



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

Fifteenth Congress
First Regular Session

HOUSE BILL NO. 4092

Introduced by Honorable Erico B. Aumentado

EXPLANATORY NOTE

This bill seeks to provide a magna carta for the members of the Philippine National Police (PNP).

Peace and order and security are great factors to national development and stability. The government as the primary purveyor of security has the duty to provide a peaceful environment for the people by ensuring public safety through the delivery of effective and efficient police service.

Cognizant of the critical role of the PNP as the lead agency in maintaining peace and order, it is necessary to institute measures that will promote and improve the welfare of its members.

This bill aims to strengthen and professionalize the PNP by establishing the rights, duties and accountabilities of its members, thus increasing its capability and competence to maintain peace and order and ensure public safety and security.

In view of the foregoing, approval of this bill is urgently recommended.


ERICO B. AUMENTADO



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

Fifteenth Congress
First Regular Session

HOUSE BILL NO. 4092

Introduced by Honorable Erico B. Aumentado

AN ACT
PROVIDING A MAGNA CARTA FOR MEMBERS OF THE
PILIPPINE NATIONAL POLICE AND FOR OTHER PURPOSES

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

CHAPTER I

GENERAL PROVISIONS

SECTION 1. *Short Title.* – This Act shall be known as “*Magna Carta for Members of the Philippine National Police.*”

SEC. 2. *Declaration of Policy.* – It is hereby declared the policy of the State to promote peace and order, provide a highly efficient and effective police service and establish a professional and competent police force by standardizing the Philippine National Police (PNP) recruitment and selection process, manpower training, moral values formation, and bestowing upon every PNP personnel the enjoyment of basic rights and

privileges in order to promote their social and economic well-being, upgrade their skills, increase their capabilities and strengthen their dedication to service.

Toward this end, the State shall:

- a. Promote the social and economic well-being of all police personnel to enable them to perform their job with honesty and dignity;
- b. Ensure the development of skills and capabilities of all police personnel in order for them to be more responsive and prepared to deliver efficient and effective service to the people;
- c. Establish a system of career promotion based on merit and fitness and governed by uniform criteria regardless of entry into the police service and observe gender equality to ensure that female members of the service shall enjoy equal opportunity for advancement, promotion and training as male members;
- d. Assure the right of every police personnel to present complaints or grievances to superior officers and adjudicate these as expeditiously as possible in the best interests of the service, with proper regard to due process and without fear of reprisal, thereby protecting the right to security of tenure;

e. Facilitate administrative and financial support, allowable within the limits set by law, to every PNP personnel facing criminal or civil suit arising from any act or omission related to the performance of official duty;

f. Guarantee the right of every PNP member to a just and humane working condition; and

g. Encourage service-oriented members of the community with sufficient qualifications and skills to join the PNP and motivate those already in the service to continue in the performance of their duty with competence and dedication.

SEC. 3. *Statutory Construction.* – All doubts in the interpretation, construction and implementation of the provisions of this Act shall be construed liberally in favor of the PNP personnel, taking into consideration the intent of the law and with the view of attaining its underlying policies, principles and objectives.

SEC. 4. *Administering Agency.* – The Philippine National Police personnel shall continue to be under the administrative control and supervision of the National Police Commission (NAPOLCOM) as provided under Republic Act No. 6975, as amended. The Director General of the PNP shall, however, have the power to issue detailed 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 PNP.

CHAPTER II

UNIFORMED PERSONEL OF THE PHILIPPINE NATIONAL POLICE

SEC. 5. *General Qualifications* – Every uniformed personnel of the PNP shall undergo corresponding police eligibility examination.

No person shall be appointed as officer or member of the PNP unless the said person possesses the following qualifications:

- a. A citizen of the Philippines;
- b. A person of good moral character;
- c. Must have passed the psychiatric or psychological, drug and physical tests to be administered by the PNP or by any NAPOLCOM-accredited government hospital for the purpose of determining physical or mental health;
- d. Must possess a formal baccalaureate degree from a recognized learning institution.
- e. Must be eligible in accordance with the standards set by the NAPOLCOM;

f. Must not have been dishonorably discharged from military employment or dismissed for cause from any civilian position in the government;

g. Must not have been convicted by final judgment of an offense or crime involving moral turpitude;

h. Must obtain the appropriate PNP Security Clearance;

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

j. Must weigh not more or less than five kilograms (5 kgs.) from the standard weight corresponding to his height, age and sex.

