

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

17th Congress
First Regular Session

HOUSE BILL NO. **2426**

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Introduced by Representative RANEO E. ABU
2nd District, Batangas

EXPLANATORY NOTE

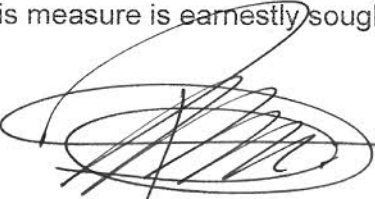
Under Article II, Section 5 of the 1987 Philippine Constitution, the maintenance of peace and order, the protection of life, liberty, and property, and the promotion of the general welfare are essential for the enjoyment by all the people of the blessings of democracy.

Ensuring Peace and Order and public safety in our country is the primary responsibility of the Philippine National Police (PNP). Today, there is no bigger threat to our people, investors, local and foreigners, than the peace and order situation of the country.

In order for the PNP to realize its different programs to contain the threats to the country's stability and peace and order, there is a need to transform the agency into a modern law enforcement organization at par with the world's best. The **PNP Modernization** will focus on several dimensions, such organizational development; human resource development; doctrine development; infrastructure and facilities development; and, equipment acquisition and technology development.

By improving the operational readiness and mission capacity of the PNP through this **PNP Modernization Plan**, it would readily face the challenges and threats nationwide. This measure will then provide the necessary funding support for the various PNP projects geared towards the upliftment of their personnel and modernization of their facilities and equipment.

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


RANEO E. ABU

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

17th CONGRESS
First Regular Session

HOUSE BILL NO. 2426

Introduced by Representative RANEO E. ABU
Second District, Batangas

**AN ACT IMPLEMENTING THE REORGANIZATION AND MODERNIZATION OF THE PHILIPPINE
NATIONAL POLICE AND APPROPRIATING FUNDS THEREFOR**

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

CHAPTER I

GENERAL PROVISIONS

SECTION 1. *Short Title.* - This Act shall be known as the “**Philippine National Police (PNP) Reorganization and Modernization Act.**”

Sec.2. *Declaration of Policy.* - It is the policy of the State to establish a highly efficient, effective and competent police force, which is national in scope, civilian in character, and administratively controlled by the National Police Commission.

The PNP is the primary government law enforcement agency entrusted to maintain peace and order, and ensure public safety and security. A community- and service-oriented agency, it shall promote and respect human rights while upholding the rule of law. The PNP shall provide an efficient system of coordination and cooperation among the citizenry, local government executives and the integrated law enforcement, public safety agencies and other pillars of the criminal justice system, which shall be realized through the implementation of the following key result areas:

- 1) Enforcement of the law and maintenance of peace and order, internal security, and public safety;
- 2) Prevention and solution of crimes ;
- 3) Organization and mobilization of community support and participation for a more effective police service;

- 4) Coordination and cooperation with other government agencies, the citizenry, non-government organizations (NGOs) and the international police community;
- 5) Strengthening of the PNP's interrelationship with the other five (5) pillars of the criminal justice system;
- 6) Efficiency, accountability and transparency in management and development of human and materiel resources;
- 7) Enhancement of the organizational and individual competence and discipline;
- 8) Rationalization of administrative and operational systems and procedures;
- 9) Enhancement of the investigative capability; and
- 10) Efficiency and effectiveness of information and communications technology.

Sec. 3. **Objectives.** - Under this Act, the PNP shall establish the PNP Reorganization and Modernization Program with the following objectives:

- 1) To transform and develop the PNP into a **community- and** service-oriented agency in all aspects of its police and internal security functions; (Aug 26, 2015)
- 2) To enable the PNP to develop capabilities to address and respond to human and ecological security;
- 3) To enhance its capability to assist other agencies in the enforcement of domestic and foreign policies including international covenants in coordination with international enforcement agencies;
- 4) To enhance the PNP's capabilities to assist the Armed Forces of the Philippines (AFP) in the performance of its mandate **and in preparation for the eventual shift of strategy to law enforcement and whole-of-nation approach in addressing Internal Security Operations (ISO)**; and (Aug 26, 2015)
- 5) To develop its capabilities to support national development.

Sec. 4. **Components.** - The PNP Reorganization and Modernization Program shall consist of the following components:

- 1) Organizational Development;
- 2) Human Resource Development;
- 3) Doctrine Development;
- 4) Infrastructure Development;
- 5) Equipment Acquisition; and
- 6) Financial Development.

CHAPTER II

ORGANIZATIONAL DEVELOPMENT

Sec. 5. **Organizational Development.** - Through the PNP Reorganization and Modernization Program, the PNP shall accomplish organizational development by **regularly** conducting ~~continuous~~ **periodic** management audit to maintain economy, efficiency and effectiveness in crime prevention and investigation. (Sept 02, 2015)

Sec. 6. **Powers and Functions.** - The PNP shall exercise the following powers and functions:

- 1) Enforce all laws and ordinances relative to the protection of lives, liberties, rights and properties;
- 2) Maintain peace and order, prevent crimes and take all the necessary steps to ensure public safety, **as well as protect and promote community interest and welfare consistent with the mandated role of the PNP as a community- and service-oriented agency;** (Sept 02, 2015)
- 3) Investigate all violations of laws and ordinances, arrest and bring criminal offenders to justice and assist in their prosecution;
- 4) Exercise the general powers to conduct arrest, search and seizure in accordance with the Constitution and pertinent laws;
- 5) Detain an arrested person within the period prescribed by law and inform the arrested person of all the rights available under the Constitution **and pertinent laws;** (Sept 09, 2015)
- 6) **Assist the AFP in the conduct of ISO and in suppressing other serious threats to national security unless otherwise provided by law;** (Sept 02, 2015)
- 7) Issue license and permit to own, possess, carry and transport firearms, ammunition and explosives;
- 8) Issue licenses to operate security agencies, as well as supervise and control the operations of security agencies and the training of security guards and private detectives;
- 9) Formulate and implement the training and disciplinary programs for the PNP personnel and recruits;
- 10) Formulate and implement policies on the issuance of the national police clearance as well as maintain a national record of all reported crime incidents, warrants of arrest, pictures of arrested and wanted persons, fingerprints and ballistics examination records; and
- 11) Perform and exercise all other duties and functions as may be provided by law.

