOUT THE COUNTRY,  
15 AND RECOMMENDATIONS FOR APPROPRIATE  
16 REMEDIAL LEGISLATION;

17 D) RECOMMEND TO THE PRESIDENT,  
18 THROUGH THE SECRETARY, WITHIN SIXTY (60)  
19 DAYS BEFORE THE COMMENCEMENT OF EACH  
20 CALENDAR YEAR, A CRIME PREVENTION  
21 PROGRAM; AND

22 E) [o]] Perform such other functions necessary to  
23 carry out the provisions of this Act and as the President  
24 may direct.”

25 SEC. 6. Section 15 of Republic Act No. 6975 is hereby  
26 amended to read as follows:

1 “SEC. 15. *Qualifications.* - No person shall be  
2 appointed regular member of the Commission unless:

3 (a) [He is at least 35 years of age;] HE OR SHE  
4 IS A CITIZEN OF THE PHILIPPINES;

5 (b) A member of the Philippine Bar WITH AT  
6 LEAST FIVE (5) YEARS EXPERIENCE IN HANDLING  
7 CRIMINAL OR HUMAN RIGHTS CASES or a holder of  
8 a master’s degree BUT PREFERABLY A DOCTORATE  
9 DEGREE in public administration, [business administration,  
10 management,] sociology, criminology, CRIMINAL  
11 JUSTICE, law enforcement, [national security  
12 administration, defense studies,] and other related  
13 disciplines; and

14 (c) THE REGULAR MEMBER COMING FROM  
15 THE LAW ENFORCEMENT SECTOR SHOULD  
16 HAVE [Has had ] PRACTICAL experience in law  
17 enforcement work for at least five (5) years[.] WHILE  
18 THE THREE (3) OTHER REGULAR COMMISSIONERS  
19 MUST HAVE DONE EXTENSIVE RESEARCH WORK  
20 OR PROJECTS ON LAW ENFORCEMENT,  
21 CRIMINOLOGY OR CRIMINAL JUSTICE OR  
22 MEMBERS OF A DULY REGISTERED NON-  
23 GOVERNMENT ORGANIZATION INVOLVED IN THE  
24 PROMOTION OF PEACE AND ORDER.”

25 SEC. 7. Section 16 of Republic Act No. 6975 is hereby  
26 amended to read as follows:

1           “SEC. 16. *Term of Office.* - The four (4) regular and  
2 full-time Commissioners shall be appointed by the  
3 President [upon the recommendation of the Secretary] FOR  
4 A TERM OF SIX (6) YEARS WITHOUT RE-  
5 APPOINTMENT OR EXTENSION.” [Of the first four (4)  
6 commissioners to be appointed, two (2) commissioners shall  
7 serve for six (6) years and the two (2) other commissioners  
8 for four (4) years. All subsequent appointments shall be for  
9 a period of six (6) years each, without reappointment or  
10 extension.]

11       SEC. 8. *Expiration of the Terms of Office of Current*  
12 *Commissioners.* - Upon the effectivity of this Act, the terms of office  
13 of the current Commissioners are deemed expired which shall  
14 constitute a bar to their reappointment or an extension of their terms  
15 in the Commission except for current Commissioners who have served  
16 less than two (2) years of their terms of office who may be appointed  
17 by the President for a maximum term of two (2) years.

18       SEC. 9. Section 17 of Republic Act No. 6975 is hereby  
19 amended to read as follows:

20           “SEC. 17. *Temporary or Permanent Incapacity of the*  
21 *Chairperson.* - IN CASE OF ABSENCE DUE TO THE  
22 TEMPORARY INCAPACITY OF THE CHAIRPERSON,  
23 THE VICE CHAIR SHALL SERVE AS CHAIRPERSON  
24 UNTIL THE CHAIRPERSON IS PRESENT OR  
25 REGAINS CAPACITY TO SERVE. IN CASE OF

1 DEATH OR PERMANENT INCAPACITY OR  
2 DISQUALIFICATION OF THE CHAIRPERSON, THE  
3 ACTING CHAIRPERSON SHALL ALSO ACT AS SUCH  
4 UNTIL A NEW CHAIRPERSON SHALL HAVE BEEN  
5 APPOINTED BY THE PRESIDENT AND QUALIFIED.”

6           [In case of absence due to THE temporary [or  
7 permanent] incapacity of the CHAIRPERSON, [Chairman]  
8 the President shall designate THE VICE CHAIRPERSON  
9 AS [an] Acting CHAIRPERSON [Chairman]. In case of  
10 death or permanent incapacity or disqualification of the  
11 CHAIRPERSON [Chairman] , the Acting CHAIRPERSON  
12 [ Chairman ] shall also act as such until a new  
13 CHAIRPERSON [Chairman] shall have been appointed and  
14 qualified.”]

15       SEC. 10. Section 22 of Republic Act No. 6975 is hereby  
16 amended to read as follows:

17           “SEC. 22. *Qualifications of Regional Directors.* - No  
18 person shall be appointed regional director unless:

19           (a) [ He is at least thirty (30) years of age;] HE OR  
20 SHE IS A CITIZEN OF THE PHILIPPINES; AND

21           (b) A holder of a [baccalaureate] MASTER’S degree  
22 and appropriate civil service eligibility”. [; and” ]

23           [(c) Has at least five (5) years experience in the field  
24 of law enforcement, criminology, or police administration]

25       SEC. 11. *Qualifications Upgrading Program.* - The Commission  
26 shall design and establish a qualifications upgrading program for the

1 The PNP shall be composed of a national office,  
2 [regional offices,] AREA POLICE OFFICES, provincial  
3 offices, [ district offices ] and city or municipal stations.

4 At the national level, the PNP shall maintain its office  
5 in Metropolitan Manila UNLESS THE COMMISSION  
6 DECIDES OTHERWISE. [ which shall house the  
7 directorial staff, service staff, and special support units.]  
8 THE PNP SHALL HAVE SIX (6) AREA POLICE  
9 OFFICES, NAMELY, NATIONAL CAPITAL REGION,  
10 NORTHERN LUZON, SOUTHERN LUZON, VISAYAS,  
11 MINDANAO AND THE AUTONOMOUS REGION FOR  
12 MUSLIM MINDANAO: *PROVIDED*, THAT NO SUB-  
13 AREA POLICE OFFICES SHALL BE CREATED. EACH  
14 OF THESE OFFICES SHALL BE HEADED BY AN  
15 AREA DIRECTOR FOR PEACE AND ORDER. THE  
16 EXISTING PNP REGIONAL OFFICES ARE HEREBY  
17 ABOLISHED.

18 [ At the regional level, the PNP shall have regional  
19 offices, including that of the National Capital Region, which  
20 may be divided into two (2) separate regions without  
21 prejudice to the pertinent provisions of the Organic Act for  
22 the Autonomous Regions of the Cordilleras and Muslim  
23 Mindanao relative to the creation of a regional police force  
24 in the area of autonomy. Each of these regional offices  
25 shall be headed by a regional director for peace and order.]