New applicants must not be less than twenty (21) nor more than thirty (30) years of age. Except for the weight requirement, the above enumerated qualifications shall be continuing in character and absence of any one of them at any given time shall be a ground for separation or retirement from the service. PNP members who are already in the service upon the effectivity of this Act shall be given at least (2) more years to obtain the minimum educational qualification and one (1) year to satisfy the weight requirement.

SEC. 6. *Pre-Qualifying Examination.* – No applicant shall be qualified to undergo basic police training unless the latter has passed the pre-qualifying examination administered by the PNP Screening and Selection Board. No new graduate of basic police courses shall be absorbed in permanent status unless he has satisfactorily passed the six-month probationary period. The PNP shall set the standards for the implementation of this provision.

CHAPTER III

RIGHTS, DUTIES AND RESPONSIBILITIES

SEC 7. *Rights.* – Every member of the PNP is guaranteed to enjoy:

a. The right to equal opportunity in promotion and assignment. Every member of the PNP shall be governed by uniform requirements for career advancement in the PNP. The right to promotion and other career advancement shall be maintained even during the pendency of an administrative, criminal or civil case, as the mere pendency thereof is not a ground for disqualification and non-enjoyment of the rights and benefits under the law and pertinent rules and regulations;

b. The right to be secured in the present position or designation in a given place of assignment. No PNP personnel shall be relieved of duty except for lawful cause and after notice and hearing;

c. The right not to be discriminated upon against assignment, promotion, receipt of merit and commendations, enjoyment of study grants, and health and educational benefits regardless of sex, race, religion, social affiliation or institution graduated from;

d. The right to receive continuing in-service quality education and training programs relevant to the thrust and focus of the police service which shall mold a PNP personnel to become the true pillar and vanguard of the society;

e. The right to present complaints and grievances to a superior officer for the immediate redress thereof;

f. The right to be provided with free legal services when charged criminally, civilly or administratively for acts or omissions committed directly or indirectly in the lawful discharge of police duties. Government lawyers including those from the Public Attorney's Office (PAO) of the Department of Justice (DOJ), the National Police Commission and the Philippine National Police may be designated by their respective heads of offices to provide legal assistance to a PNP member. The Philippine National Police, upon the recommendation of the NAPOLCOM, shall shoulder all the necessary expenses incurred for the legal defense of any member who has been administratively, civilly or criminally charged before

any court, body or tribunal for service related acts: *Provided*, That the services of a private counsel may be tapped at the expense of the government subject to the rules and regulations of the Commission on Audit;

f. The right to join a legitimate and recognized organization or institution that will truly enhance and promote the exercise of his duties and responsibilities; and

g. The right to undertake other activities designated to enhance and develop his well-being as a person with dignity and as an exemplar to society;

SEC. 8. *Duties and Responsibilities.* – Every member of the Philippine National Police shall:

a. Carry out police duties and responsibilities in the most professional manner, adhering to the PNP Operational Procedures (POP), and within the bounds of law;

b. Implement the missions set forth by the PNP organization without fear of physical or legal reprisal, adverse criticism, expectation of monetary reward, promotion in rank, receipt of merits and recommendations;

c. Exercise the bestowed rights, duties and obligations with responsibility and accountability for any breach or violation of public trust;

d. Uphold the dignity and prestige of the police service;

e. Promote and maintain the stability of the service by observing the hierarchy, respecting the rank and position of every member, practicing the written and unwritten customs and traditions pertaining to the mode of discipline and observing harmonious working relations with the fellow members of the service and other members of the government bureaucracy, as well as the civilian populace;

f. Avoid any direct or indirect involvement in partisan politics or any political activity and observe loyalty and cooperation only to the legitimate leadership;

g. Develop his talent and potentials through continuing education and training relevant to the position in the service and police occupational field;

h. Observe all customs on courtesy, ceremonies and social decorum as defined in the PNP Code of Professional Conduct and Ethical Standards;

i. Assume responsibility and accountability to respect and protect human dignity and others' rights to life, liberty and property;

j. Uphold the constitutional rights of the accused and of detained persons who are suspects in the commission of a crime; and

k. Promote gender sensitivity and development.