Sec. 7. **Rank Classification.** - To ensure efficient administration, supervision and control, the members of the PNP shall have the following rank classification:

Police Director General
 Police Deputy Director General
 Police Director

Police Chief Superintendent
 Police Senior Superintendent
 Police Superintendent
 Police Chief Inspector
 Police Senior Inspector
 Police Inspector
 Senior Police Officer IV
 Senior Police Officer III
 Senior Police Officer II
 Senior Police Officer I
 Patrol Officer III
 Patrol Officer II
 Patrol Officer I
 Patrol Officer

Sec. 8. Organizational Structure.—

1. The PNP shall be headed by the Chief, PNP, who shall have the rank of Police Director General, and whom shall be assisted by two (2) Deputy Chiefs— one (1) for Operations and one (1) for Administration. The Deputy Chiefs shall have the rank of Police Deputy Director General, both of whom shall be appointed by the President upon the recommendation of the NAPOLCOM from among the most senior and qualified officers in the service. No officer who has retired or is retirable within six (6) months from his compulsory retirement age shall be appointed Chief of the PNP.

In case the head of the PNP resigns, is relieved, or removed for cause as Chief, PNP, the post and rank shall be considered vacant.

2. The head of the directorial staff, who shall have the rank of Police Deputy Director General, shall be called the Chief of the Directorial Staff of the PNP. The Chief, Directorial Staff shall be assisted by the Secretary to the Directorial Staff in coordinating their plans, activities and operations and those of the other PNP offices. The Secretary, Directorial Staff shall have the rank of Police Chief Superintendent. The directorial staff of the PNP shall consist of the eleven (11) directorates, each headed by a Police Director.

3. The following directorates shall continue to perform their specific functions under the supervision and authority of the Chief, Directorial Staff:

a) The Directorate for Operations shall assist and advise the Chief, PNP in the exercise of the command, control, direction, coordination, and supervision of all activities concerning operations, employment and deployment of the PNP. It shall oversee the national operational support units (NOSUs) which are charged with specific responsibilities such as, **but not limited to**: (i) performing all police functions over Philippine territorial waters and rivers; (ii) conducting operations against all forms of lawlessness committed along national highways and airports in the country; (iii) deterring offensive and terroristic acts that threaten civil aviation; and (iv) preventing and controlling transnational crimes and other crimes that have significance. It shall direct and supervise the operations of the Special Action Force

(SAF), the Maritime Group (MG), the Aviation Security Group (ASG), the Highway Patrol Group (HPG), the Police Security and Protection Group (PSPG), the Civil Security Group (CSG), Explosive Ordnance Disposal and Canine Group (EOD/K9), ***Anti-kidnapping Group (AKG), Anti-Illegal Drugs Group (AIDG), Peace Process Office (PPO) and other national operation support units (NOSUs) that shall be deemed necessary from time to time.*** (Sept 09, 2015)

The Directorate for Operations shall give priority to the following areas of concern:

- 1) Enhancement and development of the anti-car napping capabilities of the PNP to address the incidence of car napping and other highway-related crimes;
- 2) Improvement of the anti-terrorism operations of the PNP and its institutional capabilities, including the promotion, cooperation, coordination and utilization of the multilateral mechanisms with domestic and international law enforcement agencies, to deal with terrorist activities, as may be defined by law;
- 3) Development of the civil disturbance doctrines for an effective civil disturbance management consistent with the constitutional and statutory provisions on human rights as well as the acquisition of equipment and devices necessary to implement these doctrines;
- 4) Improvement of the institutional capabilities of the disaster relief and rescue operations of the PNP to prepare and respond to all types of disaster and national emergencies as well as the development of coordinated efforts with other government agencies and relief organizations in responding to the same;
- 5) Development of the capability of the PNP in the enforcement of laws relating to illegal drugs and expanding the coverage of its campaign against drug abuse suppression in coordination with and in support to the Philippine Drug Enforcement Agency (PDEA);
- 6) Preparation and development of the capability of the PNP to conduct internal peace and security operations ~~in support to the AFP by statutory directives or by operation of law,~~ ***as provided by law,***
- 7) Development of the maritime patrol capabilities of the PNP in the performance of its duties on environment protection and conservation as well as ensuring maritime security. The conduct of operations against illegal activities in the maritime areas such as illegal fishing, piracy, smuggling and illegal trafficking of contraband shall likewise be included in the improvement;
- 8) Enhancement of patrol coverage through the upgrade and acquisition of communications equipment and mobility equipage to improve response time and intensify crime prevention. It includes the institutionalization of patrolling as a major project under the crime prevention program of the PNP. It shall likewise include integration of its existing security systems with the systems of other government agencies. The system integration shall involve training and scalable acquisition or upgrade of information and

communication technology equipment to strengthen crime prevention, traffic management and emergency response;

9) Development of a traffic law enforcement and management system for an improved traffic management and control; and

10) Enhancement and development of the anti-kidnapping capabilities of the PNP to address and effectively suppress kidnappings in the country.

b) The Directorate for Plans shall assist and advise the Chief, PNP in the areas of plans and programs that are beyond the immediate operational and tactical range. This includes organizational and force development, special studies, research and project management of inter-agency and international affairs, legislative and other requirements that are needed for the effective and efficient administration and operation of the PNP.

c) The Directorate for Community Affairs and Development shall be responsible for the planning, directing, coordinating and supervising of the implementation of sustainable programs for institutional image building; citizens' participation in the maintenance of public order including peace policy for socio-economic development; value orientation and continuing education; gender awareness and development (GAD); and auxiliary force multiplier development. The Community Affairs and Development Group (CADG) shall serve as its operating arm.