1 At the provincial level, there shall be a PNP office,  
2 each headed by a provincial director. [ In the case of large  
3 provinces, police districts may be established by the  
4 Commission to be headed by a district director. ]

5 At the city or municipal level, there shall be a PNP  
6 station, each headed by a chief of police.”

7 [ The Chief of the PNP shall, within sixty (60) days  
8 from the effectivity of this Act and in accordance with the  
9 broad guidelines set forth herein, recommend the  
10 organizational structure and staffing pattern of the PNP to  
11 the Commission. ]

12 SEC. 14. Section 29 of Republic Act No. 6975 is hereby  
13 amended to read as follows:

14 “SEC. 29. *Key Positions.* - The head of the PNP  
15 [ with the rank of director general ] shall have the position  
16 title of DIRECTOR GENERAL [ Chief ] PNP[.]  
17 TO BE ASSISTED BY [WHILE the second in  
18 command] [of the PNP with the rank of deputy  
19 director general] [shall be] A [the] Deputy DIRECTOR  
20 GENERAL FOR OPERATIONS AND A DEPUTY  
21 DIRECTOR GENERAL FOR ADMINISTRATION. [  
22 Chief of the PNP for Administration. The third in  
23 command with the rank also of deputy director general shall  
24 be the Deputy Chief of the PNP for Operations.]

[ At the national office, the head of the directorial staff with the rank of deputy director general shall be known as Chief of the Directorial Staff of the PNP. ]

The heads of the various STAFF SERVICES OF THE PNP [ staff divisions in the directorial staff shall have the rank of director with ] SHALL HAVE the position title of Director TO BE ASSISTED BY A DEPUTY DIRECTOR. [ of the Directorial Staff of their respective functional divisions. The head of the Inspectorate Division with the rank of chief superintendent shall assume the position title of Inspector General. The heads of the administrative and operational support divisions shall have the rank of chief superintendent.]

The head of the NATIONAL CAPITAL REGION (NCR) AREA POLICE OFFICE [ with the rank of director] shall assume the position title of NCR Director TO BE ASSISTED BY ONE (1) DEPUTY.

The RESPECTIVE heads of the AREA POLICE [regional] offices [with the rank of chief superintendent] shall assume the position title of AREA POLICE [Regional] Director.

[ The heads of the NCR district offices with the rank of chief superintendent shall have the position title of District Director. ]

The RESPECTIVE heads of the provincial offices [with the rank of senior superintendent] AND

HIGHLY-URBANIZED CITY POLICE OFFICES AS MAY BE DETERMINED BY THE NAPOLCOM shall be known as the Provincial OR CITY Director RESPECTIVELY.

[ The heads of the district offices with the rank of superintendent shall have the position title of District Director.]

The RESPECTIVE heads of the municipality or city offices [ with the rank of chief inspector ] shall be known as the Chief of Police.”

SEC. 15. *Staff Services of the PNP.* - The following shall be the staff services of the PNP.

a) Intelligence Services - which shall provide staff intelligence and counter intelligence services, and conduct research on intelligence;

b) Operation Services - which shall provide staff services for the aviation security, maritime and special action force operations and other operations: *Provided*, That the special action force which shall function under the direct command of the director general as a mobile strike force to augment local police forces for civil disturbance control, hostage-taking rescue, kidnapping for ransom and anti-bank robbery operations and other special operations shall not exceed one *percentum* (1%) of the total uniformed police force: *Provided, further*, That no operational task force shall be headed by any PNP personnel who is under preventive suspension, or has a pending administrative case where the penalty may be either demotion or dismissal from the service, or is charged in court with a grave felony, except in cases



1 of emergency which require the expertise and experience of that  
2 disqualified police officer. The control and supervision of anti-  
3 gambling operations are hereby transferred to the local government  
4 units.

5 c) Criminal Investigation Services - which shall provide staff  
6 services on criminal, narcotic and organized crime investigation and  
7 the maintenance and operation of a national crime laboratory;

8 d) Police Community Relations Services - which shall provide  
9 police community relations staff services; issue guidelines on the  
10 licensing of the organization and operations, of all organized private  
11 detectives, watchmen, security guard agencies and company guards,  
12 the licensing and registration of firearms and explosives and  
13 provision of security for government officials, visiting dignitaries and  
14 private individuals authorized by the director general to be given  
15 protection: *Provided*, That the security detail shall, unless otherwise  
16 provided by law or international treaty obligations, be limited to a  
17 maximum of two (2) security personnel per principal and for a period  
18 not exceeding six (6) months at a time, except those assigned to the  
19 President, Vice President, Senate President, Speaker of the House, and  
20 Chief Justice of the Supreme Court: *Provided, further*, That the total  
21 number of security detail from a particular police station/unit shall not  
22 exceed five percent (5%) of the uniformed personnel of the said police  
23 station or unit.

24 It shall also monitor through a regular reporting system, the  
25 activities of the aforesaid detectives, watchmen, security guard agencies  
26 and company guards.

1 e) Administrative Services - which shall provide (i) assistance  
2 on budgetary and financial matters and services relating to records,  
3 manpower, human resource development and personnel welfare; and  
4 (ii) legal services, such as rendering legal advice and opinions on  
5 matters arising from the administration and operation of the PNP,  
6 giving legal assistance and advice to the PNP personnel;

7 f) Logistic Services - which shall provide security and general  
8 services relating to logistics, correspondence, supplies, property,  
9 equipment, maintenance and utilization of facilities and information  
10 technology and communications;

11 g) Plans and Doctrine Services - which shall be responsible  
12 for the development of plans and programs that are beyond the  
13 immediate operational and tactical range; undertake special studies and  
14 research on organization, force and project development and  
15 management; serve as a coordinative linkage with other agencies, local  
16 and international, pursuant to the development plans and programs for  
17 the effective and efficient administration and operation of the PNP;  
18 and

19 h) Educational Services - which shall administer the Philippine  
20 National Police Academy and the Philippine National Police Training  
21 Institute. The administration of the PNPA shall be transferred from  
22 the Philippine Public Safety College (PPSC) to the PNP: *Provided*,  
23 That such transfer shall take effect only after the approval by the  
24 Department of Budget and Management of the new staffing pattern  
25 of the PNP pursuant to the provisions of this act: *Provided, further*, That

1 such transfer shall be limited to the training of PNP personnel with  
2 the PPSC retaining its mandate to train those in the fire and jail  
3 services.

4 The Deputy Director General for Operations shall have  
5 supervision over the operation of the intelligence services, operation  
6 services, criminal and investigation services, police community relation  
7 services, while the Deputy Director General for Administration shall  
8 have supervision over the administrative services, logistics services,  
9 plans and doctrine services and educational services: *Provided,*  
10 *however,* That the Commission may, upon the recommendation of the  
11 director general, redefine the functions of the different staff services  
12 as the exigencies of the service may require.

