

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

Fifteenth Congress
Second Regular Session

20 MAR 2012
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[Signature]

COMMITTEE REPORT NO. 2052

Submitted by the Committee on Public Order and Safety on 20 MAR 2012

Re : House Bill No. 6040

Recommending its approval in substitution of House Bill Nos. 3021, 3713 and 3876

Sponsors: Representatives Pablo John F. Garcia, Salvador H. Escudero III, Juan Miguel "Mikey" Macapagal Arroyo, Angelo B. Palmones and Catalina C. Bagasina

Mr. Speaker:

The Committee on Public Order and Safety, to which were referred House Bill No. 3021, introduced by Representative Salvador H. Escudero III, entitled:

**"AN ACT
AMENDING SECTIONS 5 AND 6 OF REPUBLIC ACT NO. 5487, AS AMENDED,
OTHERWISE KNOWN AS 'THE PRIVATE SECURITY AGENCY LAW'"**

House Bill No. 3713, introduced by Representative Juan Miguel "Mikey" Macapagal Arroyo and Ma. Amelita A. Calimbas -Villarosa, entitled:

**"AN ACT
AMENDING REPUBLIC ACT NO. 5487, 'AN ACT TO REGULATE THE
ORGANIZATION AND OPERATION OF PRIVATE DETECTIVE
WATCHMEN OR SECURITY GUARDS AGENCIES', AS AMENDED BY
PRESIDENTIAL DECREE NO. 11"**

and House Bill No. 3876, introduced by Representative Angelo B. Palmones and Catalino C. Bagasina, entitled:

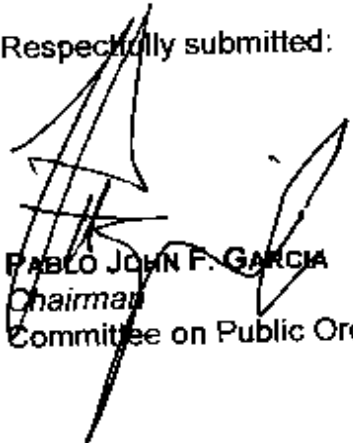
**"AN ACT
AMENDING REPUBLIC ACT NO. 5487 OTHERWISE KNOWN AS 'AN ACT TO
REGULATE THE ORGANIZATION AND OPERATION OF PRIVATE DETECTIVE,
WATCHMEN OR SECURITY GUARD AGENCIES' AND FOR OTHER PURPOSES"**

has considered the same and recommends that the attached House Bill No. 6040, entitled:

**"AN ACT
PROVIDING A THREE (3) YEAR VALIDITY PERIOD FOR THE LICENSE TO
EXERCISE SECURITY PROFESSION, AMENDING SECTION 6 OF REPUBLIC ACT
NO. 5487, AS AMENDED, OTHERWISE KNOWN AS 'THE PRIVATE SECURITY
AGENCY LAW'"**

be approved in substitution of House Bill Nos. 3021, 3713 and 3876 with Representatives Salvador H. Escudero III, Juan Miguel "Mikey" Macapagal Arroyo, Ma. Amelita A. Calimbas-Villarosa, Angelo B. Palmones, Catalina C. Bagasina, Pablo John F. Garcia, Rodolfo W. Antonino, Romeo M. Acop, Emmeline Y. Aglipay, Leopoldo N. Bataoil, Roilo Golez, Loreto Leo S. Ocampos, Nasser C. Pangandaman, Maximo B. Rodriguez, Jr. Jesus N. Sacdalan, and Susan A. Yap as authors thereof.

Respectfully submitted:


PABLO JOHN F. GARCIA

Chairman

Committee on Public Order and Safety

**THE HONORABLE SPEAKER
HOUSE OF REPRESENTATIVES
Quezon City**

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

15TH CONGRESS
Second Regular Session

HOUSE BILL NO. 6040

Introduced by Representatives Salvador H. Escudero III, Juan Miguel "Mikey" Macapagal Arroyo, Ma. Amelita A. Calimbas-Villarosa, Angelo B. Palmones, Catalina C. Bagasina, Pablo John F. Garcia, Rodolfo W. Antonino, Romeo M. Acop, Emmeline Y. Aglipay, Leopoldo N. Bataoil, Roilo Golez, Loreto Leo S. Ocampos, Nasser C. Pangandaman, Maximo B. Rodriguez, Jr. Jesus N. Sacdalan, and Susan A. Yap

AN ACT PROVIDING A THREE (3) YEAR VALIDITY PERIOD FOR THE LICENSE TO EXERCISE SECURITY PROFESSION, AMENDING SECTION 6 OF REPUBLIC ACT NO. 5487, AS AMENDED, OTHERWISE KNOWN AS 'THE PRIVATE SECURITY AGENCY LAW'

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

1 SECTION 1. Section 6 of Republic Act No. 5487 is hereby amended to
2 read as follows:
3

4 "Section 6. License Necessary. No person shall engage in the
5 business of, or act either as a private detective, or detective
6 agency; and either engage in the occupation, calling or
7 employment of watchman or in the business of watchman's
8 agency without first having obtained the necessary permit from
9 the Chief, [Philippine Constabulary] PHILIPPINE NATIONAL
10 POLICE (PNP) which permit as approved is a prerequisite in
11 obtaining a license or license certificate: *Provided*, That all
12 existing private detective or watchman or security guard
13 agencies shall have a period of one (1) year from the approval
14 of this Act to secure the said license: *Provided, further*, That
15 existing agencies, and any new agency which may hereafter
16 apply for a license, SHALL certify under oath that their private
17 detectives, watchmen or security guards, have received the
18 appropriate training from either the [Philippine Constabulary].
19 PNP, the National Bureau of Investigation, any local police
20 department, or any other public or private institution duly
21 recognized by the government to conduct police training:
22 *PROVIDED, FINALLY, THAT THE LICENSE TO EXERCISE*
23 *SECURITY PROFESSION (LESP) OF DULY QUALIFIED*

2 THREE (3) YEARS FROM THE DATE OF ITS ISSUANCE." ~~~

3
4 SEC 2. Separability Clause. If, for any reason, any provision of this Act is
5 declared to be unconstitutional or invalid, the other sections or provisions hereof
6 which are not affected thereby shall continue to be in full force and effect.

7
8 SEC 3. Repealing Clause. All laws, decrees, order, rules and regulations,
9 and other issuances or parts thereof which are inconsistent with this Act are
10 hereby repealed, amended or modified accordingly.

11
12 SEC. 4. Effectivity Clause. This Act shall take effect upon its publication in
13 the Official Gazette or in two (2) national newspapers of general circulation.