The Directorate for Community Affairs and Development shall give priority to the Community-Oriented Policing Systems (COPS) in the rationalization of the police operations into a pro-active, community-oriented and human rights-based policing system in place of the current reactive, precinct-based policing system.

d) The Directorate for Intelligence shall assist and advise the Chief, PNP in attaining intelligence objectives through effective management of all intelligence and counterintelligence activities of the PNP. It shall direct and supervise the operations of the Intelligence Group (IG) and the activities of the intelligence divisions of the other National Support Units and Police Regional Offices, including their subordinate intelligence offices.

The Directorate for Intelligence shall give priority to the development and enhancement of the intelligence operations of the PNP and its capability for information collection, processing and dissemination, including the enhancement of its aerial surveillance capabilities through the upgrade of its modest equipment and the acquisition of modern technology, tools and facilities.

e) The Directorate for Investigation and Detective Management shall direct, control, coordinate, and supervise the investigation activities of the PNP. It shall direct and supervise the operations of the Criminal Investigation and Detection Group (CIDG); Crime Laboratory Group (CLG); Human Rights Affairs Office (HRAO); the Women and Children Protection Center (WCPC); the Anti-Trafficking in Persons Group (ATIPG); Crime Research Analysis Center (CRAC); Crime Information Monitoring Center (CIMC); and the Anti-Cybercrime Group.

The Directorate for Investigation and Detective Management shall give priority to the enhancement of the legal and scientific criminal investigation of the PNP through the utilization of improved crime laboratory techniques, methodologies and responsive procedures; and the development of the anti-cybercrime capabilities of the PNP to address the growing incidence of cybercrime in the country.

f) The Directorate for Human Resource Management (DHRM) shall assist and advise the Chief, PNP in the exercise of the management of PNP uniformed and non-uniformed personnel, manpower procurement and control, personnel records and reports, discipline, morale and welfare, law and order, personnel services and personnel procedures, and miscellaneous functions assigned by the Chief, PNP. It shall direct and supervise the operations of the Legal Service, Chaplain Service, Health Service, PNP Retirement and Benefit Administration Service.

The Directorate for Human Resource Management shall give priority to the Legal Assistance and Prosecutorial Support by expanding and enhancing the legal assistance program, to include legal investigative support for personnel charged, either administratively or criminally, in the performance of official duties.

g) The Directorate for Logistics (DL) shall be responsible for the administration and management of logistics and its functional areas. It shall direct and supervise the operations of the Headquarters Support Service (HSS), the Engineering Service (ES), the Logistics Support Service (LSS), and the Procurement Service (PS).

The Directorate for Logistics shall give priority to the Integrated Logistics Support by enhancing the logistic capability of the PNP for sustained law enforcement, public security and internal security operations throughout the country.

h) The Directorate for Comptrollership (DC) shall assist and advise the Chief, PNP on budgeting, accounting, financial management, and internal auditing. It shall direct and supervise the operations of the Finance Service (FS);

i) The Directorate for Training and Doctrine Development (DTDD) shall be in-charge with the formulation of policies and in the planning, coordination, and supervision of all matters pertaining to training and doctrine development. It shall direct and supervise the operations of the Training Service (TS), the Philippine National Police Academy (PNPA), the Police National Training Institute (PNTI), the National Forensic Science Training Institute (NFSTI) and the National Police College (NPC);

j) The Directorate for Research and Development (DRD) shall be responsible for the conduct of research and development, test, and evaluation and for the administration of self-reliant development projects (SRDP) of the PNP, which are important to peace and order and public safety; and

k) The Directorate for Information and Communication Technology Management (DICTM) shall be responsible for the formulation of policy and managing information, electronics and communications

technology resources to promote, develop and regulate integrated strategic ICT systems and reliable and efficient communications infrastructure. It shall provide and maintain reliable, secured, integrated, and cost-efficient information technology and communication services and facilities to all PNP offices and units. It shall likewise be responsible for the design, implementation, and maintenance of the database system of the organization. The DICTM shall direct and supervise the operations of the Information Technology Management Service (ITMS), and the Communication and Electronic Service (CES).

The Directorate for Information and Communication Technology Management shall give priority to the integrated information and communications system of the PNP through the upgrade and acquisition of centralized information and communications system for faster coordination, command, and control of operational and administrative activities.

4. The PNP shall be composed of a national office, regional offices, provincial offices, district offices and city or municipal stations,

At the national level, the PNP shall maintain its office in Metropolitan Manila, which shall house the directorial staff; the service staff; and special support units.

At the regional level, the PNP shall have regional offices, including that of the National Capital Region.

At the provincial level, there shall be a PNP office, each headed by a provincial director. In the case of large provinces, police districts, to be headed by a district director, may be established by the NAPOLCOM.

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

Sec. 9. **National Support Units.** - The heads of the national support units (NSU) such as the National Operational Support Unit (NOSU) and National Administrative Support Unit (NASU) shall have the rank of Police Chief Superintendent. The heads of the Special Action Force (SAF), the Criminal Investigation and Detection Group (CIDG) and the Civil Security Group (CSG) shall have the rank of Police Director in consideration of the complexities of their functions.