13 SEC. 16. *Civilianization of the PNP Organization.* - (a) The  
14 Commission shall within a period of three (3) years from the  
15 effectivity of this Act undertake and complete a comprehensive review  
16 of its policies, programs and practices and the complete civilian  
17 orientation of its members to the end that the PNP attain a truly  
18 civilian character regardless of any previous military training or  
19 experience of any of its personnel.

20 (b) The rank classification of the PNP enumerated under  
21 Section 28 of Republic Act No. 6975 is hereby abolished and the PNP  
22 members shall acquire appropriate civilian titles and grades as may  
23 be determined by the Commission.

24 (c) Positions which are purely administrative, technical,  
25 clerical, or menial in nature and other positions which are not actually

1 and directly related to police operations shall be occupied by non-  
2 uniformed personnel: *Provided,* That the heads of the national staff  
3 services and their division heads shall be occupied by uniformed  
4 personnel who are qualified for such positions.

5 Pursuant to the provisions of this section, the Commission  
6 in coordination with the Civil Service Commission shall formulate a  
7 staffing pattern within ninety (90) days after the effectivity of this Act  
8 providing for the positions and grades of the members of the PNP.

9 The National Police Commission shall implement this new  
10 staffing pattern without diminution of salaries and benefits and without  
11 altering the current seniority of the uniformed members of the PNP.

12 SEC. 17. *Devolution of the National Support Units.* - The  
13 National Administrative and Operational Support Units are hereby  
14 abolished without prejudice to the development of the administrative  
15 and operational capabilities of the local police forces as the need arises  
16 subject to the approval of the Director General of the PNP: *Provided,*  
17 *however,* That the medical service unit shall be separated from the  
18 dental service unit.

#### 19 B. QUALIFICATIONS UPGRADING

20 SEC. 18. Section 30 of Republic Act No. 6975 is hereby  
21 amended which shall read as follows:

22 "SEC. 30. *General Qualifications for Appointment.*

23 - No person shall be appointed as officer or member of  
24 the PNP unless he OR SHE possesses the following  
25 minimum qualifications:

- 1 a) A citizen of the Philippines;
- 2 b) A person of good moral conduct;
- 3 c) [ Of sound mind and body ] MUST HAVE
- 4 PASSED THE PSYCHIATRIC/PSYCHOLOGICAL,
- 5 DRUG AND PHYSICAL TESTS TO BE
- 6 ADMINISTERED BY THE PNP OR BY ANY
- 7 NAPOLCOM ACCREDITED GOVERNMENT
- 8 HOSPITAL FOR THE PURPOSE OF DETERMINING
- 9 PHYSICAL AND MENTAL HEALTH;
- 10 d) Must possess a formal baccalaureate degree FROM
- 11 A RECOGNIZED INSTITUTION OF LEARNING; [ for
- 12 appointment as officer and must have finished at least
- 13 second year college or the equivalent of seventy-two (72)
- 14 collegiate units for appointment as non-officer or an
- 15 equivalent training or experience for those already in the
- 16 service upon the effectivity of this Act;]
- 17 e) Must be eligible in accordance with the standards
- 18 set by the Commission;
- 19 f) Must not have been dishonorably discharged from
- 20 military employment or dismissed for cause from any
- 21 civilian position in the Government;
- 22 g) Must not have been convicted by final judgment
- 23 of an offense or crime involving moral turpitude;
- 24 h) Must be at least one meter and sixty-two
- 25 centimeters (1.62 m.) in height; [ for male and one meter
- 26 and fifty-seven centimeters (1.57 m.) for female ]

- 1 i) Must weigh not more or less than five kilograms
- 2 (5 kgs.) [ of ] FROM the standard weight corresponding
- 3 to his or her height, age, and sex; and
- 4 j) For a new applicant, must not be less than twenty-
- 5 one (21) nor more than thirty (30) years of age:
- 6 *PROVIDED, HOWEVER*, THAT THIS QUALIFICATION
- 7 SHALL NOT APPLY TO MEMBERS OF THE
- 8 NATIONAL POLICE COMMISSION.
- 9 EXCEPT FOR THE LAST QUALIFICATION, THE
- 10 ABOVE-ENUMERATED QUALIFICATIONS SHALL BE
- 11 CONTINUING IN CHARACTER AND AN ABSENCE
- 12 OF ANY ONE OF THEM AT ANY GIVEN TIME
- 13 SHALL BE A GROUND FOR SEPARATION OR
- 14 RETIREMENT FROM THE SERVICE: *PROVIDED*,
- 15 THAT PNP MEMBERS WHO ARE ALREADY IN THE
- 16 SERVICE UPON THE EFFECTIVITY OF THIS ACT
- 17 SHALL BE GIVEN AT LEAST TWO (2) MORE YEARS
- 18 TO OBTAIN THE MINIMUM EDUCATIONAL
- 19 QUALIFICATION AND ONE (1) YEAR TO SATISFY
- 20 THE WEIGHT REQUIREMENT.
- 21 FOR THE PURPOSE OF DETERMINING
- 22 COMPLIANCE WITH THE REQUIREMENT ON
- 23 PHYSICAL AND MENTAL HEALTH, AS WELL AS
- 24 THE NON-USE OF PROHIBITED DRUGS, THE PNP
- 25 BY ITSELF OR THROUGH A NAPOLCOM

ACCREDITED GOVERNMENT HOSPITAL SHALL  
CONDUCT REGULAR PSYCHIATRIC,  
PSYCHOLOGICAL DRUG AND PHYSICAL TESTS  
RANDOMLY AND WITHOUT NOTICE.

AFTER THE LAPSE OF THE TIME PERIOD FOR  
THE SATISFACTION OF A SPECIFIC REQUIREMENT,  
CURRENT MEMBERS OF THE PNP WHO WILL FAIL  
TO SATISFY ANY OF THE REQUIREMENTS  
ENUMERATED UNDER THIS SECTION SHALL BE  
SEPARATED FROM THE SERVICE IF THEY ARE  
BELOW FIFTY (50) YEARS OF AGE AND HAVE  
SERVED IN GOVERNMENT FOR LESS THAN  
TWENTY (20) YEARS OR RETIRED IF THEY ARE  
FROM THE AGE OF FIFTY (50) AND ABOVE AND  
HAVE SERVED THE GOVERNMENT FOR AT LEAST  
TWENTY (20) YEARS WITHOUT PREJUDICE IN  
EITHER CASE TO THE PAYMENT OF BENEFITS  
THEY MAY BE ENTITLED TO UNDER EXISTING  
LAWS.”

SEC. 19. *Waivers for Initial Appointments to the PNP.* - The  
age, height, weight, and educational requirements for initial  
appointment to the PNP may be waived only when the number of  
qualified applicants fall below the minimum annual quota: *Provided,*  
That an applicant shall not be below twenty (20) nor over thirty-  
five (35) years of age: *Provided, further,* That any applicant not

meeting the weight requirement shall be given reasonable time but not  
exceeding six (6) months within which to comply with the said  
requirement: *Provided, furthermore,* That only applicants who have  
finished second year college or have earned at least seventy-two (72)  
collegiate units leading to a bachelor's degree shall be eligible for  
appointment: *Provided, furthermore,* That anybody who will enter the  
service without a baccalaureate degree shall be given a maximum of  
four (4) years to obtain the required educational qualification.