CHAPTER IV

PERFORMANCE EVALUATION AND PROMOTION SYSTEM

SEC. 9. *Performance Evaluation System.* – A uniform and equitable performance evaluation system for all PNP personnel shall be established and administered by the Philippine National Police. The NAPOLCOM shall provide the guidelines as basis in the evaluation. Such system shall be administered with the aim of inculcating professionalism, efficiency and discipline to every member of the public service. The accomplishment of tasks and missions shall always be subordinated to the constitutional and human rights of an individual.

SEC. 10. *Promotion.* – A merit system and promotion program shall be established within six (6) months upon the effectivity of this Act, subject to the approval of NAPOLCOM. This merit system and promotion program shall be uniformly and equitably applied to all uniformed members of the Philippine National Police.

No member of the Philippine National Police shall be promoted to the next higher rank unless he passed the corresponding examinations for the promotions being administered by NAPOLCOM, completed the required experience, schooling and training relevant to the said rank.

Promotion of the PNP member who has less than one (1) year of service before reaching the compulsory retirement age shall be allowed: *Provided*, That the mandatory requirements for promotion, such as education, eligibility, training and experience has been satisfied and the personnel is currently designated to a position commensurate or higher to the present rank: *Provided, further*, That payment of retirement benefits shall no longer be adjusted to one (1) rank higher upon retirement.

The pendency of any criminal, civil and administrative case, arising from service-related act or omission before any court, body or tribunal shall not be a bar for promotion or assignment.

Special or meritorious promotion shall be extended to PNP personnel with the ranks of Police Officer 1 to Police Superintendent for:

- a. Acts of conspicuous courage and gallantry at the risk of his life and beyond the call of duty;
- b. Conferment by the Civil Service Commission “*Dangal ng Bayan Award*” for religiously observing the norms and conduct of public officials and employees as embodied under Section 4 of Republic Act No. 6713, otherwise known as the “*Code of Conduct and Ethical Standards for Public Officials and Employees*;

c. Series of accomplishment of superior personal undertaking that contributed to the efficiency, economy or other improvements of PNP administration and operations as well as other extraordinary acts of service in connection with or in relation to official duties which redound to the public interest.

CHAPTER V

GRIEVANCE MACHINERY

SEC. 11. ***Grievance Mechanism.*** – Every PNP personnel shall have the right to present complaints and grievances to the management and have them settled as expeditiously as possible to the interest of the service, the PNP organization and the government as a whole. Towards this end, the PNP management shall take action to immediately address these complaints and grievances and ensure the fair, speedy and equitable settlement of the same.

SEC. 12. ***Coverage.*** – This machinery shall cover complaints or grievances of PNP uniformed personnel against his peers, supervisors, officers and subordinates of parallel units.

SEC. 13. ***Guidelines.*** – The following shall be the guidelines in the conduct of complaints or grievance proceedings:

a. The complainant or aggrieved party shall first discuss the problem with his immediate supervisor before the filing of a formal written complaint;

b. The employee or subordinate presenting a complaint or grievance shall be assured of protection from coercion, discrimination, harassment or reprisal;

c. Complaints or grievances shall be settled at the lowest possible level;

d. The grievance proceedings shall be conducted as simply as possible and shall not be bound by strict legal rules or technicalities;

e. The grievance proceedings shall be aimed at determining "*what is right*" and not "*who is right*;"

f. The right to appeal the actions and decisions on complaints or grievances shall not be curtailed;

g. These procedures shall not apply only to official actions of PNP superiors pertaining to the exercise of disciplinary powers where specific procedures for relief through appeal are already provided;

h. Complaints or grievances concerning promotions shall be given due course. However, the aggrieved party may elect to proceed either under this procedure or pursuant to any other applicable laws or regulations; and

- i. All proceeding shall be treated as confidential.