Sec. 10. **Other Key Positions.**

1) The headquarters of the Regional Police shall be composed of the following:

The Regional Director shall have the rank of Police Director, except for the National Capital Regional Police Office (NCRPO) Regional Director, who shall have the rank of Police Deputy Director General;

The Deputy Regional Directors for Operations and Administration shall have the prescribed rank of Police Chief Superintendent, except for the NCRPO Deputy Regional Director, who shall have the rank of Police Director;

The Regional Chief of the Directorial Staff shall have the rank of Police Senior Superintendent, except for NCRPO Regional Chief of the Directorial Staff, who shall have the rank of Police Chief Superintendent;

The Chiefs of the Regional Staff Divisions shall have the rank of Police Senior Superintendent;

The Battalion Commander of the Regional Police Maneuver Unit shall have the prescribed rank of Police Senior Superintendent; and

The Chief of the Regional Headquarters Support Unit (RHSU) shall have the prescribed rank of Police Senior Superintendent.

2) The Headquarters of the Provincial Police and City Police shall be composed of the following:

A District Director, who shall have the rank of Police Chief Superintendent, shall head each of the five (5) NCRPO District Offices. A Company Commander, who shall have the rank of Police Superintendent, shall head the District Police Maneuver Unit, which shall be established to serve as a reserve and contingency force. The District Directors shall exercise administrative and operational supervision over the police stations under their respective areas of jurisdiction.

A Provincial Director shall have the rank of Police Senior Superintendent and shall head the Provincial Police Office. The Deputy Provincial Director shall have the prescribed rank of Police Superintendent and shall assist the Provincial Director. The National Police Commission (NAPOLCOM) may upgrade the ranks of the Provincial Directors and Deputy Provincial Directors in large provinces subject to the criteria it has prescribed. A Company Commander shall have the rank of Police Superintendent and shall head the Provincial Police Maneuver Unit, which shall be established to serve as a reserve and contingency force. The size of the Provincial Police Maneuver Unit shall vary from province to province. Each Police Provincial Office shall be provided with a Legal Officer who shall be detailed from the PNP Legal Service.

A City Director shall have the rank of Police Senior Superintendent and shall head the City Police Office established in highly urbanized and independent cities. A Deputy City Director shall have the prescribed rank of Police Superintendent and shall assist the City Director. The NAPOLCOM may upgrade the ranks of the City Directors and Deputy City Directors in large, highly urbanized cities subject to the criteria it has prescribed. A Company Commander shall have the rank of Police Superintendent and shall head the City Special Weapons and Tactics, which shall also be established to serve as a reserve and contingency force. Each City Police Office shall be provided with a Legal Officer who shall be detailed from the PNP Legal Service.

A Chief of Police (COP), who shall have the rank of Police Superintendent, shall head a Component City Police Station, regardless of its type.

A Chief of Police (COP), who shall have the rank of Police Senior Superintendent, shall head the police stations under the Southern Police District, Eastern Police District and Northern Police District. A Station Commander, who shall have the rank of Police Superintendent shall head the numbered Police Stations under the Manila Police District and Quezon City Police District.

3) At the Municipal level:

Municipal police stations shall be classified as follows:

- a) Type "A" Municipal Police Station shall be headed by a COP, who shall have the rank of Police Superintendent; and
- b) Types "B" and "C" Municipal Police Stations shall be headed by a COP, who shall have the rank of Police Chief Inspector.

NAPOLCOM shall categorize provincial, city and municipal police stations according to population, income classification and strength of PNP personnel.

Police Community Precincts shall be established in every barangay or clustered barangays. In highly urbanized and independent cities, police stations shall be established under the City Police Offices.

Any organizational adjustment made by the C, PNP to the PNP structure, staffing and functions to sustain the attainment of increased police visibility, efficiency and optimized delivery of police services must be authorized by the NAPOLCOM. The Chief, PNP may recommend corresponding changes to the PNP rank distribution through the NAPOLCOM, subject to the approval of the President of the Republic of the Philippines.

Sec. 11. **General Qualifications for Appointment.** - To serve as officer or member of the PNP, the appointee must possess the following qualifications:

- a) Philippine citizenship;
- b) Good moral conduct;
- c) Must have passed the medical, psychiatric, psychological, drug and physical tests administered or supervised by the PNP or any PNP accredited government hospital;
- d) A baccalaureate degree from a recognized institution of learning for Patrol Officer 1 or higher and 72 collegiate units or its equivalent for the rank of Patrol Officer.
- e) Must be eligible in accordance with the standards set by the NAPOLCOM;
- f) Must not have been dishonourably discharged from the military service or separated for cause from any civilian position in the government;
- g) Must not have been convicted by final judgment of a grave offense, or a crime involving moral turpitude;
- h) At least ONE METER AND FIFTY-SEVEN CENTIMETERS (1.57M.) OR FIVE FEET AND TWO INCHES (5'2") in height for male and ONE METER AND FIFTY-TWO CENTIMETERS (1.52M.) OR FIVE FEET (5'0") for female;

i) Weight of not less than or more than five kilograms (5kgs) from the standard weight corresponding to the height, age and sex of the appointee; and

j) At least EIGHTEEN (18) but not more than thirty (30) years of age.

k) Except for the last qualification, the above-enumerated qualifications are continuing in character and the absence of any one of them at any given time is a ground for separation or retirement from the service. The PNP members who are already in the service upon the effectivity of this Act shall be given at least one (1) year to satisfy the weight requirement.

The PNP by itself or through a PNP accredited government hospital shall conduct regular and random psychiatric, psychological, drug and physical tests to determine compliance with the requirements on physical and mental health, as well as the non-use of prohibited drugs as mentioned in paragraph C of this section.