SEC. 20. *Selection Criteria Under the Waiver Program.* -  
The selection of applicants under the Waiver Program shall be subject  
to the following minimum criteria:

- a) Applicants who possess the least disqualification shall  
take precedence over those who possess more disqualifications.
- b) The requirements shall be waived in the following order:  
(a) age, (b) height, (c) weight, and (d) education.

The Commission shall promulgate rules and regulations to  
address other situations arising from the waiver of the entry  
requirements.

SEC. 21. *Nature of Appointment Under a Waiver Program.*-  
Any PNP uniformed personnel who is admitted due to the waiver of  
the educational or weight requirements shall be issued a temporary  
appointment pending the satisfaction of the requirement waived. Any  
member who will fail to satisfy any of the waived requirements within  
the specified time periods under Section 19 of this Act shall be  
dismissed from the service.

1        SEC. 22. *Re-application of Dismissed PNP Members Under a*  
2        *Waiver Program.* - Any PNP member who shall be dismissed under  
3        a waiver program shall be eligible to re-apply for appointment to the  
4        PNP: *Provided*, That he or she possesses the minimum qualifications  
5        under Section 18 of this Act and his or her reappointment is not  
6        by virtue of another waiver program.

7        SEC. 23. *Lateral Entry.* - Lateral entry to the PNP shall be  
8        allowed for doctors, dentists and other positions requiring highly  
9        technical qualifications and to be occupied by non-uniformed members.  
10       PNP uniformed personnel who are qualified for these positions may  
11       apply for lateral entry: *Provided*, That, upon appointment, they shall  
12       cease to be uniformed members of the PNP.

13       SEC. 24. *The Field Training Program.* - All uniformed  
14       members of the PNP shall undergo a Field Training Program for  
15       twelve (12) months involving actual experience and assignment in  
16       patrol, traffic, and investigation as a requirement for permanency of  
17       their appointment.

18       SEC. 25. *Increased Qualifications for Provincial Directors.* - No  
19       person may be appointed Director of a Provincial Police Office unless:

20       a) he or she holds a master's degree in public administration,  
21       sociology, criminology, criminal justice, law enforcement, national  
22       security administration, defense studies, or other related discipline from  
23       a recognized institution of learning; and

24       b) has satisfactorily passed the required training and career  
25       courses necessary for the position as may be established by the  
26       Commission.

1       Any PNP personnel who is currently occupying the  
2       position but lacks any of the qualifications mentioned above shall be  
3       given three (3) years upon the effectivity of this Act to comply with  
4       the requirements; otherwise he or she shall be relieved from the  
5       position.

6       SEC. 26. Section 34 of Republic Act No. 6975 is hereby  
7       amended to read as follows:

8       "SEC. 34. *Qualifications of Chief of City and*  
9       *Municipal Police Stations.* - No person [ may ] SHALL  
10       be appointed chief of a city police station unless he/  
11       SHE IS A GRADUATE OF BACHELOR OF LAWS OR  
12       [ holds a bachelor's degree ] HAS FINISHED ALL THE  
13       REQUIRED COURSES OF A MASTER'S DEGREE  
14       PROGRAM IN PUBLIC ADMINISTRATION,  
15       CRIMINOLOGY, CRIMINAL JUSTICE, LAW  
16       ENFORCEMENT, NATIONAL SECURITY  
17       ADMINISTRATION, DEFENSE STUDIES, AND  
18       OTHER RELATED DISCIPLINES from a recognized  
19       institution of learning. [ or has served in the Philippine  
20       Constabulary or in the police department of any city or  
21       municipality with the rank of captain or its equivalent  
22       therein for at least three (3) years ] No person [may]  
23       SHALL be appointed Chief of a municipal police station  
24       unless he OR SHE HAS FINISHED AT LEAST SECOND  
25       YEAR BACHELOR OF LAWS OR has [holds a

bachelor's degree] EARNED AT LEAST TWELVE (12) UNITS IN A MASTER'S DEGREE PROGRAM IN PUBLIC ADMINISTRATION, CRIMINOLOGY, CRIMINAL JUSTICE, LAW ENFORCEMENT, NATIONAL SECURITY ADMINISTRATION, AND OTHER RELATED DISCIPLINES from a recognized institution of learning: [or has served as officer in the Philippine Constabulary or in the police department of any city or municipality for at least two (2) years with the rank of lieutenant or its equivalent] *PROVIDED*, THAT members of the Bar with at least five (5) years of law practice, LICENSED CRIMINOLOGISTS OR GRADUATES OF THE PHILIPPINE NATIONAL POLICE ACADEMY AND who possess the general qualifications [under Section 30 of this Act] FOR INITIAL APPOINTMENT TO THE PNP shall be qualified for appointment as chief of a city or municipal police station: *PROVIDED FURTHER*, THAT THE APPOINTEE HAS SUCCESSFULLY PASSED THE REQUIRED FIELD TRAINING PROGRAM AND HAS COMPLIED WITH OTHER REQUIREMENTS AS MAY BE ESTABLISHED BY THE COMMISSION: *Provided, [further] FURTHERMORE*, That the chief of police shall be appointed in accordance with the provisions of Section 51, paragraph (b), subparagraph 4(i) of this Act."

SEC. 27. *Qualifications Upgrading Program.* - The Commission shall design and establish a qualifications upgrading program for the Philippine National Police officers and members in coordination with the Civil Service Commission, and the Commission on Higher Education through a distance education program and/or an in-service education program or other similar programs within ninety (90) days from the effectivity of this Act.

C. ATTRITION SYSTEM FOR UNIFORMED PERSONNEL

SEC. 28. *Attrition System.* - There shall be established a system of attrition within the uniformed members of the PNP within one year from the effectivity of this Act to be submitted by the PNP to the Commission for approval. Such attrition system shall include but is not limited to the provisions of the following sections.

SEC. 39. *Attrition by Attainment of Maximum Tenure in Position.* - The maximum tenure of PNP members holding key positions is hereby prescribed as follows:

| POSITION                       | MAXIMUM<br>TENURE IN POSITION |
|--------------------------------|-------------------------------|
| Director General               | four (4) years                |
| Deputy Director General        | four (4) years                |
| Director of the Staff Services | four (4) years                |
| Area Directors                 | six (6) years                 |
| Provincial/City Directors      | nine (9) years                |

Unless earlier separated, retired or promoted to a higher position in accordance with the PNP Staffing Pattern, police officers holding

1 the above-mentioned positions shall be compulsorily retired at the  
2 maximum tenure in position herein prescribed, or at age fifty-five (55)  
3 or thirty-five (35) years of total police service, whichever is earliest:  
4 *Provided, however,* That in meritorious cases, the retirement age may  
5 be extended by two (2) years: *Provided, further,* That in times of war  
6 or other national emergency declared by Congress, the President may  
7 extend the Director General's tour of duty: *Provided, finally,* That  
8 PNP members who have already reached their maximum tenure upon  
9 the effectivity of this Act may be allowed one (1) year more of tenure  
10 in their positions before the maximum tenure provided in this Section  
11 shall be applied to them, unless they shall have already reached the  
12 compulsory retirement age of Fifty-five (55), in which case the  
13 compulsory retirement age shall prevail.