14
15 Approved,

FACT SHEET

House Bill No. 6040

AN ACT PROVIDING A THREE (3) YEAR VALIDITY PERIOD FOR THE LICENSE TO EXERCISE SECURITY PROFESSION, AMENDING SECTION 6 OF REPUBLIC ACT NO. 5487, AS AMENDED, OTHERWISE KNOWN AS "THE PRIVATE SECURITY AGENCY LAW"

Introduced by: REPS. SALVADOR H. ESCUDERO III, JUAN MIGUEL "MIKEY" MACAPAGAL ARROYO, MA. AMELITA A. CALIMBAS-VILLAROSA, ANGELO B. PALMONES, CATALINA C. BAGASINA, PABLO JOHN F. GARCIA, RODOLFO W. ANTONINO, ROMEO M. ACOP, EMMELINE Y. AGLIPAY, LEOPOLDO N. BATAOIL, ROILO GOLEZ, LORETO LEO S. OCAMPOS, NASSER C. PANGANDAMAN, MAXIMO B. RODRIGUEZ, JR. JESUS N. SACDALAN, AND SUSAN A. YAP

*Committee Referral: COMMITTEE ON PUBLIC ORDER AND SAFETY
Committee Chairperson: REP. PABLO JOHN F. GARCIA*

OBJECTIVE

- To reduce the financial burden of security guards by extending the validity period of their license from two to three years.

KEY PROVISION

- Provides that License to Exercise Security Profession (LESP) shall be valid for a period of three (3) years.

RELATED LAWS

Republic Act 5487 - The Private Security Agency Law
Presidential Decree 5487- Amending Certain Provisions of RA 5487

As of 7 March 2012



REPUBLIC ACT No. 5487

AN ACT TO REGULATE THE ORGANIZATION AND OPERATION OF PRIVATE DETECTIVE, WATCHMEN OR SECURITY GUARDS AGENCIES.

(Rep. Act No. 5487, as amended by Presidential Decree No. 11.)

Section 1. Short Title of Act. This Act shall be known as "The Private Security Agency Law."

Section 2. Scope of this Act. The organization, operation, business and activities of private detectives, watchmen or security guards agencies shall be governed by the provisions of this Act.

Section 3. Definition of Terms. (a) Person. As used in this Act, person shall include not only natural persons but also juridical persons such as corporation, partnership, company or association duly registered with the Securities and Exchange Commission and/or the Bureau of Commerce. (b) Private Detective Agency. A private detective agency is any person, who, for hire or reward or on commission, conducts or carries on or holds himself or itself out as conducting or carrying on a detective agency, or detective service. (c) Private Detective. A private detective is any person who is not a member of a regular police agency of the Armed Forces of the Philippines who does detective work for hire, reward, or commission. (d) Watchman or Security Guard, Watchman or Security Guard Agency. Any person who offers or renders personal service to watch or secure either residential or business establishment, or both, or any building, compound, or area including but not limited to logging concessions, agricultural, mining or pasture lands for hire or compensation, or as an employee thereof shall be known as watchman or security guard; and any person, association, partnership, or corporation, who recruits, trains, muster, furnishes, solicits individuals or business firms, private or government-owned or controlled corporations to engage his service or those of its watchmen, shall be known as Watchman or Security Guard Agency. (As amended by Pres. Decree No. 11, October 3, 1972.)

Section 4. Who May Organize a Security or Watchman Agency. Any Filipino citizen or a corporation, partnership, or association, with a minimum capital of five thousand pesos, one hundred per cent of which is owned and controlled by Filipino citizens may organize a security or watchman agency: Provided, That no person shall organize or have an interest in, more than one such agency except those which are already existing at the promulgation of this Decree: Provided, further, That the operator or manager of said agency must be at least 25 years of age, a college graduate and/or a commissioned officer in the inactive service of the Armed Forces of the Philippines; of good moral character; having no previous record of any conviction of any crime or offense involving moral turpitude and not suffering from any of the following disqualifications:

- (1) Having been dishonorably discharged or separated from the Armed Forces of the Philippines;
- (2) Being a mental incompetent;
- (3) Being addicted to the use of narcotic drug or drugs, and
- (4) Being a habitual drunkard.

For purposes of this Act, elective or appointive government employees who may be called upon on account of the functions of their respective offices in the implementation and enforcement of the provisions of this Act and any person related to such government employees by affinity or consanguinity in the third civil degree shall not hold any interest, directly or indirectly in any security guard or watchman agency (As amended by Pres. Decree No. 11.)

Section 5. Qualifications Required. No person shall be employed as security guard or watchman or private detective unless he is: (a) a Filipino citizen; (b) a high school graduate, (c) physically and mentally fit; (d) not less than 21 nor more than 50 years of age; (e) at least 5 feet and 4 inches in height; and (f) suffering none of the disqualifications provided for in the preceding section: Provided, That foreigners who are already employed as watchmen or security guards prior to the approval of this Act shall not be subject to the above-mentioned requirements: Provided, further, That veterans shall be given priority in employment as security guard, watchman or private detective: And provided, finally, That person convicted of any crime involving moral turpitude shall not be employed as security guard, watchman or private detective.

Section 6. License Necessary. No person shall engage in the business of, or act either as a private detective, or detective agency; and either engage in the occupation, calling or employment of watchman or in the business of watchman's agency without first having obtained the necessary permit from the Chief, Philippine Constabulary which permit as approved is prerequisite in obtaining a license or license certificate: Provided, That all existing private detective or watchman or security guard agencies shall have a period of one (1) year from the approval of this Act to secure the said license: Provided, further, That existing agencies, and any new agency which may hereafter apply for a license, certify under oath that their private detectives, watchmen or security guards, have received the appropriate training from either the Philippine Constabulary, the National Bureau of Investigation, any

local police department, or any other public institution duly recognized by the government to conduct police training.

Section 7. Application for License. The application shall be made in writing and shall be filed with the Chief, Philippine Constabulary. It shall contain the full name of the applicant, his age, civil status, his residence and location of business. If the applicant is a corporation, association or partnership, a copy of the certificate of registration with the Securities and Exchange Commission together with its by-laws and articles of incorporation, with the Bureau of Commerce.

Section 8. Fees to be Paid and Bonds. When all requisites for the issuance of the license have been complied with, the Chief of the Philippine Constabulary or his duly authorized representative shall issue a permit for the issuance of such license and register the same in his office, upon payment by the applicant of the fee in accordance with the following schedule:

- (a) the sum of one hundred pesos per annum as national license;
- (b) the sum of fifty pesos per annum as municipal license fee in any city where it may operate, the said fee to be payable to the city treasurer concerned;
- (c) the sum of twenty-five pesos per annum as municipal license fee for any municipality where it may operate, the said fee to be payable to the municipal treasurer concerned;
- (d) the private Detective and Watchman Agency shall in addition to the above pay a fixed Internal Revenue Tax of one hundred pesos per annum in lieu of percentage taxes;
- (e) the individual private detective and/or watchman shall pay for Mayor's Permit, Health and/or Sanitary fee an amount not exceeding three pesos per annum and the agency shall pay the sum not exceeding ten pesos for the Mayor's Permit and Health and/or Sanitary fees; and
- (f) the Chief of the Philippine Constabulary or his duly authorized representative shall issue an appointment over his signature and affix the seal of his office, to each license and for each such appointment, the sum of one peso shall be paid.