Sec. 12. ***Patrol Officer.*** - A holder of a seventy-two (72) collegiate units or its equivalent may be recruited in the uniformed service of the PNP and shall be appointed the rank of Patrol Officer with salary grade 6. The Patrol Officer shall be assigned to police maneuver units and police stations until such time that the officer has earned a baccalaureate degree, which would merit promotion to the next higher rank. The officer shall be allowed fifteen (15) years in the service without being attrited for lack of educational attainment.

CHAPTER III

HUMAN RESOURCE AND DOCTRINE DEVELOPMENT

Sec. 13. ***Manpower Build-up and Training Development.*** - The manpower build-up and training development shall enable the PNP to achieve sound management of its human resources, through the transformation of its personnel into a professional, effective and credible police force with a high sense of regard for human rights. This program shall strengthen and enhance the following concerns:

- 1) Police-to-population ratio of one (1) policeman for every five hundred (500) persons;
- 2) Implementation of reforms on policies pertaining to recruitment and training;
- 3) Investigative and operational capability of PNP personnel;
- 4) Civil service consciousness and respect for the rule of law by PNP personnel;
- 5) Transformation of the PNP into a community- and human rights-based police force; and
- 6) Appointment and assignment of non-uniformed personnel (NUP) to positions which are purely administrative, technical, clerical or menial in nature or to other positions which are not actually and directly related to police operations.

Sec. 14. ***Transfer of the PNPA, NPTI, NFSTI and NPC from the PPSC to the PNP.***- The administrative and operational control of the Philippine National Police Academy (PNPA), the National Police Training Institute (NPTI), the National Forensic Science Training Institute (NFSTI) and the National Police College (NPC) as well as the personnel and all the properties, facilities, records, equipment, funds, choses in action, appropriations, rights, functions and other assets, shall be transferred from the Philippine Public Safety College (PPSC) to the Philippine National Police (PNP) and shall be placed under the functional group of the Deputy Chief, PNP for Administration.

Sec. 15. ***Implementation of Transfer.***-The shift of administration and operational control over the PNPA, NPTI, NPC and NFSTI shall be undertaken as follows:

- 1) Upon the effectivity of this Act, the Chief, PNP shall exercise administrative supervision as well as operational control over the transferred and absorbed offices or units;
- 2) All properties, equipment and finances of the transferred and absorbed offices or units, including their respective financial accountabilities, shall be transferred to the PNP; and
- 3) The personnel of the absorbed offices or units shall, unless removed for cause and after due process, continue to perform their duties and responsibilities and shall receive their corresponding salaries and benefits.

Sec. 16. ***Doctrine and Operational Manual Development.*** - The doctrine and operational manual development program rationalizes the systems, standards and procedures in the administration of the PNP. It includes the evaluation, consolidation and formulation of doctrines and the conduct of periodic reviews of doctrines through field evaluation and testing exercises as well as the dissemination of approved doctrines at all levels of command. It also aims to boost the following concerns:

- 1) Revisiting or retooling of the school curricula, the police training programs, and the mandate of the police stations so that these can all contribute to the promotion and establishment of the expanded role of the police officer as a community leader and enable the police officer to be a prime mover for the socio-economic development of the community; and
- 2) Development, validation or revision of PNP doctrines and manuals.

CHAPTER IV

INFRASTRUCTURE AND EQUIPMENT DEVELOPMENT AND MODERNIZATION

Sec. 17. ***Infrastructure Development and Modernization.*** - The infrastructure development program shall entail the upgrading of basic facilities like the police stations and support facilities; administrative, investigative and operational services like training, crime laboratory, information management systems, communications systems, medical and dental services, care in hospitals and dispensaries.

Sec. 18. ***Equipment Acquisition and Modernization.*** - The equipment acquisition program shall entail the procurement of modern, state-of-the-art munitions, transport and communication facilities, investigative and forensic equipment, and tools for community service and development. It shall also include the upgrade and acquisition of information communication technology, equipment, and automated systems and procedures to ensure effective integration and coordination.

Sec. 19. ***Procurement System.***- In addition to the provisions of existing laws, rules and regulations regarding the procurement and acquisition of real estate, buildings, facilities and equipment, the PNP shall strengthen the system and procedures taking into account the following circumstances under the PNP Reorganization and Modernization Program:

1) The PNP shall give preference to Filipino contractors and suppliers and shall only give second preference to foreign contractors or suppliers willing or able to locate a substantial portion of, if not the entire production process of the item involved, within the Philippines;

2) The PNP shall determine and publish the basic requirements and specific standards for products, equipment, and technology, with reference to the standards set by the Uniform and Equipment Standardization Board (UESB), which shall be validated by the NAPOLCOM within thirty (30) days before the publication of the bid documents for the bidding process. All UESB-approved specifications submitted to NAPOLCOM for validation shall be acted upon not later than thirty (30) days from receipt thereof otherwise it shall be deemed as duly approved. The product, equipment, and technology standards must conform to established standards in the international community and to the spirit, intent, and criteria set by Republic Act No. 9184, otherwise known as the "Government Procurement Reform Act" which shall be used in the determination of awards of contractual arrangements.

The alternative mode of procurement through direct contracting shall be allowed in the following instances:

a) Contracts for the supply of military and police equipment including any part, component or sub-assemblies thereof, and special tools and machines which are necessary for the production and maintenance of such equipment.