14 Except for the Director General, no PNP member who has less  
15 than one (1) year of service before reaching the compulsory retirement  
16 age shall be promoted or appointed to any other position.

17 SEC. 30. *Attrition by Relief.* - A PNP uniformed personnel  
18 who has been relieved for just cause and has not been given an  
19 assignment within two (2) years after such relief shall be retired or  
20 separated.

21 SEC. 31. *Attrition by Demotion in Position.* - Any PNP  
22 personnel, civilian or uniformed, who is relieved and assigned to a  
23 position lower than what is established for his or her grade in the PNP  
24 staffing pattern and who shall not be assigned to a position  
25 commensurate to his or her grade within eighteen (18) months after  
26 such demotion in position shall be retired or separated.

1 SEC. 32. *Attrition by Non-promotion.* - Any PNP personnel who  
2 has not been promoted for a continuous period of ten (10) years shall  
3 be retired or separated.

4 SEC. 33. *Attrition by Other Means.* - A PNP member or  
5 officer with at least five (5) years of accumulated active service shall  
6 be separated based on any of the following factors:

7 a) inefficiency based on poor performance during the last two  
8 (2) successive annual rating periods;

9 b) inefficiency based on poor performance for three (3)  
10 cumulative annual rating periods;

11 c) physical and/or mental incapacity to perform police  
12 functions and duties; or

13 d) failure to pass the required entrance examinations twice and/  
14 or finish the required career courses except for justifiable reasons.

15 SEC. 34. *Retirement or Separation Under the Preceding*  
16 *Sections.* - Any personnel who is dismissed from the PNP pursuant  
17 to Sections 30, 31, 32 and 33 hereof shall be retired if he or she  
18 has rendered at least twenty (20) years of service and separated if he  
19 or she has rendered less than twenty (20) years of service unless the  
20 personnel is disqualified by law to receive such benefits.

#### 21 D. PROMOTION SYSTEM

22 SEC. 35. *Rationalized Promotion System.* - Within six (6)  
23 months after the effectivity of this Act, the Commission shall establish  
24 a system of promotion for uniformed and non-uniformed personnel of  
25 the PNP which shall be based on merits and on the availability of

1 vacant positions in the PNP staffing pattern. Such system shall be  
2 gender fair and shall ensure that women members of the PNP shall  
3 enjoy equal opportunity for promotion as that of men.

4 SEC. 36. *Promotion by Virtue of Position.* - Any PNP  
5 personnel designated to any key position whose grade is lower than  
6 that which is required for such position shall, after six (6) months of  
7 occupying the same, be entitled to a grade adjustment corresponding  
8 to the position: *Provided*, That the personnel shall not be  
9 reassigned to a higher position until after two (2) years from the date  
10 of such grade adjustment: *Provided, further*, That any personnel  
11 designated to the position who does not possess the established  
12 minimum qualifications therefor shall occupy the same temporarily for  
13 not more than six (6) months without reappointment or extension.

14 SEC. 37. Section 38 (a) of Republic Act No. 6975 is hereby  
15 amended to read as follows:

16 "SEC. 38. *Promotions* - (a) A UNIFORMED member  
17 of the PNP shall not be eligible for promotion to a higher  
18 position or [rank] GRADE unless he OR SHE has  
19 successfully passed the corresponding promotional  
20 examination given by the Commission, or the Bar, or the  
21 corresponding board examinations for technical services and  
22 other professions, [and] has satisfactorily completed [an]  
23 THE appropriate and accredited course in the PNPA or  
24 equivalent training institutions, AND HAS  
25 SATISFACTORILY PASSED THE REQUIRED

1 PSYCHIATRIC/PSYCHOLOGICAL AND DRUG TESTS.

2 In addition, no UNIFORMED member of the PNP shall be  
3 eligible for promotion DURING THE PENDENCY OF  
4 HIS OR HER ADMINISTRATIVE AND/OR CRIMINAL  
5 CASE OR unless he OR SHE has been cleared by the  
6 People's Law Enforcement Board (PLEB), AND THE  
7 OFFICE OF THE OMBUDSMAN of ANY complaints  
8 proffered against him OR HER, if any."

9 SEC. 38. Section 38(b) of Republic Act No. 6975 is hereby  
10 amended to read as follows:

11 "SEC. 38(b) [ Special promotion may be extended to]  
12 Any UNIFORMED member of the PNP WHO HAS  
13 EXHIBITED [for] acts of conspicuous courage and  
14 gallantry at the risk of his/HER life above and beyond the  
15 call of duty, SHALL BE PROMOTED TO THE NEXT  
16 HIGHER GRADE: *PROVIDED*, THAT [or selected as  
17 such in a nationwide search conducted by the PNP or any  
18 accredited civic organization] SUCH ACTS SHALL BE  
19 VALIDATED BY THE COMMISSION BASED ON  
20 ESTABLISHED CRITERIA."

21 E. UPGRADING OF SALARIES AND BENEFITS

22 SEC. 39. *RETIREMENT BENEFITS.* - MONTHLY  
23 RETIREMENT PAY SHALL BE FIFTY PERCENT (50%) OF THE  
24 BASE PAY AND LONGEVITY PAY OF A RETIRED GRADE IN  
25 CASE OF TWENTY (20) YEARS OF ACTIVE SERVICE,



1 rendered beyond twenty (20) years or maximum ninety percent (90%)  
2 for thirty-six (36) years of active service and over: *Provided*, That  
3 the uniformed personnel shall have the option to receive in advance  
4 and in lump sum his retirement pay for the first five (5) years as it  
5 accrues: *Provided, further*, That payment of the retirement benefits in  
6 lump sum shall be made within six (6) months from the effectivity  
7 date of retirement and/or completion of documentary requirements:  
8 *Provided, finally*, That retirement pay of the officers/non-officers of  
9 the PNP shall be subject to adjustment of the prevailing scale of the  
10 base pay of police personnel in the active service.

11 SEC. 40. Section 36 of Republic Act No. 6975 is hereby  
12 amended to read as follows:

13 "SEC. 36. *Status of Members of the Philippine*  
14 *National Police*. - The UNIFORMED members of the PNP  
15 shall be considered employees of the National Government  
16 and shall draw their salaries therefrom. THEY SHALL  
17 HAVE THE SAME SALARY GRADE LEVEL AS THAT  
18 OF PUBLIC SCHOOL TEACHERS AND NURSES:  
19 *Provided*, That PNP members assigned in Metropolitan  
20 Manila, chartered cities and first class municipalities may  
21 be paid FINANCIAL INCENTIVE [an additional monthly  
22 allowance] by the local government unit concerned  
23 SUBJECT TO THE AVAILABILITY OF FUNDS."