SEC. 14. ***Disciplinary Machinery.*** – The PNP shall adopt a disciplinary machinery and its disciplining powers shall be exercised by legitimate disciplinary authorities as provided for in Republic Act No. 6975, otherwise known as “*Department of the Interior and Local Government Act of 1990*,” as amended.

SEC. 15. ***Safeguards During Disciplinary Proceedings.*** – In every disciplinary proceeding, the PNP personnel shall have:

- a. The right to be informed in writing of the charges against him;
- b. The right to pre-charge investigation in administrative cases;
- c. The right to full access to the evidence in the case;
- d. The right to defend himself or be defended by a representative of his own choice or his organization and be given adequate time to prepare his defense;
- e. The right to confront witnesses presented against him and summon witnesses in his behalf including the right to cross-examination;
- f. The right to appeal before designated authorities;
- g. The right to claim reimbursement for the reasonable expenses incurred in his defense in case of exoneration or dismissal of charge against him which shall be sourced from the savings of the PNP, limited only to

service-oriented cases and subject to pertinent laws, rules and regulations; and

h. Such other rights that will ensure fairness and impartiality during the proceedings.

CHAPTER VI

HOURS OF WORK, RENUMERATION, WELFARE

AND HEALTH BENEFITS

SEC. 16. *Duty Hours.* – PNP uniformed personnel shall render an eight-hour a day service duty: *Provided* That if the exigencies of the service so require, any member may be obliged to render an additional two hour service without payment of additional compensation. When a PNP personnel is required to render actual service beyond or in excess of the initial ten-hour period, he shall be entitled to an additional compensation equivalent to his regular hourly rate but not more than fifty percent (50%) of the basic pay, in accordance with accounting and auditing requirements.

SEC. 17. *Status of PNP Personnel.* – The PNP personnel shall be considered employees of the national government and shall draw their salaries therefrom. PNP personnel in Metropolitan Manila, chartered cities, component cities and other municipalities may be paid financial incentives by the local government unit subject to the availability of funds.

SEC. 18. *Salary Scale.* – The PNP shall have a salary scale separate and distinct from the other agencies of the government to attract the best and competent applicants. There shall be different salary scales for uniformed and non-uniformed personnel.

Salary scales of PNP personnel shall provide for a gradual progression from minimum to maximum salary by means of regular increments granted automatically after three (3) years. The progression from the minimum to the maximum shall not exceed a period of ten (10) years.

SEC. 19. *Criteria for Salary.* – The salaries of all uniformed PNP personnel shall correspond to the following criteria:

- a. Salary shall be comparably equal to those paid in the occupations or professions requiring equivalent or similar qualifications, training and abilities regardless of rank positions;
- b. Salary scale shall ensure that the lowest rank and position shall receive an amount which will ensure him and his family to afford a reasonable and decent standard of living; and
- c. Basic monthly salary shall exclude the subsistence allowance, cost of living allowance, quarters allowance, clothing allowance, hazard pay, amelioration pay, health care pay and all other allowances as may be provided under existing laws.

SEC. 20. *Payment of Salary and other Emoluments.* – Salaries and other emoluments of PNP personnel shall be released on time and without undue delay. No deduction whatsoever shall be allowed from the salaries due to all PNP personnel except under specific provisions of applicable laws authorizing such deductions: *Provided,* That written authorization of the concerned personnel shall first be obtained.

SEC. 21. *Cost of Living Allowance.* – The salaries of PNP personnel shall be based on the prevalent cost of living. Salaries shall automatically follow changes in cost of living index determined and established by the NAPOLCOM after due consultation with appropriate government agencies.

SEC. 22. *Leave of Absence.* – In addition to leave privileges enjoyed under existing laws, PNP members shall be entitled to study leaves not exceeding one (1) year with pay; *Provided,* That no grantee shall be allowed to accumulate more than one (1) year of study leave except when an extra semester is needed to complete and defend the thesis for a graduate study in a degree relevant to being a member of the police service.