'Military and Police Equipment' refers to those specifically designed or adapted, developed and produced for military and police purposes and intended for use as arms, munitions or combat or war materials. It includes investigative and surveillance equipment such as audio-visual transmitters, receivers, cameras, global positioning system (GPS) devices, polygraphs, and other similar, accessorial or allied devices and equipment designed and produced for such purposes: Provided, That it shall also include products which, although initially designed for civilian use, are later adapted to military and police purposes to be used as arms, munitions or combat or war materials, such as but not limited to special suits, helmets, and vehicles, sea crafts and aircrafts with distinguishable military technical features that enable them to carry out missions that are clearly military and police work in nature.

b) Contracts for works and services directly related to military and police equipment such as; but not limited to, repair of equipment for firearms, armoured personnel carriers, tanks, aircrafts and ships, and construction of test facilities.

"Directly related" means a close connection between the works and services in question and the equipment, such that without which, the works and services may not be put to a meaningful use to the military or police equipment they are related to. It includes works and services not directly related to military and police equipment but are for specifically military and police purposes, such as but not limited to construction of runways, barracks, air raid-and fall-out shelters and depots.

3) In direct contracting, the PNP may request other agencies to submit a list of qualified suppliers of the goods and services that meet its requirements. From this list, the PNP shall declare the supplier who tenders the most economical and advantageous tender as the lowest calculated bidder.

4) The PNP shall likewise ensure that in awarded contracts or agreements, provisions are incorporated with respect to the transfer to the PNP of the principal technology involved including the training of the PNP personnel to operate and maintain the equipment or technology;

5) The Chief, PNP pursuant to the PNP Reorganization and Modernization Program Projects and Appropriations approved by Congress, may, subject to the approval of the President and consistent with the provisions of existing laws and regulations including those of the Commission on Audit's and under such terms and conditions most favourable to the government, enter into multi-year contracts, and other contractual arrangements;

6) For multi-year contracts and other contractual arrangements, Congress shall, upon issuance of a multi-year obligation authority by the Department of Budget and Management (DBM) and certification by the President, make the corresponding appropriation for the ensuing fiscal year; Provided, That the DILG and the DBM shall issue the implementing guidelines to ensure consistency with the PNP Modernization program and existing guidelines in the contracting of multi-year projects. It shall only appropriate such funds as may be necessary to pay any unpaid amount where the funds appropriated for the current fiscal year are not sufficient or available to meet such payment in full or in part.;

7) The Chief, PNP shall submit to the Congressional Oversight Committee created under this Act, the Secretary of Finance and the Secretary of Budget and Management, copies of these multi-year contracts and other agreements to enable Congress to appropriate funds. The funds to be appropriated for the PNP Reorganization and Modernization Program under this Act shall be treated by the Secretary of the DILG and Chairperson of the NAPOLCOM as a distinct and separate budget item from the regular appropriations of the DILG.

CHAPTER V

FINANCIAL DEVELOPMENT

Sec. 20. ***PNP Modernization Act Trust Fund.*** - The PNP shall institute reforms and promote responsible fiscal policies in line with the objectives of the PNP Reorganization and Modernization Program. For this purpose, there shall be created a trust fund, to be known as the PNP Modernization Act Trust Fund, which shall not include salaries and allowances. It shall be used exclusively for the PNP Reorganization and Modernization Program and shall be funded out of the following:

- a) Appropriations for the PNP Reorganization and Modernization Program;
- b) Annual P2 Billion Capability Enhancement Budget (CEB) appropriated by Congress in the budget of the PNP;
- c) Proceeds from the sale, lease or joint development of police reservations, as may be authorized by Congress, including such immovable and other facilities as may be found therein;
- d) Shares of the PNP from the proceeds of the sale of police camps;
- e) Proceeds from the disposal of excess or uneconomically repairable equipment and other movable assets of the PNP;
- f) Funds from budgetary surplus, if any, as may be authorized by Congress subject to the provisions of Section 21 of this Act;
- g) All interest income of the Trust Fund;
- h) Donations from local or foreign sources specifically earmarked for PNP utilization;
- i) Amounts collected from Program of Expenditure for the Programmable Amount (POE-PA) Income from the trust receipts;
- j) Income from the police clearance deposited with the Trust Fund for the specific use of the PNP Reorganization and Modernization Program.

Sec. 21. ***Austerity and Use of Savings.*** - Upon the approval of this Act, the Secretary of the Interior and Local Government shall submit to Congress, within the first quarter of the succeeding year, a report on:

- a) The amount of all unused or undisbursed funds, other than unused appropriations for salaries and benefits of the PNP personnel, remaining from all previous PNP appropriations; and

b) The amount of savings from austerity measures, which are hereafter to be pursued by all services and units of the PNP, generated in the previous fiscal year.

The savings generated under this section will be used to augment the funds for the PNP Reorganization and Modernization Program.

Sec. 22. ***Exemption from Value Added Tax and Customs Duties.*** - The sale to the PNP of weapons, equipment and ammunitions, which are directly and exclusively used for its projects, undertakings, activities and programs under the PNP Modernization Act, shall be exempt from the value-added tax. The importation by the PNP of the same shall likewise be exempt from the value-added tax and customs duties.

CHAPTER VI

INTERNAL AFFAIRS SERVICE

Sec. 23. ***Organization of the Internal Affairs Service (IAS).*** - The IAS shall be headed by an Inspector General, who shall have the rank of Police Deputy Director General. The Inspector General shall establish the national and regional offices of the IAS to carry out its mandated functions effectively and efficiently and shall be assisted by a Deputy Inspector General, who shall have the rank of Police Director. Qualified individuals, who shall have the rank of Police Chief Superintendent, shall head all the regional offices. The IAS shall remain under the Office of the Chief, PNP.

The IAS shall be composed of uniformed and non-uniformed personnel. The Inspector General shall appoint the personnel of IAS, who shall occupy various positions, in accordance with the established career pattern, merits and criteria to be promulgated by the IAS.