24 SEC. 41. *Compulsory Retirement*. - Compulsory retirement for  
25 officers and non-officers shall be upon the attainment of age fifty-five

1 (55) or thirty-five (35) years of total police service whichever is  
2 earlier: *Provided, however*, That in meritorious cases, the retirement  
3 age may be extended by two (2) years: *Provided, finally*, That the  
4 compulsory retirement of PNP officers who are appointed to and  
5 permanently assigned with the chaplain service, medical service, dental  
6 service and such other technical services by reason of their respective  
7 highly technical qualifications shall be at age sixty (60) or has attained  
8 thirty-five (35) years of continuous active police service whichever  
9 comes first.

10 SEC. 42. *Early Retirement Program*. - Within three (3) years  
11 after the effectivity of this Act, any PNP officer or non-commissioned  
12 officer may retire and be paid separation benefits corresponding to  
13 a position two (2) grades higher than his or her present grade subject  
14 to the following conditions:

15 a) that at the time he or she applies for retirement, he  
16 or she has already rendered at least ten (10) years of continuous  
17 government service;

18 b) the applicant is not scheduled for separation or retirement  
19 from the service due to the attrition system or separation for cause;

20 c) he or she has no pending administrative or criminal case;  
21 and

22 d) he or she has at least three (3) more years in the service  
23 before reaching the compulsory retirement age and at least a year  
24 before his or her maximum tenure in position.

25 SEC. 43. *Rationalization of Retirement and Separation*  
26 *Benefits*. - The Commission shall formulate a rationalized retirement

1 and separation benefits schedule and program within one (1) year from  
2 the effectivity of this Act for approval by Congress: *Provided*, That  
3 the approved schedule and program shall have retroactive effect in  
4 favor of PNP members and officers retired or separated from the time  
5 specified in the law, unless the retirement or separation is for cause  
6 and the decision denies the grant of benefits.

#### 7 TITLE IV

#### 8 INTERNAL AFFAIRS SERVICE

9 SEC. 44. *Creation, Powers, and Functions.* - An Internal  
10 Affairs Service (IAS) of the PNP is hereby created which shall:

11 a) pro-actively conduct inspections and audits on PNP personnel  
12 and units;

13 b) investigate complaints and gather evidence in support of an  
14 open investigation;

15 c) conduct summary hearings on PNP members facing  
16 administrative charges;

17 d) submit a periodic report on the assessment, analysis, and  
18 evaluation of the character and behavior of PNP personnel and units  
19 to the Chief PNP and the Commission;

20 e) file appropriate criminal cases against PNP members before  
21 the court as evidence warrants and assist in the prosecution of the  
22 case;

23 f) provide assistance to the Office of the Ombudsman in cases  
24 involving the personnel of the PNP.

25 The IAS shall also conduct, *moto proprio*, automatic  
26 investigation of the following cases:

1 a) incidents where a police personnel discharges a firearm;

2 b) incidents where death, serious physical injury, or any  
3 violation of human rights occurred in the conduct of a police  
4 operation;

5 c) incidents where evidence was compromised, tampered with,  
6 obliterated, or lost while in the custody of police personnel;

7 d) incidents where a suspect in the custody of the police  
8 was seriously injured; and

9 e) incidents where the established rules of engagement have  
10 been violated.

11 Finally, the IAS shall provide documents or recommendations  
12 as regards the promotion of the members of the PNP or the  
13 assignment of PNP personnel to any key position.

14 SEC. 45. *Organization.*- National, area, and provincial offices  
15 of the Internal Affairs shall be established. Internal Affairs Service  
16 shall be headed by an Inspector General who shall be assisted by a  
17 Deputy Inspector General. The area offices shall be headed by a  
18 Director while the provincial offices shall be headed by a  
19 Superintendent: *Provided*, That the head of the Internal Affairs Service  
20 shall be a civilian who shall meet the qualification requirements  
21 provided herein.

22 The Commission shall establish a rationalized staffing pattern for  
23 the Internal Affairs Service within ninety (90) days upon the effectivity  
24 of this Act.

25 SEC. 46. *Appointments.* - The Inspector General shall be  
26 appointed by the President upon the recommendation of the Director

1 General and duly endorsed by the Commission. Appointments of  
2 personnel who shall occupy various positions shall be made by the  
3 Inspector General and shall be based on an established career pattern  
4 and criteria to be promulgated by the Commission.

5 SEC. 47. *Entry Qualifications to IAS.* - Entry to the Internal  
6 Affairs Service shall be voluntary and subject to rigid screening where  
7 only PNP personnel who have at least five (5) years experience in  
8 law enforcement and who have no derogatory service records shall  
9 be considered for appointment: *Provided*, That members of the Bar  
10 may enter the service laterally.

11 SEC. 48. *Initial Appointments to the National, Directorial, and*  
12 *Provincial Internal Affairs Service Offices.* - Initial appointments of  
13 the heads of the offices in the Internal Affairs Service shall be made  
14 by the President upon recommendation by the Commission.  
15 Thereafter, appointments and promotions to the Service shall follow  
16 the established requirements and procedures.

17 SEC. 49. *Promotions.* - The Commission shall establish  
18 the promotion system within the IAS which shall follow the general  
19 principles of the promotion system in the PNP.

20 SEC. 50. *Prohibitions.* - Any personnel who joins the IAS  
21 may not thereafter join any other unit of the PNP. Neither shall any  
22 personnel of the IAS be allowed to sit in a committee deliberating  
23 on the appointment, promotion, or assignment of any PNP personnel.

24 SEC. 51. *Career Development and Incentives.* - (1) Personnel  
25 of the Internal Affairs Service shall in addition to other allowances

1 authorized under existing laws be granted occupational specialty pay  
2 which shall not exceed fifty percent (50%) of their basic pay. This  
3 pay shall not be considered a forfeiture of other remuneration and  
4 allowances which are allowed under existing laws.

5 (2) IAS members shall also have priorities in the quota allocation  
6 for training and education.

7 SEC. 52. *Records Management of the IAS.* - Local Internal  
8 Affairs Offices shall be responsible for the maintenance and update  
9 of the records of the members of the PNP within their jurisdiction.

10 When a PNP personnel is reassigned or transferred to another  
11 location or unit outside the jurisdiction of the current Internal Affairs  
12 Office, the original records of such personnel shall be transferred over  
13 to the Internal Affairs Office that will acquire jurisdiction over the  
14 transferred personnel while copies will be retained by the former  
15 Internal Affairs Office.

16 In cases where a PNP personnel has been relieved of his/her  
17 position and has not been given an assignment, the Internal Affairs  
18 Office where the person has been assigned last shall continue to have  
19 jurisdiction over his or her records until such time that the officer or  
20 member shall have been given a new assignment where the records  
21 will be forwarded to the Internal Affairs Office acquiring jurisdiction  
22 over the PNP personnel.