An indefinite sick leave of absence shall be granted to an ailing member whose medical treatment requires more than one (1) year of continued treatment.

SEC. 23. *Longevity Pay.* – PNP personnel shall be entitled to a longevity pay of ten (10%) percent of their basic monthly pay for every five (5) years of continuous, efficient and meritorious service in the government, which shall be computed from the date of the member's first appointment in the police service or any allied government law enforcement service: *Provided,* That the maximum longevity pay shall not exceed sixty (60%) percent of the basic monthly pay.

SEC. 24. *Special Hardship Allowance and Combat Pay.* – In areas wherein a uniformed PNP personnel is exposed to hardship and combat situation or other hazards unusual to peacekeeping, crime prevention and investigation activities and established to be peculiar to any given area or place of assignment as determined by the PNP and approved by the NAPOLCOM, the uniformed PNP personnel shall be compensated with a special hardship allowance, similar to combat pay of the AFP, equivalent to at least forty (40%) percent of the monthly basic salary.

SEC. 25. *Compensation for Physical or Mental Injuries Sustained in the Course of Duty.* – All PNP personnel shall be protected against the consequences of employment injuries. Physical as well as psychological stresses affecting the health condition of the PNP personnel shall be

recognized as compensable occupational diseases in accordance with existing laws.

SEC. 26. *Permanent Physical Disability.* – A uniformed member who incurs a total permanent disability in the line of duty and has rendered a total of twenty (20) years of continuous active duty in the police service shall be compulsorily retired. Upon his compulsory retirement, he shall be entitled to the payment of a retirement pay equivalent to one and one-half month's (1 ½) base pay for every year of service or a fraction thereof computed based on the next higher rank, and longevity pay based on the last permanent grade held.

SEC. 27. *Disability Benefits.* – Any member and legal dependents shall be entitled to all benefits relative to the member's permanent incapacity, as may be provided for under this Act or other existing laws.

SEC. 28. *Housing Program.* – The PNP shall devise an affordable, decent housing program available to its uniformed personnel which will be subsidized by the government.

CHAPTER VII

RETIREMENT AND DEATH BENEFITS

SEC. 29. *Optional Retirement.* – Upon accumulation of at least twenty (20) years of satisfactory service, a PNP personnel may request with

the approval of the NAPOLCOM, to be retired from the service and shall be entitled to receive benefits provided for by law.

SEC. 30. ***Compulsory Retirement.*** – Compulsory retirement for officers and non-officers shall be upon the age of fifty-six (56) years old: *Provided*, That in times of war or other national emergency declared by the Congress, the President may extend the tour of duty of the Chief PNP.

SEC. 31. ***Retirement Benefits.*** - Upon retirement, uniformed PNP personnel shall:

a. Receive the pay of the rank higher than the permanent rank he last held: *Provided*, that the said retiree has reached the age of fifty five (55) years old and fulfilled service requirements under the existing laws.

b. The monthly retirement pay of a PNP personnel shall be fifty (50%) percent of the base pay and longevity pay of the retired rank in case the retiree has rendered at least twenty (20) years of continuous active police service, increasing by two and one-half (2 1/2%) percent for every year of police service rendered beyond the initial twenty (20) years to a maximum of ninety (90%) percent for thirty-six (36) years of active service and over: *Provided*, that the retiree shall have the option to receive in advance a lump sum of the retirement pay equivalent to the first five (5) years of the retirement pay as it accrues. The payment of the lump sum shall be made

within six (6) months from the effectivity date of retirement. It shall be incumbent upon the concerned units to provide the completion of all documentary requirements in support of the payment of the retirees' retirement pay as the retiree is not required to perform additional tasks other than to receive the retirement pay. Any personnel who intentionally and maliciously delays or causes the delay in the processing of the retiree's just claim for money and other emoluments shall be considered to have incurred an administrative offense amounting to grave misconduct and an act prejudicial to the interest of the service as defined by existing laws. *Provided, finally,* That the retirement pay of all uniformed personnel shall be subject to adjustment to the prevailing scale of base pay of personnel still in the active service.