The application shall further be accompanied by a bond issued by any competent or reputable surety or fidelity or insurance company duly accredited by the office of the Insurance Commissioner in the sum of not less than five thousand pesos nor more than ten thousand pesos in the discretion of the Chief, Philippine Constabulary, which bond shall answer for any valid and legal claim against the agency by its clients or employees: Provided That licenses issued in the province of an authorized representative of the Chief of Constabulary is subject to review by the Chief of Constabulary.

Any provision of this or other law to the contrary notwithstanding, the Chief of Constabulary may, at any time suspend or cancel the licenses of private watchman or security guard agency found violating any of the provisions of this Act or of the rules and regulations promulgated by the Chief of Constabulary pursuant thereto. (This paragraph was inserted by Sec. 3, Pres. Decree No. 11.)

Other provisions of Pres. Decree No. 11

Any person who commit any act in violation of Republic Act No. 5487 and of this Decree, and the implementing rules and regulations already promulgated which are not in conflict herewith, and those to be promulgated by the Chief of Constabulary pursuant hereto, shall, on conviction thereof, suffer imprisonment of from ten to fifteen years and a fine of not less than ten thousand pesos nor more than fifteen thousand pesos as a military court/tribunal or commission may direct.

The Chief of Constabulary shall promulgate the necessary rules and regulations to carry out the provisions of this Decree.

Section 9. Employees Need Not be Licensed. Every person operating, managing, directing or conducting a licensed private detective or watchmen agency shall also be considered licensed private detective, or watchman and no person shall be employed or used in a private detective work unless he be a licensed private detective or watchman. Provided, That nothing in this section shall be construed as requiring detective license for persons employed solely for clerical or manual work.

Section 10. Display of License. The license shall be displayed at all times in a conspicuous and suitable place in the agency office or headquarters of the agency and shall be exhibited at the request of any person whose jurisdiction is in relation with the business of the agency or the employees thereof, or of the Chief of the Philippine Constabulary or his duly authorized representative or any peace officer.

Section 11. Supervision of the Philippine Constabulary. Upon approval of this Act, the Philippine Constabulary shall exercise general supervision over the operation of all private detective and watchman or security guard agencies.

Section 12. Powers of City or Municipal Mayors in Cases of Emergency. In case of emergency or in times of disaster or calamities where the services of such agencies arise, the City or Municipal Mayor, as director of Civil Defense, may muster or incorporate the services of the agency nearest the area where such emergency, disaster or calamity arises and its duly licensed personnel to help maintain peace and order; and/or the prevention or

apprehension of law violators and in the preservation of life and property. Deputized private detectives, watchmen or security guards shall take direct orders from the Chief of Police for the duration of the fire, inundation, earthquakes, riots or other emergencies.

Section 13. Issuance of Firearms. A watchman or security agency shall be entitled to possess firearms after having satisfactorily passed the requirements prescribed by the Chief, Philippine Constabulary pertinent to the possession of firearm of any caliber not higher than 45 caliber in a number not exceeding one firearm for every two watchmen or security guards in its employ: Provided, however, That a watchman or security agent shall be entitled to possess not more than one riot gun or shotgun in order to provide adequate security when circumstances so demand: Provided, further, That all the firearms mentioned herein shall be carried by the watchman or security guard only during his tour of duty in proper uniform within the compound of the establishment except when he escorts big amounts of cash or valuables in and out of said compound.

Section 14. Uniform. The uniform of watchman or security guard as well as those organized, maintained or under the employment of the government or any government-owned and/or controlled corporations, agencies or entities, shall be different from the uniform worn and prescribed for members of the Armed Forces of the Philippines, City and Municipal Police Force. The Chief, Philippine Constabulary, through his duly authorized representative shall prescribe the uniform or ornaments, equipment and paraphernalia to be worn by the security guards and watchmen throughout the Philippines.

Section 15. Compensation of Watchmen or Security Guards. Watchmen or security guards shall receive a salary not lower than that prescribed in the Minimum Wage Law.

Section 16. Limitations and Prohibitions. 1. On Membership: (a) No agency operating in the City of Manila and suburbs may employ more than 1,000 watchmen or security guards; (b) no agency operating in other cities and first class municipalities may employ more than 500 watchmen or security guards; (c) no agency operating in municipalities other than first class may employ more than 200 watchmen or security guards.

2. On Organization: No person, corporation, partnership or association may organize more than one agency in any one city or municipality.

3. On Service: No agency shall offer, render or accept its services to gambling dens or other illegal enterprises. The extent of the security service being provided by any security agency shall not go beyond the whole compound or property of the person or establishment requesting the security service except when they escort big amount of cash.

Section 17. Rules and Regulations by Chief, Philippine Constabulary. The Chief of the Philippine Constabulary, in consultation with the Philippine Association of Detective and Protective Agency Operators, Incorporated and subject to the provisions of existing laws, is hereby authorized to issue the rules and regulations necessary to carry out the purpose of this Act

Section 18. Penal Provisions. Any violation of this Act or the rule or regulation issued hereunder shall be punished by suspension, or fine not exceeding P200.00 or cancellation of his or its licenses to operate, conduct, direct or manage a private detective, watchman or security guard agency and all its members in the discretion of the court together with the forfeiture of its bond filed with the Philippine Constabulary.

If the violation is committed by those persons mentioned under paragraph two, section four of this Act the penalty shall be imprisonment ranging from one to four years and fine ranging from one to four thousand pesos in the discretion of the court.

Section 19. Repealing Clause. All laws, rules, resolutions, municipal ordinances, regulations and administrative orders contrary or inconsistent with the provisions hereof are hereby repealed.

Section 20. Effectivity. This Act shall take effect upon its approval.

Approved, June 21, 1969.



MALACAÑANG
Manila

PRESIDENTIAL DECREE No. 11 October 3, 1972

AMENDING CERTAIN SECTIONS OF REPUBLIC ACT NUMBERED FIFTY-FOUR HUNDRED EIGHTY-SEVEN OTHERWISE KNOWN AS, "THE PRIVATE SECURITY AGENCY LAW."