23 SEC. 53. *Inclusion of Supervisors and Superiors in IA*  
24 *Investigations.* - The immediate superior or supervisor of the personnel  
25 or units being investigated under the preceding section shall be

1 automatically included in the investigation of the IA to exclusively  
2 determine lapses in administration or supervision.

3 SEC. 54. *Disciplinary Recommendations of the IAS.* - (a) Any  
4 uniformed PNP personnel found guilty of any of the cases mentioned  
5 in Section 44 of this Act and any immediate superior or supervisor  
6 found negligent under Section 53 of this Act shall be recommended  
7 automatically for dismissal or demotion, as the case may be.

8 (b) Recommendations by the IAS for the imposition of  
9 disciplinary measures against an erring PNP personnel, once final,  
10 cannot be revised, set-aside, or unduly delayed by any disciplining  
11 authority without just cause. Any disciplining authority who fails to  
12 act or who acts with abuse of discretion on the recommendation of  
13 the IAS shall be made liable for gross neglect of duty. The case of  
14 erring disciplinary authority shall be submitted to the Director General  
15 for proper disposition.

16 SEC. 55. *Appeals.* - Decisions rendered by the provincial  
17 inspectors shall be forwarded to the area internal affairs office for  
18 review within ten (10) working days upon the receipt thereof.  
19 Decisions of the area Office may be appealed to the national office  
20 through the Office of Inspector General. Decisions rendered by the  
21 National IAS shall be appealed to the National Appellate Board or  
22 to the court as may be appropriate: *Provided*, That the summary  
23 dismissal powers of the Director General and Area Directors as  
24 provided in Section 42 of Republic Act No. 6975 shall remain valid:  
25 *Provided, further*, That the existing jurisdiction over offenses as  
26 provided under Republic Act No. 6975 shall not be affected.

1 SEC. 56. *Complaints Against the IAS.* - A complaint against  
2 any personnel or office of IAS shall be brought to the Inspector  
3 General's Office or to the Commission as may be appropriate.

#### 4 TITLE V

#### 5 CREATION OF WOMEN'S DESKS IN ALL POLICE 6 STATIONS AND THE FORMULATION OF A GENDER 7 SENSITIVITY PROGRAM

8 SEC. 57. *Creation and Functions.* - The PNP shall establish  
9 women's desks in all police stations throughout the country to  
10 administer and attend to cases involving crimes against chastity,  
11 sexual harassment, abuses committed against women and children and  
12 other similar offenses: *Provided*, That municipalities and cities  
13 presently without policewomen will have two (2) years upon the  
14 effectivity of this Act within which to comply with the requirement  
15 of this provision.

16 SEC. 58. *Prioritization of Women for Recruitment.* - Within  
17 the next five (5) years, the PNP shall prioritize the recruitment and  
18 training of women who shall serve in the women's desk. Pursuant  
19 to this requirement, the PNP shall reserve ten percent (10%) of its  
20 annual recruitment, training, and education quota for women.

21 SEC. 59. *Gender Sensitivity Program.* - The Commission shall  
22 formulate a gender sensitivity program within ninety (90) days from  
23 the effectivity of this Act to include but not limited to the  
24 establishment of equal opportunities for women in the PNP, the  
25 prevention of sexual harassment in the workplace, and the prohibition  
26 of discrimination on the basis of gender or sexual orientation.

1 SEC. 60. *Administrative Liability.* - Any personnel who shall  
2 violate the established rules and regulations regarding gender sensitivity  
3 and gender equality shall be suspended without pay for not less than  
4 thirty (30) days and shall undergo gender sensitivity seminar or  
5 training: *Provided*, That any personnel who violates the rules more  
6 than twice shall be recommended for demotion or dismissal from the  
7 PNP.

8 SEC. 61. *Non-prohibition for Promotion.* - Nothing in this  
9 title shall be construed as a restriction on the assignment of  
10 policewomen to other positions in the PNP nor shall any provisions  
11 of this title be used for the non-promotion of a PNP female personnel  
12 to a higher position.

13 TITLE VI

14 PARTICIPATION OF LOCAL GOVERNMENT EXECUTIVES

15 IN THE ADMINISTRATION OF THE PNP

16 SEC. 62. The provisions of the second and third paragraphs  
17 of sub-paragraph (b) (1), Section 51, Chapter III-D of Republic Act  
18 No. 6975, are hereby amended to read as follows:

19 "The term 'operational supervision and control' shall  
20 mean the power to direct, superintend, and oversee [and  
21 inspect the police units or forces] THE DAY TO DAY  
22 FUNCTIONS OF POLICE INVESTIGATION OF CRIME,  
23 CRIME PREVENTION ACTIVITIES, AND TRAFFIC  
24 CONTROL IN ACCORDANCE WITH THE RULES AND  
25 REGULATIONS PROMULGATED BY THE  
26 COMMISSION.

1 It shall ALSO include the power to DIRECT THE  
2 EMPLOYMENT [ employ ] and DEPLOYMENT [deploy]  
3 OF units or elements of the PNP, through the station  
4 commander, to ensure public safety and effective  
5 maintenance of peace and order within the locality. For  
6 this purpose, the terms "EMPLOYMENT" ["employ"]  
7 and "DEPLOYMENT" [ "deploy" ] shall mean as follows:"

8 XXX XXX

9 SEC. 63. The fourth and fifth paragraphs of sub-paragraph (b)  
10 of Section 51 of the same Act are hereby amended by substituting  
11 the terms "employ" and "deploy" appearing therein, with the terms  
12 "EMPLOYMENT" and "DEPLOYMENT", respectively.

13 SEC. 64. Section 51 (b) (4) is hereby amended to read as  
14 follows:

15 "(4) *Other Powers.* In addition to the aforementioned  
16 powers, city and municipal mayors shall have the following  
17 authority over the PNP units in their respective  
18 jurisdictions:

19 (i) Authority to choose the chief of police from a list  
20 of five (5) eligibles recommended by the provincial police  
21 director, preferably from the same province, city or  
22 municipality: *PROVIDED, HOWEVER, THAT IN NO*  
23 *CASE SHALL AN OFFICER-IN-CHARGE BE*  
24 *DESIGNATED FOR MORE THAN THIRTY (30) DAYS:*  
25 *PROVIDED, FURTHER, THAT THE LOCAL PEACE*

1 AND ORDER COUNCIL MAY, THROUGH THE CITY  
2 OR MUNICIPAL MAYOR, RECOMMEND THE  
3 RECALL OR REASSIGNMENT OF THE CHIEF OF  
4 POLICE WHEN, IN ITS PERCEPTION, THE LATTER  
5 HAS BEEN INEFFECTIVE IN COMBATING CRIME OR  
6 MAINTAINING PEACE AND ORDER IN THE CITY  
7 OR MUNICIPALITY: *PROVIDED, FINALLY*, THAT  
8 SUCH RELIEF SHALL BE BASED ON GUIDELINES  
9 ESTABLISHED BY THE NAPOLCOM;