SEC. 32. ***PNP Exit Program.*** – The PNP shall devise a program for retiring uniformed personnel to prepare their entry to civilian life in search of jobs and other livelihood opportunities.

SEC. 33. ***Death Benefits.*** – The immediate heirs and legal dependents of a uniformed personnel shall be entitled to receive all benefits relative to the former's death as provided in this Act and other existing laws.

SEC 34. ***Uniformed Personnel Missing-in-Action.*** – Any uniformed personnel who is officially confirmed by the PNP Board created for this

purpose, to be missing-in-action while in the performance of duty or by reason of being a member of the police service or is kidnapped or captured by the enemy shall be entitled to receive the same pay, allowances and other entitlements at the time of the incident which gave rise to the disappearance or capture: *Provided*, that should it be known later that the disappearance was not on the occasion of a legitimate police activity or without any authority, whatever salary and allowances and other benefits received by the uniformed personnel and immediate heirs and legal dependents in accordance with this Act and other existing and relevant laws, shall be returned to the PNP.

SEC. 35. *Salary and Allowances of Missing-in-Action Uniformed Personnel.* – In case any uniformed member has been officially declared as missing-in-action under the circumstances enumerated under the preceding section, the PNP Chief shall direct the payment of the missing personnel's monthly salary and allowances and other emoluments to heirs and legal dependents for their support for a period of one (1) year from the time of the reported disappearance or capture by the enemy as the case may be. A member who is officially declared missing-in-action as adjudicated by the PNP Board or NAPOLCOM shall be presumed dead for all legal intents

and purposes after a period of three (4) years from the date of the reported disappearance or capture.

SEC. 36. *Termination of Payment of Salary and Allowances.* – Upon the termination of one year (1) period as specified in the preceding section, the missing uniformed personnel shall be automatically terminated from the service. In the event that the said personnel shall thereafter be found to have been alive and is not entitled to the benefits paid under the preceding sections, said benefit shall be reimbursed to the State within six (6) months from the discovery of the fact of reappearance. Otherwise, if the reappearance or recovery be before the expiration of the four (4) years presumptive period, the said personnel shall be immediately reinstated into the service and shall regain the privileges; the case shall be treated as if there was no separation from the service at all. The PNP personnel shall be entitled to the payment of the amount equivalent to all the salary, allowances and other emoluments unpaid during the captivity and absence. But, any death claim benefits paid to the heirs and legal dependents under this Act and other existing laws shall be returned to the PNP. However, if the continued disappearance was fraudulent or made in bad faith, the PNP personnel shall be dismissed from the service and shall be disqualified from

receiving all the salaries, allowances and benefits provided herein, and shall be prosecuted criminally and administratively.

SEC. 37. *Additional Welfare Benefits.* – Subject to the provisions of existing laws, and other rules and regulations, the PNP Chief may formulate and implement welfare schemes that are deemed beneficial to all personnel of the Philippine National Police, subject to the approval by the NAPOLCOM.

SEC. 38. *Declaration of Half Mast.* – In honor of those PNP personnel who have sacrificed their lives in the service of the country and the people, the PNP may declare that all flags be flown at half mast in all police offices nationwide.

CHAPTER VIII

NON-UNIFORMED PERSONNEL OF THE PNP

SEC. 39. *Human Resource Development for Non-Uniformed Personnel.* – There shall be established a Human Resource Development Program at PNP for non-uniformed personnel including, but not limited to, provisions on merit promotion, performance evaluation, in-service training grants, incentive and award system. The program shall conform to the rules and regulations of the NAPOLCOM.

Where there are no specific applicable provisions in the rules and regulations of the NAPOLCOM, the existing rules and regulations promulgated by the Civil Service Commission shall apply.

SEC. 40. *Screening and Selection for Appointment.* – Applicants for the non-uniformed personnel (NUP) position shall undergo a screening process to be conducted by a duly appointed Selection and Promotion Board based on qualification standards set forth by the NAPOLCOM: *Provided,* That in addition thereto, the applicant shall undergo an on-the-job training for a period of three (3) months to determine fitness and competence to assume the responsibilities of the position to be occupied.