WHEREAS, there were pending before Congress prior to the promulgation of Proclamation No. 1081, dated September 21, 1972, certain priority measures vital to the law enforcement program of the Government and to the restoration and maintenance of peace and order throughout the land, which were duly certified by the President as urgent measures;

WHEREAS, one of these priority measures is House Bill No. 4606 entitled, "An Act to Amend Certain Sections of Republic Act Numbered Fifty-Four Hundred Eighty-Seven otherwise known as, the Private Security Agency Law;"

WHEREAS, the said House Bill No. 4606 seeks to amend the Private Security Agency Law because

(a) There are numerous private firms, companies and corporations including government-owned or controlled corporations employing around 30,000 watchmen or security guards who are armed with considerable numbers of firearms but who are not covered by Section 3 of the Private Security Agency Law;

(b) The Private Security Agency Law did not establish adequate safeguards against the intrusion of personal interest in the issuance of licenses prescribed by said law;

(c) There are inadequate regulatory powers of the Philippine Constabulary over the operations of the private security guards or watchman agencies and their guards or watchmen;

WHEREAS, to provide for an effective deterrent to the commission of acts in violation of said Republic Act No. 5487 and this Decree, and of the implementing rules and regulations promulgated by the Chief of Constabulary pursuant thereto, by providing stiff penalties for violators:

NOW, THEREFORE, I, FERDINAND E. MARCOS, Commander-in-Chief of all the Armed Forces of the Philippines, and pursuant to Proclamation No. 1081, dated September 21, 1972, General Orders Nos. 1 and 6, both dated September 22, 1972 and General Order No. 7 dated September 23, 1972, do hereby order and decree, that:

1. Section three (d) of Republic Act Fifty-Four Hundred Eighty-Seven, otherwise known as, "The Private Security Agency Law" is hereby amended to read as follows:

"(d) Watchman or Security Guard, Watchman or Security Guard Agency. Any Persons who offers of renders personal service to watch or secure either residential or business establishment, or both, or any building, compound, or area including but not limited to logging concessions, agricultural, mining or pasture lands for hire or compensation, or as an employee thereof shall be known as watchmen or security guard, and any person, association, partnership, or corporation, who recruits, trains, musters, furnishes, solicits individuals or business firms, private or government-owned or controlled corporations to engage his service or those of its watchmen, shall be known as Watchman or Security Guard Agency."

2. Section four of Republic Act Fifty-four Hundred Eighty-Seven is hereby amended to read as follows:

"Sec. 4. Who May Organize a Security or Watchman Agency. Any Filipino citizen or a corporation, partnership, or association, with a minimum capital of five thousand pesos, one-hundred per cent of which is owned and controlled by Filipino citizens may organize a security or watchman agency: Provided, That no person shall organize or have an interest in, more than one such agency except those which are already existing at the promulgation of this Decree. Provided, further, That the operator or manager of said agency must be at least 25 years of age, a college graduate and/or a commissioned officer in the inactive service of the Armed Forces of the Philippines; of good moral character; having no previous record of any conviction of any crime or offense involving moral turpitude and not suffering from any of the following disqualifications:

- (1) Having been dishonorably discharged or separated from the Armed Forces of the Philippines
- (2) Being a mental incompetent;
- (3) Being addicted to the use of narcotic drug or drugs; and,

(4) Being a habitual drunkard

"For purposes of this Act, elective or appointive government employees who may be called upon on account of the functions of their respective offices in the implementation and enforcement of the provisions of this Act and any person related to such government employees by affinity or consanguinity in the third civil degree shall not hold any interest, directly or indirectly in any security guard or watchman agency."

3. Section eight of Republic Act Fifty-Four Hundred Eighty-Seven is hereby amended by inserting as the last paragraph thereof, the following

"Any provision of this or other law to the contrary notwithstanding, the Chief of Constabulary may, at any time suspend or cancel the licenses of private watchman or security guard, or any licenses of private watchmen or security guard agency found violating any of the provisions of this Act or the rules and regulations promulgated by the Chief of Constabulary pursuant thereto;"

Any person who commit any act in violation of Republic Act No. 5487 and of this Decree, and the implementing rules and regulations already promulgated which are not in conflict herewith, and those to be promulgated by the Chief of Constabulary pursuant hereto, shall, on conviction thereof, suffer imprisonment of from ten to fifteen years and a fine of not less than ten thousand pesos nor more than fifteen thousand pesos as a military court/tribunal or commission may direct.

The Chief of Constabulary shall promulgate the necessary rules and regulations to carry out the provisions of this Decree.

Done in the City of Manila, this 3rd day of October, in the year of Our Lord, nineteen hundred and seventy-two

The Lawphil Project - Arellano Law Foundation

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Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

15TH CONGRESS
First Regular Session

HOUSE BILL NO. 3021

Introduced by **REP. SALVADOR H. ESCUDERO III**

EXPLANATORY NOTE

This bill seeks to ease the burden currently besetting security guards or watchmen.

First, it provides for a study now pay later scheme for security guards, watchmen and even private detectives who may opt, or are mandated, to finish the security management specialist course offered by public and private institutions which are government accredited to conduct police and security training.

And second, it extends the validity of every security guard's required security license under Republic Act No. 5487 and its Implementing Rules and Regulations.

In view of the foregoing and in deference to the uniqueness of a security guard's job which principally involves risk of life and limb, early passage of this proposed measure is submitted.


SALVADOR H. ESCUDERO III
Representative
1st District, Sorsogon

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

15TH CONGRESS
First Regular Session

HOUSE BILL NO. 3021

Introduced by **REP. SALVADOR H. ESCUDERO III**

AN ACT
AMENDING SECTIONS 5 AND 6 OF REPUBLIC ACT NO. 5487, AS AMENDED,
OTHERWISE KNOWN AS THE PRIVATE SECURITY AGENCY LAW

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

SECTION 1. Section 5 of Republic Act (RA) No. 5487, amended, is hereby further amended to read as follows:

"Section 5. Qualifications Required. No person shall be employed as security guard or watchman or private detective unless he is: (a) a Filipino citizen; (b) a high school graduate; (c) physically and mentally fit; (d) not less than 21 nor more than 50 years of age; (e) at least 5 feet and 4 inches in height; and (f) suffering none of the disqualifications provided for in the preceding section: Provided, That foreigners who are already employed as watchmen or security guards prior to the approval of this Act shall not be subject to the above-mentioned requirements: Provided, further, That veterans shall be given priority in employment as security guard, watchman or private detective: [And] provided, **MOREOVER** [finally], That person convicted of any crime involving moral turpitude shall not be employed as security guard, watchman or private detective: **AND PROVIDED, FINALLY, THAT A SECURITY GUARD OR WATCHMAN OR PRIVATE DETECTIVE, WHO OPTS OR IS MANDATED PURSUANT TO EXISTING LAWS AND REGULATIONS TO UNDERGO AND FINISH THE SECURITY MANAGEMENT SPECIALIST COURSE, SHALL BE GRANTED A STUDY NOW PAY LATER SCHEME OR PROGRAM BY ANY PUBLIC OR PRIVATE TRAINING INSTITUTIONS OR SYSTEM DULY RECOGNIZED BY THE GOVERNMENT TO CONDUCT PRIVATE SECURITY OR POLICE TRAINING."**

SEC. 2. Section 6 of RA No. 5487, as amended, is likewise further amended to read as follows:

"Section 6. License Necessary. No person shall engage in the business of, or act either as a private detective, or detective agency; and either engage in the occupation, calling or employment of watchman or in the business of watchman's agency without first having obtained the necessary permit from the Chief, Philippine Constabulary which permit as approved is prerequisite in obtaining a license or license certificate: Provided, That all existing private detective or watchman or security guard agencies shall have a period of one (1) year from the approval of this Act to secure the said license: Provided, further, That existing agencies, and any new agency which may hereafter apply for a license, certify under oath that their private detectives, watchmen or security guards, have received the appropriate training from either the Philippine Constabulary, the National Bureau of Investigation, any local police department, or any other public institution duly recognized by the government to conduct police training.