10 (ii) Authority to recommend TO THE PROVINCIAL  
11 DIRECTOR the transfer, reassignment or detail of PNP  
12 members outside of their respective city or town residences;  
13 and

14 (iii) Authority to recommend from a list of eligibles  
15 previously screened by the peace and order council the  
16 appointment of new members of the PNP to be assigned  
17 to their respective cities or municipalities without which no  
18 such appointment shall be attested: *PROVIDED, THAT*  
19 *WHENEVER PRACTICABLE AND CONSISTENT*  
20 *WITH THE REQUIREMENTS OF THE SERVICE, PNP*  
21 *MEMBERS SHALL BE ASSIGNED TO THE CITY OR*  
22 *MUNICIPALITY OF THEIR RESIDENCE."*

23 SEC. 65. *Automatic Deputation of Local Government*  
24 *Executives as Commission Representatives.* - Governors and mayors,  
25 upon having been elected and having qualified as such, are

1 automatically deputized as representatives of the National Police  
2 Commission in their respective jurisdiction. As deputized agents of the  
3 Commission, local government executives can inspect police forces and  
4 units, conduct audit, and exercise other functions as may be duly  
5 authorized by the Commission.

6 TITLE VII  
7 STRENGTHENING THE PEOPLE'S LAW ENFORCEMENT  
8 BOARD

9 SEC. 66. Paragraph (a), Section 43 of Republic Act No. 6975  
10 is hereby amended to read as follows:

11 "SEC. 43. *People's Law Enforcement Board (PLEB).*

12 - (a) *Creation and Functions* - [ Within thirty (30) days  
13 from the issuance of the implementing rules and  
14 regulations by the Commission, there shall be created by  
15 the ] THE *sangguniang panlungsod/bayan* in every city  
16 and municipality SHALL CREATE such number of  
17 People's Law Enforcement Boards (PLEBs) as may be  
18 necessary: *Provided*, That there shall be at least one (1)  
19 PLEB for every FIVE HUNDRED (500) CITY OR  
20 MUNICIPAL POLICE PERSONNEL [ municipality ] and  
21 for each of the legislative districts in a city.

22 THE PLEB SHALL BE THE CENTRAL  
23 RECEIVING ENTITY FOR ANY CITIZEN'S  
24 COMPLAINT AGAINST THE OFFICERS AND  
25 MEMBERS OF THE PNP. SUBJECT TO THE

PROVISIONS OF SECTION 41 OF REPUBLIC ACT NO. 6975, THE PLEB SHALL TAKE COGNIZANCE OF OR REFER THE COMPLAINT TO THE PROPER DISCIPLINARY OR ADJUDICATORY AUTHORITY WITHIN THREE (3) DAYS UPON THE FILING OF THE COMPLAINT.” [ The PLEB shall have jurisdiction to hear and decide citizens’ complaints or cases filed before it against erring officers and members of the PNP. There shall be at least one (1) PLEB for every five hundred (500) city or municipal police personnel.]

SEC. 67. Number (3) of Paragraph (b), Section 43 of Republic Act No. 6975 is hereby amended to read as follows:

“(3) Three (3) other members who ARE REMOVABLE ONLY FOR CAUSE [ shall be ] TO BE chosen by the LOCAL peace and order council from among the respected members of the community known for their probity and integrity, one (1) of whom must be A WOMAN AND ANOTHER a member of the Bar, or, in the absence thereof, a college graduate, or the principal of the central elementary school in the locality.”

SEC. 68. The last paragraph of Section 43 (b)(3) of Republic Act No. 6975 shall be amended to read as follows:

“The Chairman of the PLEB shall be elected from among its members. The term of office of the members of the PLEB shall be for a period of [ two (2) years ]

THREE (3) YEARS from assumption of office. Such member shall hold office until his successor shall have been chosen and qualified.”

SEC. 69. *Compensation and Benefits.* - Paragraph c, Section 43 of Republic Act No. 6975 shall be amended to read as follows:

“(c) *Compensation.* Membership in the PLEB is a civic duty. However, PLEB members [ may ] SHALL be paid *per diem* AND SHALL BE PROVIDED WITH LIFE INSURANCE COVERAGE as may be determined by the city or municipal council from city or municipal funds. THE DILG SHALL PROVIDE FOR THE *PER DIEM* AND INSURANCE COVERAGE OF PLEB MEMBERS IN CERTAIN LOW INCOME MUNICIPALITIES.”

SEC. 70. *Budget Allocation.* - The annual budget of the Local Government Units (LGU) shall include an item and the corresponding appropriation for the maintenance and operation of their local PLEBs.

The Secretary shall submit a report to Congress and the President within fifteen (15) days from the effectivity of this Act on the number of PLEBs already organized as well as the LGUs still without PLEBs. Municipalities or cities without a PLEB or with an insufficient number of organized PLEBs shall have thirty (30) more days to organize their respective PLEBs. After such period, the DILG and the Department of Budget and Management shall withhold the release of the LGU’s share in the national taxes in cities and municipalities still without PLEB(s).

SEC. 71. *Request for Preventive Suspension.* - The PLEB may ask any authorized superior to impose preventive suspension against a subordinate police officer who is the subject of a complaint lasting up to a period as may be allowed under the law. A request for preventive suspension shall not be denied by the superior officer in the following cases:

a) when the respondent refuses to heed the PLEB's summons or *subpoena*;

b) when the PNP personnel has been charged with offenses involving bodily harm or grave threats;

c) when the respondent is in a position to tamper with the evidence; and

d) when the respondent is in a position to unduly influence the witnesses.

Any superior who fails to act on any request for suspension without valid grounds shall be held administratively liable for serious neglect of duty.

## TITLE VIII

### TRANSITORY PROVISIONS

SEC. 72. *Transition.* - The provisions on the reorganization and the civilianization of the PNP and the devolution of police capabilities to the local police forces shall be effected within three (3) years upon the effectivity of this Act.

## TITLE IX

### FINAL PROVISIONS

SEC. 73. *Rules and Regulations.* - Unless otherwise provided in this Act, the Commission in coordination with the Philippine National Police and the Department of Interior and Local Government, shall promulgate rules and regulations for the effective implementation of this Act.

Such rules and regulations shall take effect upon their publication in three (3) newspapers of general circulation.

SEC. 74. *Appropriations.* - The amount necessary to carry out the provisions of this Act is hereby authorized to be appropriated in the General Appropriations Act of the year following its enactment into law and thereafter.

SEC. 75. *Repealing Clause.* - All laws, presidential decrees, letters of instructions, executive orders, rules and regulations insofar as they are inconsistent with this Act, are hereby repealed or amended as the case may be.

SEC. 76. *Separability Clause.* - In case any provision of this Act or any portion thereof is declared unconstitutional by a competent court, other provisions shall not be affected thereby.

SEC. 77. *Effectivity.* - This Act shall take effect after its complete publication in at least three (3) national newspapers of general circulation.

Approved,