Sec. 24. ***Qualifications of the Inspector General.*** - In addition to the general qualifications for appointment mentioned in Section 11, except for sec. 11.i and in relation to Section 23 of this Act, the Inspector General of the IAS must be a member of the Bar in good standing.

Sec. 25. ***Functions of the IAS.*** - The IAS shall exercise the following functions:

I. General Functions.

- a) Pro-actively conduct inspections and audits on PNP personnel and units;
- b) Investigate complaints and gather evidence in support of an open investigation;
- c) Generally conduct summary proceedings and hearing on PNP members facing any administrative charge;
- d) Submit a periodic report on the assessment, analysis and evaluation of the character and behavioural conduct of the PNP personnel and units to the Chief, PNP and the NAPOLCOM;

e) File appropriate criminal cases against PNP members before the regular court as evidence warrants and assist in the prosecution of the case; and

f) Provide assistance to the Office of the Ombudsman in cases involving the members of the PNP.

II. Special Functions.

Further, the IAS shall conduct *motu proprio* investigations on the following cases:

a) A police personnel unlawfully discharges a firearm;

b) Death, serious physical injury, or any violation of human rights occurred in the conduct of a police operation;

c) Evidence was compromised, tampered with, obliterated, or lost while in the custody of police personnel;

d) A suspect in the custody of the police dies or seriously injured;

e) The established rules of engagement and the PNP Operational procedures have been violated; and

f) A *prima facie* evidence to believe that a police personnel has committed a crime in the performance of his duties.

III. Other Function.

Finally, the IAS shall also provide the requisite documents or recommendations relative to the promotion of PNP personnel or the transfer or appointment of PNP members to any key position.

Sec.26. ***Entry Qualifications to the IAS.***

Uniformed Personnel. Entry to the IAS shall be voluntary and subject to rigid screening. Only those aspirants who have no derogatory service records shall be considered for appointment regardless of position or rank, with preference to those with experience in investigative work. The aspirant must have at least five (5) remaining years in the police service.

Further, members of the Bar, licensed criminologists and other allied or related professionals whose exercise of their work requires a license to practice may enter the IAS laterally.

Non-Uniformed Personnel. The qualified aspirants must undergo the stringent screening process conducted by the Selection, Recruitment and Promotion Board based on the qualification standards, fitness to perform the duties and capability to assume the responsibilities appurtenant to the position.

The IAS must abide by the civil service laws, rules and regulations on human resources, recruitment and personnel management practices.

Sec. 27. **Recruitment.** - The IAS shall have an equal opportunity to recruit its own uniformed personnel vis-à-vis existing recruitment policies of the PNP in order to complement with and further adopt to the prevailing police-per-population ratio. The IAS shall have its own recruitment program starting from the initial stage of enlistment up to its selection. It shall have mandatory strength of at least two and a half percent (2.5%) of the total strength or population of the PNP uniformed personnel to discharge its functions effectively.

Sec. 28. **Promotion.** - The promotion system for the uniformed personnel shall follow the general principles of the promotion system in the PNP while the promotion for the non-uniformed personnel shall abide by the rules of the CSC relative to personnel promotion.

Sec. 29. **Compulsory Retirement.** - Compulsory retirement for uniformed personnel shall be upon the attainment of age 56, while that of the non-uniformed personnel shall be at age 65.

Sec. 30. **Optional Retirement.** - Upon accumulation of at least twenty (20) years of satisfactory active service, IAS uniformed or non-uniformed personnel, *at* the employee's request, may be retired from the service and entitled to receive the benefits provided by law.

Sec. 31. **Occupational Specialty Pay/Incentives** - In addition to other allowances authorized under existing laws, the personnel of the IAS shall be granted Occupational Specialty pay representing their hazard pay, which shall be fifty percent (50%) of their basic pay. This pay shall not be considered a forfeiture of other remuneration and allowances that are allowed by law.

Sec. 32. **Immediate Supervisor and Superiors in IAS Investigations.** - The immediate superior or supervisor of the personnel or units being investigated under Section 25 of this Act shall be automatically included in the investigation of the IAS to exclusively determine lapses in administration or supervision.

Sec. 33. **Restrictive Custody of Personnel under Investigation.** - After due notice and summary hearings, the duly designated supervisors and equivalent officers of the PNP may impose the following disciplinary actions, including restrictive custody, upon any regular member of their respective commands found to have committed minor offenses involving internal discipline:

1. Chiefs of police or equivalent supervisors may summarily impose the administrative punishment of admonition or reprimand; restriction to specified limits; withholding of privileges; forfeiture of salary or suspension; or any of the combination of the foregoing: Provided, That, in the last three instances, the total period shall not exceed fifteen (15) days;

2. Provincial directors or equivalent supervisors may summarily impose administrative punishment of admonition or reprimand; restrictive custody; withholding of privileges; forfeiture of salary or suspension,

or any combination of the foregoing: Provided, that, in the last three instances, the total period shall not exceed thirty (30) days;

3. Police regional directors or equivalent supervisors shall have the power to impose upon any member the disciplinary punishment of dismissal from the service. Police regional directors or equivalent supervisors may also impose the administrative punishment of admonition or reprimand; demotion; restrictive custody; withholding of privileges; suspension or forfeiture of salary; or any combination of the foregoing: Provided, That, in the last three instances, the total period shall not exceed sixty (60) days;

4. The Chief, PNP shall have the power to impose the disciplinary punishment of dismissal from the service; demotion; suspension or forfeiture of salary; or a combination of suspension or forfeiture for a period not exceeding one hundred eighty (180) days.

For purposes of this Act, "minor offense" refers to an act or omission not involving moral turpitude, but not affecting the internal discipline of the PNP.