NOTWITHSTANDING ANY PROVISION OF THIS ACT OR ITS IMPLEMENTING RULES AND REGULATIONS TO THE CONTRARY, THE APPROPRIATE SECURITY LICENSE GRANTED TO A SECURITY GUARD OR WATCHMAN SHALL BE VALID FOR AT LEAST THREE (3) YEARS FROM THE DATE OF ITS ISSUANCE. SECURITY LICENSES ISSUED PRIOR TO THE EFFECTIVITY OF THIS ACT SHALL CEASE TO BE VALID ON ITS ORIGINAL DATE OF EXPIRY."

SEC. 3. All laws, presidential decrees, letters of instructions, executive orders, rules and regulations insofar as they are consistent with this Act, are hereby repealed or amended as the case may be.

SEC. 4. In case any provision of this Act or any portion hereof is declared unconstitutional by a competent court, other provisions shall not be affected thereby.

SEC. 5. This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in two (2) newspapers of general circulation.

Approved,

CONGRESS OF THE PHILIPPINES
FIFTEENTH CONGRESS
First Regular Session

HOUSE OF REPRESENTATIVES

House Bill No. **3713**

Introduced by Representative
MIKEY MACAPAGAL ARROYO

EXPLANATORY NOTE

The Implementing Rules and Regulations of Republic Act No. 5487 (An Act to Regulate the Organization and Operation of Private Detective, Watchmen or Security Guards Agencies), as amended by Presidential Decree No. 11, provide that the regular license a.k.a. Private Security Personnel License Card shall be valid for two (2) years.

However, it must be emphasized that security guards undergo rigid training, attend seminars, and take various examinations in order to qualify for the issuance of said regular license. Significant expenses are entailed by security guards for purposes of meeting the requirements for licensing. ●

Thus, in order to provide meaningful assistance to security guards, it is proposed that the validity of regular licenses be increased to three (3) years from the date of issuance. This will forestall any additional expenses for the renewal of such licenses.

For these reasons, the approval of this Bill is earnestly sought.


MIKEY MACAPAGAL ARROYO
Ang Galing Pinoy Party List

CONGRESS OF THE PHILIPPINES
FIFTEENTH CONGRESS

First Regular Session
HOUSE OF REPRESENTATIVES

House Bill No. **3713**

Introduced by Representative
MIKEY MACAPAGAL ARROYO

**AN ACT AMENDING REPUBLIC ACT NO. 5487 (AN ACT TO
REGULATE THE ORGANIZATION AND OPERATION OF PRIVATE
DETECTIVE, WATCHMEN OR SECURITY GUARDS AGENCIES), AS
AMENDED BY PRESIDENTIAL DECREE NO. 11**

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

SECTION 1. Section 6 of Republic Act No. 5487 is hereby amended to read as
follows:

"Section 6. x x x

Section 6-A. The Private Security Personnel License Card
(Regular License) of duly qualified security guards shall be valid for a
period of three (3) years from the date of its issuance."

SECTION 2. *Separability Clause.* If, for any reason, any part or provision of this
Act is declared invalid, such declaration shall not affect the other provisions of this Act.

SECTION 3. *Repealing Clause.* The provisions of laws, decrees, executive
orders, ordinances, rules and regulations inconsistent with this Act are hereby repealed,
amended or modified accordingly.

SECTION 4. *Effectivity.* This Act shall take effect fifteen (15) days following the
completion of its publication in the *Official Gazette* or in two (2) national newspapers of
general circulation.

Approved,

**FIFTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)**

**HOUSE OF REPRESENTATIVES
H.B. No. 3876**

**INTRODUCED BY THE HON. ANGELO B. PALMONES
and HON. CATALINA C. BAGASINA**

**AN ACT
AMENDING REPUBLIC ACT NO. 5487 OTHERWISE KNOWN AS "AN ACT TO
REGULATE THE ORGANIZATION AND OPERATION OF PRIVATE
DETECTIVE, WATCHMEN OR SECURITY GUARD AGENCIES" AND FOR
OTHER PURPOSES**

EXPLANATORY NOTE

Section 6 of RA No. 5487 prescribes that "no person shall engage in the business of, or act either as a private detective, or detective agency; and **either engage in the occupation, calling or employment of watchman** or in the business of watchman's agency without first having obtained the necessary permit from the Chief, Philippine Constabulary (now the Philippine National Police - PNP) which permit as approved is prerequisite in obtaining a license or license certificate". RA No. 5487 does not prescribe the duration of the validity of the license of Watchmen or Security Guards. The Implementing Rules and Regulations of RA No. 5487 does.

Section 9 of Rule V of the IRR provides that the Private Security Personnel License Card shall have duration or validity for two (2) years. Furthermore, Section 13 d of Rule V of the IRR prescribes that "all licensed security personnel must undergo in-service re-training at least once in every two (2) years preferably two months before his/her birth month. The certificate of in-service training shall be a prerequisite among others, for the renewal of license to exercise profession".

Security Guards or Watchmen have taken issue on the frequency of renewing their license. They aver that drivers renew their licenses every three (3) years and their responsibility to their clients (passengers) especially the professional drivers of passenger vehicles is as tremendous if not more so than a Security Guard. Furthermore, drivers do not undergo driver's training before renewal of their license. Some Security Guards aver that the subject and content of training remain the same training-after-training.

Corollary to the issue of renewal of license is the cost of training. Security Guards (SG) say that the cost of training is about P3,500 and this is a big drain from their take-home pay. And this brings the other issue. While RA 5487 provides that the salary of Security Guards should conform to the minimum wage they profess that they are not receiving the minimum wage.

They claim that their monthly salary is P7,900 when they should be receiving P9,600. Given the deductions for SSS (P200/mo), Pag-ibig (P100/mo), Phil-Health (P100/mo) there is not much left after these deductions. Some Agencies, the Security Guards claim, also demand that that they make a Cash Bond Deposit which ranges from P100 to P400 per month. The Cash Bond is supposed to cover any unpaid obligations of the SG. The SGs are not paid interest on their Cash Bond Deposit. One SG also claimed that when he terminated his employment with the Agency his Cash Bond deposit was not reimbursed to him.

The other issue that surfaced from the SGs is the duration of service they are required to render, 12 hours per shift which should only be 8 hours and they do not get overtime pay. Others claim that they are not paid the 13th month pay.