SEC. 41. *Hours of Work, Salaries and Other Remuneration.* – The NUP shall be provided with benefits and welfare services to include but not limited to the following:

a. *Normal Hours of Work* – the normal hours of work of any NUP shall not exceed more than eight (8) hours a day or forty (40) hours a week. Hours of work shall include:

- i. All the time during which the NUP is required to work or to be at a prescribed workplace; and
- ii. All the time during which the NUP is permitted to work.

b. *Overtime Work* – Where the exigencies of the service so require, any NUP may be required to render service beyond the regular eight (8) hours a day: *Provided*, That additional compensation be paid in accordance with existing laws: *Provided, further*, That the total additional compensation shall not exceed fifty (50%) percent of the basic pay.

c. *Longevity Pay* – All NUP regardless of their unit of assignment shall be entitled a longevity pay of ten (10%) percent of their basic monthly pay for every five (5) years of continuous, efficient and meritorious service in the government: *Provided*, That the maximum longevity pay shall not exceed fifty (50%) percent of the basic monthly pay.

d. *Compensation for Rest Day, Saturday and Sunday, or Holiday* – Every NUP shall be paid the regular daily wage even during regular holidays. An NUP who is required or permitted to work on a regular holiday or on any special public holiday, local or national, shall be paid compensation equivalent to twice the regular rate.

e. *Laundry Allowance* – All NUP who are required to wear uniforms regularly shall be entitled to laundry allowance taking into account existing laws and prevailing practices.

f. *Subsistence Allowance* – All NUP who are required to render service within the premises or prescribed workplace shall be entitled to

subsistence allowance of one (1) meal which shall be computed in accordance with the prevailing circumstances.

g. *Hazard Pay* – In areas where an NUP is exposed to hardship or other hazards unusual to peacekeeping, crime prevention and investigation activities or those established to be peculiar to any given area or place of assignment, as determined by the PNP, such NUP shall be compensated with a special hazard pay equivalent to at least twenty five (25%) percent of the monthly basic salary.

SEC. 42. *Medical and Dental Services.* – An annual compulsory medical examination shall be provided free of charge to all NUP during their tenure of employment. All NUP shall be accorded free medical and dental services: *Provided*, That the cost thereof shall be included as automatic appropriation in the PNP annual budget.

SEC. 43. *Early Retirement Program.* – Any NUP who has reached the age of fifty-five (55) years may avail of the early retirement program and shall be paid separation benefits in accordance with the prevailing scheme: *Provided*, That the service rendered in the PNP organization is at least fifteen (15) years: *Provided, further*, That those who have availed of this benefits shall not be allowed to re-enter the PNP.

SEC. 44. *Highest Basic Salary Upon Retirement.* – The NUP shall automatically be granted one (1) salary grade higher than the basic salary being received and the retirement benefits shall thereafter be computed on the basis of the highest salary, which shall take effect three (3) months prior to the compulsory retirement: *Provided,* That said NUP has reached the age of fifty-five (55) and has fulfilled the service requirements under existing laws.

SEC. 45. *Civil Service Laws.* – Except when otherwise provided for in this Act and other existing laws, the provisions of Executive Order No. 292 and other Civil Service Laws shall be applicable to all NUP.

CHAPTER IX

PNP DEVELOPMENT PROGRAM

SEC. 46. *Organizational Career Planning.* – The NAPOLCOM, in consultation with the PNP, shall establish two separate and distinct organizational career planning and development systems for the PNP to hasten the professionalization of the police service. One system shall solely center on the uniformed personnel, and the other system on the non-uniformed personnel of the PNP.

In view of the distinctive nature of their work and of the need to provide equitable opportunities for professional advancement of the PNP

members, the PNP shall have a distinct career management and development programs for professional technical personnel such as, but not limited to, the members of the legal, internal affairs, health, engineering, chaplain and criminology services.