Immediately upon the filing of an administrative or criminal complaint, any police personnel who has been accused of having committed a serious or grave offense, particularly those involving heinous crimes as defined under existing laws, rules and regulations, shall be placed under restrictive custody.

The Chief, PNP shall have the authority to place police personnel under restrictive custody during the pendency of a grave administrative case or even after the filing of a criminal complaint, grave in nature, against such police personnel.

Any police personnel who shall break the provisions of the restrictive custody shall be subjected to another pre-charge administrative investigation to determine the liability, in addition to the original complaint where said personnel is already being investigated upon

For purposes of this section, the term "restrictive custody" refers to the reasonable restraint and restriction of police personnel to specified limits, barracks or quarters of the PNP pending disposition of the administrative charges brought against said police personnel. It is a permissible precautionary measure to assure the PNP authorities that the police personnel concerned are always accounted for.

Sec. 34. *Disciplinary Recommendations of the IAS.*

a) Any uniformed personnel found guilty of any of the cases mentioned in Paragraph II, Section 25 of this Act and any immediate superior or supervisor found negligent under Section 32 of this Act shall be automatically recommended for dismissal or demotion, as the case may be.

b) The PNP disciplining authorities shall act within sixty (60) days from receipt of the recommendations of the IAS, imposing disciplinary measures or sanctions against erring PNP personnel. However, the failure on the part of the disciplining authorities within the given sixty (60) days' period within which to act upon the recommendations shall automatically make the recommendations of the IAS final, and thus, may not be modified, reversed or set aside by the disciplining authorities.

Sec. 35. **Appeals.** - The complaining party may appeal a resolution of the Prosecution Division of the Regional IAS and the National IAS dismissing an administrative complaint for lack of probable cause within ten (10) days from receipt of the resolution. Such resolution of the Regional IAS and National IAS may be appealed to the Office of the Inspector General. However, when the Office of the Inspector General affirmed the resolution dismissing the complaint, the assailed resolution may be appealed to the Chief, PNP.

Sec. 36. **Source of funds.** - The appropriation for the Office of the Internal Affairs Service, including funds for the Occupational Specialty Pay (OSP), shall be under a specific item in the annual General Appropriations Act (GAA). This shall include Personnel Services (PS), Maintenance and Other Operating Expenses (MOOE) and Capital Outlay (CO).

Sec. 37. **Fiscal Independence.** - In order to strengthen its fiscal independence, the Internal Affairs Service shall have an automatic, direct and regular release of funds based on the approved annual general appropriations. It shall have a separate and independent Finance, Budget Management and Accounting Office subject to the existing rules, practices and regulations on auditing and accounting of the Commission on Audit. The IAS shall have a distinct and separate budget from the *other PNP units and offices*.

CHAPTER VII

FINAL PROVISIONS

Sec. 38. **Prioritization of Projects.** - The PNP, through the NAPOLCOM, shall submit to Congress within ninety (90) days from effectivity of this Act the schedule of priority projects and activities as well as the yearly estimated average cost by phases for its consideration and approval. These shall be the basis for executive and legislative actions for the implementation of the modernization program until its realization.

Sec. 39. **Appropriation for the PNP Modernization Program.** - The amount necessary for the implementation of this Act shall be treated as a distinct and separate budget item from the regular appropriation of the Department of the Interior and Local Government (DILG) and the PNP.

Sec. 40. **Period of Implementation.** - The PNP Reorganization and Modernization Program shall be implemented over a period of ten (10) years. The payment for amortization of outstanding multi-year contract obligations incurred under this Act may extend beyond such period.

Sec. 41. **Congressional Oversight Committee.**

There is hereby created a Congressional Oversight Committee to monitor and oversee the implementation of the provisions of this Act. The committee shall be composed of six (6) members from the Senate and six (6) members from the House of Representatives with the Chairpersons of the Committee on Public Order and Illegal Drugs and the Committee on Public Order and Safety of both Houses as Joint Chairpersons. The five (5) other members from each Chamber shall be designated by the Senate President and the Speaker of the House of Representatives, respectively.

The Minority shall have at least two (2) representatives from both Chambers.

Sec. 42. **Review.** – Within five (5) years after the effectivity of this Act, the Congressional Oversight shall conduct a review or systematic evaluation of the accomplishments and impact of the PNP Reorganization and Modernization Program, as well as the performance and organizational structure of the implementing agencies, for purposes of determining remedial legislations.

Sec. 43. **Implementing Rules and Regulations.** – The Chief, PNP, in coordination with the National Police Commission and the Secretary of Budget and Management, shall promulgate the necessary rules and regulations within one hundred eighty (180) days of the approval of this Act for its effective implementation.

Sec. 44. **Annual Reports.** – The Chief, PNP shall submit to the President and Congress, through the Secretary of the Interior and Local Government, an annual Report containing the progress of the implementation of the modernization program under this Act, not later than the end of the first quarter of the succeeding year.

Sec. 45. **Separability Clause.**—If any provision of this Act shall be held unconstitutional or invalid, the other provisions shall not be affected and shall remain in full force and effect.

Sec. 46. **Repealing Clause.**—Sections 24, 25, 28, 29, 30, 35, 41 (b), 66, and 67 of Republic Act No. 6975, as amended, and Sections 14, 39, 40, 41, 42, 44, 48, 49, 50 and 52 (b) of Republic Act No. 8551, are hereby repealed. All other laws, executive orders, rules and regulations inconsistent with or contrary to this Act are hereby accordingly repealed or amended.

Sec. 47. **Effectivity Clause.** – This Act shall take effect fifteen (15) days after its publication in two (2) national newspapers of general circulation.

Approved.