In the face of these complaints the amendment to RA 5487 and its implementing rules and regulations are highly timely.



ANGELO B. PALMONES



CATALINA C. BAGASINA

FIFTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

HOUSE OF REPRESENTATIVES
H.B. No. 3876

INTRODUCED BY THE HON. ANGELO B. PALMONES
and HON. CATALINA C. BAGASINA

AN ACT
AMENDING REPUBLIC ACT NO. 5487 OTHERWISE KNOWN AS "AN ACT TO
REGULATE THE ORGANIZATION AND OPERATION OF PRIVATE
DETECTIVE, WATCHMEN OR SECURITY GUARD AGENCIES" AND FOR
OTHER PURPOSES

Section 1 - Section 6 of RA No. 5487 otherwise known as the "Act to Regulate the Organization and Operation of Private Detective, Watchman or Security Guard Agencies" is amended as follows:

Section 6. *License Necessary.* No person shall engage in the business of, or act either as a private detective, or detective agency; and either engage in the occupation, calling or employment of watchman or in the business of watchman's agency without first having obtained the necessary permit from the Chief, Philippine Constabulary (now the Philippine National Police - PNP) which permit as approved is prerequisite in obtaining a license or license certificate. Provided, That all existing private detective or watchman or security guard agencies shall have a period of one (1) year from the approval of this Act to secure the said license; Provided, further, That existing agencies, and any new agency which may hereafter apply for a license, certify under oath that their private detectives, watchmen or security guards, have received the appropriate training from either the Philippine Constabulary (now the PNP), the National Bureau of Investigation, any local police department, or any other public institution duly recognized by the government to conduct police training. **Provided further that renewal of license of private detective, or detective agency or watchman/security guard shall be every three (3) years and that retaining is a requirement for renewal of license and such training shall also be required every (3) years immediately prior to application of renewal of license.**



Section 2 - **Cash Bonds.** Cash bonds are collected by Agencies from their security guard-employees to cover financial obligations they may have incurred during their employment in the Agency. Such Cash Bonds shall be deposited in government banks. The Agency shall

make full disclosure on the amount collected including the interest earned by the Cash Bonds. The Agency shall pay the contributors of the Cash Bonds a yearly dividend equal to the interest earned by the contributions of the security guards/watchmen. The Agency shall be prohibited under penalty from using the Cash Bond contributions for business purposes that will benefit only the Agency and its officers. After deducting whatever financial obligations the security guard/watchman may have incurred, the remainder of his/her contributions to Cash Bonds shall be reimbursed to him/her upon termination of service or retirement from the Agency.

Section 3 – Compensation of security guards/watchmen. Section 15 of RA No. 5487 provides that the compensation of security guards/watchmen shall not be lower than what is prescribed by the Minimum Wage Law. To the contrary many security guards/watchmen aver that they are receiving salaries way below the minimum wage. The PNP shall make an inventory of Agencies that do not comply with the Minimum Wage Law and submit a yearly report to Congress. Penalties prescribed under the Minimum Wage Law against those that do not conform to it shall be instituted by the PNP.

The PNP shall also include in its inventory of Agencies those that are not paying the 13th month pay and those that are not shall be obligated to do or suffer penalty under Section 4 of this Act.

Section 4 – Penalty for Violating Section 2 and Section 3 of this Act. Any Agency found guilty for violating Section 2 of this Act shall be fined a minimum of Ten Thousand pesos (P10,000) for first offense and cancellation of its License to Operate or an imprisonment of its Executive Officer for not less than one (1) year or both. A second violation of Section 2 shall have a penalty of permanent cancellation of its License to Operate, a fine of One Hundred Thousand pesos (P100,000) or an imprisonment of 3 years or both.

Agencies found upon due investigation by the PNP that they are not paying the 13th month pay shall have their license to operate cancelled and forever barred from operating again. In addition they shall pay their employees whatever amount they have failed to pay.

Section 5 – Repealing Clause. All laws, decrees, orders, rules and regulations or portions thereof, inconsistent with this Act are hereby repealed or modified accordingly.

Section 6 – This Act shall take effect 15 days after its complete publication in two newspapers of general circulation.

Approved



Republic of the Philippines
House of Representatives
COMMITTEE ON PUBLIC ORDER AND SAFETY
3rd Floor, RV Mitra Building, Batasan Pambansa Complex, Constitution Hills, Quezon City
Telephone & Fax numbers 932-52-17 / 931-4072; Trunkline: 931-5001 local 7126

Fifteenth Congress
SECOND REGULAR SESSION

Minutes of Meeting of the Committee on Public Order and Safety Held on February 22, 2012 at Conference Rooms 7 & 8, RV Mitra Building, House of Representatives, and Quezon City

GUESTS AND RESOURCE PERSONS:

Commissioner Eduardo Escueta – Vice Chairman, National Police Commission (NAPOLCOM)
P/Chief Supt. Jesus Gatchalian – Executive Director, Directorate for Plans, Philippine National Police (PNP)
P/Chief Supt. Calaguio Meneses – Director, Civil Security Group, PNP
P/Chief Supt. Tomas G. Rentoy – Chief, Supervisory Office for Security and Investigation Agencies (SOSIA), PNP
Atty. Medardo Delamos- Assistant Director, National Bureau of Investigation (NBI)

AGENDA:

Deliberation on the following measures:

- 1) House Bill No. 3021, entitled, "An Act Amending Sections 5 and 6 of Republic Act No. 5487, as Amended, Otherwise Known as the Private Security Agency Law", authored by Rep. Salvador H. Escudero III;
- 2) House Bill No. 3453, entitled, "An Act Strengthening the Private Security Industry, Amending for this Purpose Republic Act No. 5487, Otherwise Known as the Act to Regulate the Organization and Operation of Private Detective, Watchmen or Security Guards Agencies", authored by Rep. Emmeline Y. Aglipay;
- 3) House Bill No. 3713, entitled, "An Act Amending Republic Act No. 5487 'An Act to Regulate the Organization and Operation of Private Detective, Watchmen or Security Guards Agencies', as Amended by Presidential Decree No. 11", authored by Rep. Mikey Macapagal Arroyo,
- 4) House Bill No. 3876, entitled, "An Act Amending Republic Act No. 5487, Otherwise Known as 'An Act To Regulate the Organization and Operation of Private Detective, Watchmen or Security Guard Agencies and for Other Purposes'", authored by Reps. Angelo B. Palmones and Catalina C. Bagasina;
- 5) House Bill No. 1725, entitled, 'An Act Providing for the Philippine National Police Modernization Program, and for Other Purposes', authored by Rep. Rufus B. Rodriguez;

- 6) House Bill No. 4292, entitled, 'An Act Modernizing the Crime Investigation Techniques of Law Enforcement Agencies', authored by Rep. Diosdado Macapagal-Arroyo; and
- 7) House Bill No. 4253, entitled, "An Act Renaming the Palawan Police Provincial Office (Palawan PPO) to Camp Higinio Acosta Mendoza Sr.", authored by Reps. V. Dennis M. Socrates, Antonio C. Alvarez and Ponciano D. Payuyo.

