
Introduced by HON. LEOPOLDO N. BATAOIL

EXPLANATORY NOTE

Article XVI Section 6 of the 1987 Constitution provides that the "State shall establish and maintain one police force, which shall be national in scope and civilian in character, to be administered and controlled by a national police commission. The authority of local executives over the police units in their jurisdiction shall be provided by law".

Under Section 5 of Republic Act No. 8551 (Philippine National Police Reform and Reorganization Act of 1998), the National Police Commission (NAPOLCOM) exercises administrative control and operational supervision over the Philippine National Police which shall mean the power to (1) develop policies and promulgate a police manual prescribing rules and regulations for efficient organization, administration, and operation, including criteria for manpower allocation, distribution and deployment, **recruitment, selection, promotion**, and retirement of personnel and the conduct of qualifying entrance promotional examinations for uniformed members xxx.

Clearly, it is the NAPOLCOM which is vested with the power to effectively supervise and control the Philippine National Police. As such, it is the most competent authority to determine the qualification for appointment and promotion of police officers.

At present, the appointment of police officers still requires an attestation from the Civil Service Commission (CSC) which is unduly unnecessary considering that the NAPOLCOM should already exercise this function.

The appointment and promotion of personnel from other armed services/ law enforcement agencies in our government no longer require an attestation from the Civil Service Commission. Thus, it is proposed that this set-up should also be applied to the PNP considering that there is already a NAPOLCOM which is given such authority.

Our police officers who offer their lives and limbs to serve and protect our country should not be restricted with their career advancement as to require a tedious process before approval of their appointment and promotion.

This Bill, therefore, seeks to amend Sections 31 and 96 of Republic Act No. 6975 entitled "An Act Establishing the Philippine National Police under a Reorganized Department of the Interior and Local Government, and for other purposes" by removing the requirement of attestation from the CSC to expedite government transactions and reduce bureaucratic red tape and processing time for appointment of police personnel. In addition, considering that NAPOLCOM has administrative control and operational supervision to the PNP, Civil Service laws should only have suppletory application to avoid any conflicting issuances that may affect personnel management or police operations.

In view of the foregoing, immediate approval of this measure is earnestly sought.


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Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila
FIFTEENTH CONGRESS
HOUSE BILL NO. **3351**

AN ACT MODIFYING THE ROLE OF THE CIVIL SERVICE COMMISSION IN THE APPOINTMENT OF UNIFORMED PERSONNEL IN THE PHILIPPINE NATIONAL POLICE AMENDING SECTIONS 31 AND 91 OF REPUBLIC ACT NO. 6975 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 the House of Representatives of the Philippines in Congress assembled:

SECTION 1. Section 31 of Republic Act No. 6975 is amended to read as follows:

"Section 31. *Appointment of PNP Officers and Members.* - The appointment of the [officers and members] **UNIFORMED PERSONNEL** of the PNP shall be effected in the following manner:

- (a) Police Officer I to Senior Police Officer IV – Appointed by the PNP Regional Director for regional personnel or the Chief of the PNP for the national headquarters personnel [and attested by the Civil Service Commission] **AND ATTESTED BY THE NATIONAL POLICE COMMISSION;**
- (b) Inspector to Superintendent – Appointed by the Chief of the PNP, as recommended by their immediate superiors, [attested by the Civil Service Commission] **AND ATTESTED BY THE NATIONAL POLICE COMMISSION;**
- (c) Senior Superintendent to Deputy Director General – Appointed by the President upon recommendation of the Chief of the PNP, with proper endorsement by the [Chairman of the Civil Service Commission and subject to confirmation by the Commission on Appointments] **CHAIRMAN OF THE NATIONAL POLICE COMMISSION;**
- (d) Director General – Appointed by the President from among the senior officers down to the rank of chief superintendent in the service, [subject to confirmation by the Commission on Appointments:] **WITH PROPER ENDORSEMENT BY THE CHAIRMAN OF THE NATIONAL POLICE COMMISSION,** Provided, that the Chief of the PNP shall serve a tour of duty not to exceed four (4) years: Provided, further, that, in times of war or other national emergency declared by Congress, the President may extend such tour of duty.

PROVIDED HOWEVER, THAT THE PHILIPPINE NATIONAL POLICE SHALL BE CONSIDERED AS CLOSED-CAREER POSITIONS. PROVIDED FURTHER, THAT THE APPOINTMENT OF NON-UNIFORMED PERSONNEL SHALL BE GOVERNED BY CIVIL SERVICE LAWS, RULES AND REGULATIONS.

Section 2. Section 91 of Republic Act No. 6975 is amended to read as follows:

"Section 91. *Application of the Civil Service Laws* - The Civil Service Law and its implementing rules and regulations shall [apply to all personnel of the Department] **HAVE SUPPLETORY APPLICATION.**

1 Section 3. *Implementing Rules and Regulations.* - The National Police Commission and the
2 Philippine National Police shall promulgate the necessary rules and regulations for the
3 effective implementation of this Act.

4 Section 4. *Separability Clause.* - If, for any reason, any provision of this Act is declared to be
5 unconstitutional or invalid, the other sections or provisions hereof which are not affected
6 thereby shall continue to be in full force and effect.

7 Section 5. *Repealing clause.* - All laws decrees, executive orders, rules and regulations, and
8 other issuances or parts thereof which are inconsistent with this Act are hereby repealed,
9 amended or modified accordingly.

10 Section 6. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after its publication
11 in at least two (2) newspapers of national circulation

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