The comprehensive organizational career planning and development system shall include provisions on merit promotion, performance evaluation, in-service training, overseas and local scholarships, training grants, incentive award system, and such other similar services and human resource development interventions, including programs on the job training, counseling, coaching, job rotation, secondment, job swapping and other related provisions.

SEC. 47. *In-Service Training.* – The PNP shall regularly conduct enhancement and in-service training programs aimed towards the development of the skills of PNP personnel and the improvement of their capabilities. All uniformed personnel assigned at the station levels shall be given preference in the entitlement to such programs.

SEC. 48. *Moral Enhancement Program.* – To develop in each member a strong moral fiber, the PNP shall conduct moral enhancement programs which shall primarily focus on the PNP Code of Professional Conduct and Ethical Standards and on the PNP Creed.

SEC. 49. *Physical and Mental Fitness Program.* – The PNP shall formulate policies and guidelines on physical fitness and sports development and shall conduct periodic physical fitness tests among its personnel.

For the purpose of ensuring the physical and mental health of PNP members as well as their non-use of prohibited drugs, the PNP in coordination with a NAPOLCOM-accredited government hospital shall conduct regular psychiatric, psychological, drug, and physical tests randomly and without notice.

SEC. 50. *Medical and Dental Health Care Program.* – There shall be a medical and dental health care program for the PNP members and their direct dependents including parents and parents-in-law. Said program may be operated by the government or by a consortium of government and private health management organizations.

SEC. 51. *Gender Sensitivity Program.* – The PNP shall implement a gender sensitivity program within ninety (90) days from the effectivity of this Act to include but not limited to the establishment of equal career opportunities for women in the PNP, the prevention of sexual harassment in the workplace, and the prohibition of discrimination on the basis of gender or sexual orientation.

CHAPTER X

PHILIPPINE NATIONAL POLICE MAGNA CARTA DAY

SEC. 52. *Philippine National Police Day.* – Consistent with the intent and provisions of this Act, a “*Philippine National Police Day*” shall be declared on the day of the enactment of this Act and thereafter every anniversary to commemorate it.

To ensure a meaningful observance of said day as declared in this Section, the Secretary of the Interior and Local Government, the concurrent *ex-officio* chairman of NAPOLCOM, the Chief PNP, heads of the various local government units and all PNP personnel shall initiate consciousness awareness campaign programs that will highlight the contributions of the PNP to local as well as national security, peace and order situation and nation-building.

CHAPTER XI

FINAL PROVISIONS

SEC. 53. *Implementing Rules and Regulations.* – The NAPOLCOM, in coordination with the Chief PNP, shall formulate and prepare the rules and regulations necessary to effectively implement the provisions of this Act. All rules and regulations so formulated shall be liberally construed in favor of the Philippine National Police personnel so as

to give them the greatest degree of benefits that can be derived from this Act. Rules and regulations of this Act shall take effect fifteen (15) days after its publication in a newspaper of general circulation or through any other means the NAPOLCOM shall deem sufficient in order to give notice to the general public.

SEC. 54. *Budgetary Estimates.* – The Chief PNP shall submit to Congress, through the Secretary of the Interior and Local Government, the annual budgetary estimates to implement the provisions of this Act which shall be included in the annual General Appropriations Act. In no case shall the budget implementing this Act allotted for a given fiscal year be less than that of the previous fiscal year.

SEC. 55. *Separability Clause.* – If any provision or part of this Act is declared invalid or unconstitutional, the remaining parts or provisions not affected thereby shall remain in full force and effect.

SEC. 56. *Repealing Clause.* – For purposes of this Act, pertinent provisions of Republic Act No. 6975, otherwise known as the “*Department of the Interior and Local Government Act of 1990*” as amended by Republic Act No. 8551, otherwise known as the “*Philippine National Police Reform and Reorganization Act of 1998*” which are inconsistent with this Act are hereby deemed amended. All other laws, executive orders, presidential

decrees, rules and regulations or parts thereof inconsistent with any provisions of this Act are hereby repealed, amended or modified accordingly.

SEC. 57. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in two (2) national newspapers of general circulation.

Approved,