I. PRELIMINARY MATTERS

A. Call to Order/Roll Call

Chairman Pablo John F. Garcia called the meeting to order at 1:42 P.M. On motions made and duly seconded and there being no objection, the calling of the roll and the reading of the minutes of the previous meeting were dispensed. Same were approved.

The Chair then acknowledged the presence of the Vice-Chairmen. Members of the committee and the resource persons.

B. Opening Remarks of the Chair

Chair Garcia informed the body of the day's agenda which are as follows: (a) bills amending certain sections of Republic Act No. 5487, otherwise known as the "Private Security Industry Act"; (b) bills pertaining to PNP modernization and modernization of crime investigation techniques; and (c) local bill renaming the Palawan Police Provincial Office (Palawan PPO) to Camp Higinio Acosta Mendoza

II. DELIBERATION ON THE BILLS AMENDING RA NO. 5487

Rep. Arroyo (M.) requested that the explanatory note of HB No. 3713 be adopted as his sponsorship remarks.

Rep. Palmones, author of HB No.3876, disclosed that one of the proposed amendments of the bill, that which extends the validity of license of security guard from two to three years, is already being implemented by the PNP.

As regards House Bill No. 3021 of Rep. Escudero who was unable to attend, Rep. Antonino moved that the explanatory note be adopted as its sponsorship remarks.

Rep. Aglipay, author of HB No. 3453, explained the objectives of her bill, as follows: (a) to professionalize the private security industry by intensifying the requirements for training and professional certification of security practitioners; and (b) to improve the efficiency of the security industry by introducing amendments that will lessen bureaucratic jurisdiction with respect to licensing, operation and regulation of private security agencies.

She enumerated some key provisions that identifies particular services that will be covered and these includes the scope and responsibility of security guards, security agencies and security consultancy services. She added that the bill reduces the minimum requirement to 100 licensed security personnel under a security agency's

employ for it to be able to operate while at the same time provides for more stringent requirements in securing a license. A safeguard against the use of security agencies as private armies was also included. Lastly, the bill empowers stakeholders such as the Philippine Association of Detective and Protective Agency Operators (PADPAO) and other security organizations to play an important role in making policies and decisions that affect the security industry.

P/Chief Supt. Meneses, Director of the Civil Security Group and P/Chief Supt. Rentoy III expressed support for the measures and submitted their position paper containing amendments to the law. P/Chief Supt. Rentoy disclosed that PNP had already issued a Memorandum Circular that took effect last June 15, 2011 which extends the validity of License to Exercise Security Profession (LESP) from two years to three years.

Vice Chair Antonino stated that RA 5487 does not require mandatory membership in PADPAO for all security personnel. Chair Garcia then inquired if the PNP had already revised its implementing rules and regulations (IRR) which impose said requirement. He reiterated that the law does not require mandatory membership in PADPAO and it would be "ultra vires" for the IRR to require it. The Chair added that making membership in an organization mandatory is questionable for its constitutionality. P/Chief Supt. Rentoy III concurred with the observations of both the Chair and Vice Chair. He revealed that this requirement had been removed in the latest IRR that they submitted to the Chief, PNP. The Chair requested for a copy of the revised IRR and directed the secretariat to furnish the members a copy thereof.

For the committee's information, Rep. Palmones divulged that there are other security organizations that operate in the country aside from PADPAO. Chair Garcia expressed confidence that even without the mandatory requirement for a security guard to become a member of the PADPAO, the organization will survive because of the benefits it provides to security agencies.

Vice Chair Antonino inquired if the PNP consulted PADPAO during the crafting of the new IRR as required under Sec. 17 of the existing IRR. P/Chief Supt. Rentoy replied in the affirmative. The Chair clarified that the law requires only that they be consulted but it does not require their consent. In fact, they should not even be involved in the consultation process. Vice Chair Antonino stressed that a private organization like PADPAO should not be singly favoured to the detriment of other organizations and P/Chief Supt. Rentoy replied that this requirement is no longer contained in the revised IRR. Chair Garcia expressed his appreciation that the stand of the committee on the issue had been addressed.

He then observed that certain provisions of HB No. 3453 made specific reference to the required participation of PADPAO in crafting the subsequent IRR in her bill and inquired from Rep. Aglipay if she was amenable to the deletion of the word "PADPAO" and have it replaced with the word "stakeholders". Rep. Aglipay agreed.

On the part of Rep. Arroyo (M.), he immediately sought for the approval of his bill in order to give permanent validity to the three-year effectivity period of the LESP. On motion of Rep. Antonino and there being no objection, HB No. 3713 was approved by the body.

At this juncture, Vice Chair Antonino proposed that since there are no contradicting provisions on HB No. 3201, 3453 and 3878, these bills be consolidated.

to include the proposed amendments from the CSG. Instead of creating a Technical Working Group (TWG), he requested the committee secretary to consolidate the measures in consultation with the authors and the PNP. Rep. Palmones concurred with the Vice Chair's proposal, considering that the PNP and other stakeholders have undergone a series of meetings and even formed a TWG to discuss the bills.

Rep. Antonino moved for the consolidation and approval, in principle, of HB Nos. 3201, 3453 and 3876, including the proposed amendments from the CSG. There being no objection, the motions were approved. The Chair directed the secretariat to work closely with the authors and the CSG and to present the consolidated bill in the next meeting for approval.

III. DELIBERATION ON THE BILL RENAMING PALAWAN POLICE PROVINCIAL OFFICE

Rep. Antonino informed the body that in behalf of Rep. Alvarez who is one of the principal authors of HB No. 4353, he will adopt the explanatory note of the bill as its sponsorship remarks.

On motion of Rep. Antonino, duly seconded, HB No. 4353 was approved by the body.

On further motion of Rep. Antonino and there being no objection, all members present during the meeting were made co-authors of the bills approved by the committee.

IV. DELIBERATION ON BILLS MODERNIZING THE PNP AND CRIME INVESTIGATION TECHNIQUES

Asst. Dir. Delamos of NBI expressed support for the passage of HB Nos. 1725 and 4292 and moved for its consolidation. He, however, observed that Section 5(j) of HB No. 1725 on "Drug Abuse Suppression" which seeks to broaden the jurisdiction of the PNP, may run in conflict with the mandate of the Philippine Drug Enforcement Agency (PDEA), the lead agency that fights illegal drugs.

Commissioner Escueta expressed their agency full support for the measures and, thereafter, submitted their position paper. He added that the modernization bills are both timely and relevant to the current reforms being undertaken by the PNP to transform itself under its "Peace and Order Agenda for Transformation and upholding of the Rule of Law" or the PATROL PLAN 2030, and the "Integrated Transformation Program-Performance Governance System" or ITP-PGS. He added that for the PNP to be modernized and to ensure the accomplishment of its mandates, it should adopt the following strategies and approaches: (a) review its basic role in the PNP from one who is a law enforcer to one who is a community leader; (b) revisit or retool the school curricula, the police training programs, and the mandate of the police stations so that these can contribute to the promotion and establishment of the expanded role of police officer as community leader; (c) establish a system of coordination and cooperation among the citizenry, local executives and the integrated law enforcement and public safety agencies; (d) harness the support and assistance of "force multipliers" existing in the communities for a more effective police service delivery; (e) integrate the financial resources of various government agencies to support the efforts of the PNP; (f) adopts a

cutting-edge technologies and automated systems and procedures to ensure effective integration and coordination; (g) position PNP as a partner for development of targeted industries to enable them to generate more revenues for economic development; (h) complement, strengthen and modernize the NAPOLCOM to ensure that there is synergy in the performance of the respective mandates of the institution; and (i) strengthen the interrelation of the five (5) pillars of the Criminal Justice System. Commissioner Escueta emphasized the need to avoid or minimize the political influence of local chief executives in the choice of police officials in the areas of jurisdiction consistent with the principle that the PNP shall be national in scope. He added that there is a necessity to put premium and emphasis on the principle of command responsibility as an effective measure to instill discipline and ensure accountability by and between the subordinate police officers and their respective subordinates.

Rep. Golez noted that the term "force multiplier" is a military term used in combat operations. He suggested using another term that will blend with the trust and orientation of the PNP as defined in the Constitution and the PNP Law. He added that the objective of the PNP is more on prevention and solution of crime and not for destruction.

Rep. Antonino observed that the use of the term "force multiplier" requires the cooperation of police auxiliaries, barangay tanods and Barangay Peace Action Teams (BPATs) who are political appointees and run contrary to the objective of the organization to be free from political influence. While he sees no problem if the agency cooperates or relies on others agencies or organization, it is best to stand alone to make their transformation efforts more effective.

Rep. Rodriguez (M.) inquired on the present police to population ratio. Chief Supt. Gatchalian replied that it is 1:700 which is far behind the ideal ratio of 1:500. Rep. Rodriguez (M.) underscored existing problems in the recruitment process and promotional examination in the PNP encouraged the PNP and NAPOLCOM to re-evaluate their policies on these issues. Owing to a shortage of new entrants, he recommended the giving of testimonial eligibility to graduates of criminology in lieu of the criminology board examination. He then requested NAPOLCOM to brief the committee on the recruitment process and problems encountered in order to find possible solutions thereby improving the police to population ratio to at least 1:600.

Rep. Bataoil disclosed that he recently attended a forum in the PNP and among those discussed was the recruitment process. He said that current standards for recruitment are stringent and he cited the score cards used by the Directorate for Personnel and Records Management. Under this procedure, preference is given to those who (a) belong to the top 20% who passed the NAPOLCOM eligibility exam; and (b) to those who obtained a general weighted average of 85% based on the results of the neuro-psychology, medical, physical, interview, and other examination. He added that the recruitment quota of 10,000 personnel per annum is distributed to the 17 regions of the country.

P/Chief Supt. Meneses disclosed that the increase in quota to 10,000 for new recruits occurred during the last three years of President Arroyo's term. Under the present administration, the quota is 5000 for new recruits and 3000 for attrition, totalling to 8000 positions.

Chair Garcia requested the PNP to provide the committee a copy of the historical data of their recruitment for the past five years in order to be able to have a better

understanding of the issue and provide measures that will address the short fall of personnel.

Rep. Antonino inquired how fees collected by the Firearms and Explosives Division (FED) and the Supervisory Office for Security and Investigation Agencies (SOSIA) are allocated. Rep. Acop replied that it is used as trust receipts for Maintenance and Other Operating Expenses (MOOE) and capital outlay of the PNP. He added that part of it is used as provident fund for scholarships and livelihood projects of personnel and their dependents.

Rep. Antonino disclosed that in the case of the Bureau of Fire Protection (BFP), certain percentage of fees collected are retained for their modernization program. He urged the PNP to do the same.

Rep. Acop stated that part of the modernization program is organizational development. At present, the PNP is not following its objective of economy and efficiency by creating a new directorate, the Directorate for Integrated Police Operations (DIPOs). Rep. Antonino revealed that during the 14th Congress, the committee approved the PNP Reorganization Plan which provided for the creation of the DIPO. For the 15th Congress, however, NAPOLCOM has yet to submit its new reorganization plan. Nonetheless, the system for the creation of DIPOs has been put in place and filled-up. He opined that it is better to amend the provisions of RA 8551 than have the PNP Reorganization Plan approved.

Rep. Acop said that one important component of the modernization program is equipage. For the past five years, the amount of 10 Billion had been appropriated for capability enhancement of the PNP, or 2 Billion per year, but this was not utilized in the procurement of modern equipment. In 2008, the PNP requested the Department of Budget and Management (DBM) to realign 1 Billion of its funds to MOOE and in 2009, the PNP used 2 Billion of its funds in questionable transactions. In 2010, 770 Million was also re-aligned. He also disclosed that 420 Million was used by the PNP to repair 28 units of V-150 and voiced disbelief that the repair of each unit would cost 14 Million. In 2002, the PNP procured office supplies amounting to 3 Billion and this rose to 12 Billion in 2009. As a stop-gap measure, DBM has now issued a directive authorizing itself to procure supplies for PNP. He cautioned the agency to use its funds judiciously in order to be able to fulfil its basic mandate.

Rep. Pangandaman (N.) raised some issues that affect the Autonomous Region of Muslim Mindanao (ARMM). He lamented that new recruits and even policemen who have been in the service for a long time do not even have firearms. He said that it is the local government units (LGUs) who issue firearms to their policemen. He strongly suggested that in the course of PNP's modernization program, the situation in Mindanao be given due attention.

V. ADJOURNMENT

There being no other matters to discuss, the Chair thanked the members and guest for attending the meeting. On motion of Rep. Antonino, duly seconded by Rep. Bataoil, the meeting adjourned at 3:52 p.m.

Prepared by:

Aleli Lalaine A. Gumpal

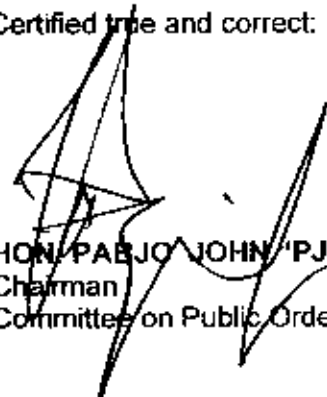
ALELI LALAINA A. GUMPAL
Supervising Legislative Staff Officer II

Noted by:

Rosario Sahijuan

ROSARIO B. SAHIJUAN
Committee Secretary

Certified true and correct:



HON. PABLITO JOHN "PJ" F. GARCIA
Chairman
Committee on Public Order and Safety