



Seventeenth Congress
Second Regular Session

HOUSE BILL NO. **6208**



Introduced by Representative Rodolfo C. Fariñas

EXPLANATORY NOTE

This bill seeks to establish a Philippine Legislative Police (PLP) which will exercise the primary responsibility of securing the safety of all Members of Congress, protecting the properties of both the Senate and the House of Representatives and ensuring that the mandate and authority vested in the Members of Congress by the Constitution, and its legislative powers remains unobstructed. Through the PLP, the Congress is empowered to enforce and execute its powers of contempt and issuance of *subpoenas*, summonses and warrants of arrest. Further, the establishment of PLP creates a safe and secure environment for the Members to fully exercise their legislative responsibilities with independence.

The system of checks and balances fundamentally requires the independence of the branches of government and only through such independence that the ends of government are better achieved.

Currently, the Congress relies on the law enforcement agencies under the Executive Department to enforce and execute its contempt orders and warrants of arrest. Just recently, a warrant of arrest was issued by the Committee on Justice against Ronnie Dayan for his failure to appear before the committee conducting public hearing on the proliferation of drug syndicates at the New Bilibid Prison. The arrest was made by the personnel of the Philippine National Police (PNP), mainly because the House of Representatives does not have an enforcement body that is equipped and authorized to carry out its contempt and arrest orders.

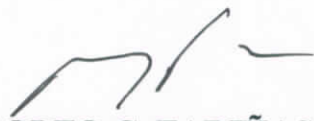
The PNP and other law enforcement agencies are under the control and supervision of the Executive Department. As such, the Congress is helpless to do anything if the PNP and other law enforcement agencies, which have been commissioned by the Congress to enforce and execute its orders, are remiss of their assigned duties.

The reliance of Congress on the law enforcement agencies of the Executive Department in the protection of its Members and the enforcement and execution of its powers impairs, to a large extent, the independence of Congress from the Executive Department.

The works and activities of the Members of the Senate and the House of Representatives are not confined in the premises of their respective Session Halls or their offices. Attending various meetings and looking after their constituents are indispensable part of their duties. Inherent to their functions as legislators and politicians are the threats to their lives. And again, as the Congress does not have enough manpower and capability to provide security to its Members in performing outside duties, it relies on the law enforcement agencies of the Executive Department.

The bill further proposes that officers will have the same qualifications, salaries and benefits, retirement age and equivalent rank of the members of the Philippine National Police (PNP). However, their functions will be limited to providing safety and security to every Member of Congress and the enforcement and execution of the orders of Congress in the exercise of its powers.

In view of the foregoing, passage of this bill is earnestly sought.



RODOLFO C. FARIÑAS



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

Seventeenth Congress
First Regular Session
HOUSE BILL NO. 6208

Introduced by Representative Rodolfo C. Fariñas

1 **AN ACT**
2 **ESTABLISHING THE PHILIPPINE LEGISLATIVE POLICE (PLP)**
3 **AND APPROPRIATING FUNDS THEREOF**

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

6 SECTION 1. **Short Title.** – This Act may be cited as the “*Philippine*
7 *Legislative Police Act.*”

8 SEC. 2. **Declaration of Policy.** – It is hereby declared the policy of the
9 State to ensure the independence of the Legislative, Executive, and Judicial
10 Departments of the government to promote efficiency and to enable them to
11 perform their respective constitutional mandates.

12 Towards this end, an independent and organized police force under the
13 control and supervision of the Congress of the Philippines is necessary to secure

1 the performance of the Legislature of its constitutionally mandated duty to make
2 laws that effectively respond to the needs of our people.

3 The police force shall be organized, trained, and equipped primarily for
4 the protection and security of the Members of the Congress of the Philippines
5 and its officers, employees, visitors, and properties. No elements of the police
6 force shall be in the military, nor shall any position thereof be occupied by an
7 active member of the Armed Forces of the Philippines (AFP) and the Philippine
8 National Police (PNP).

9 SEC. 3. *Philippine Legislative Police (PLP)*. – There is hereby
10 established a Philippine Legislative Police (PLP) under the control and
11 supervision of the Congress of the Philippines. The PLP shall be primarily
12 responsible for the protection of the Members and properties of both the House
13 of Representatives and the Senate.

14 The Offices of the Sergeant-at-Arms, as provided by the Rules of the
15 House of Representatives and the Rules of the Senate, shall continue to be
16 headed by their respective Sergeant-at-Arms who shall oversee the daily
17 operations of the PLP.

18 SEC. 4. *Powers and Functions*. – The PLP shall exercise the following
19 duties and functions:

20 (a) Secure the safety of all Members of the Congress, their spouses, and
21 relatives, up to the second degree of consanguinity, upon determination and
22 validation that their lives are under threat;

1 (b) Protect the properties of Congress and ensure the safety of its
2 employees, visitors, and other persons who are in the premises of Congress;

3 (c) Maintain peace and order and conduct patrol duties, communications,
4 intelligence gathering and access control systems in the premises of Congress;

5 (d) Coordinate with other law enforcement agencies to maximize
6 collection and sharing of intelligence information for purposes of identifying
7 threats to Congress or any of its Members, their spouses, and relatives up to the
8 second degree of consanguinity;

9 (e) Prevent crimes, effect the arrest of criminal offenders, investigate the
10 commission of all crimes and offenses committed within the jurisdiction of the
11 Congress, and assist in the prosecution thereof;

12 (f) Coordinate the issuance of licenses for the possession of, and permits
13 to carry, firearms to Members of Congress, the PLP personnel, and the
14 Secretariat employees of both Houses of Congress, as well as the congressional
15 staff of incumbent Members of Congress;

16 (g) Serve subpoenas and warrants that the Congress may issue;

17 (h) Purchase firearms, ammunitions, and other equipment necessary for
18 the performance of its function;

19 (i) Issue Mission Orders and Memorandum of Receipt for the purpose of
20 providing its personnel with firearms, ammunitions, and other equipment; and

21 (j) Perform and exercise all other powers and functions necessary to
22 implement the provisions of this Act.

1 SEC. 5. *Philippine Legislative Police (PLP) Board.* – The PLP shall be
2 governed by the Philippine Legislative Police Board, hereinafter referred to as
3 the Board, composed of the Chairperson of the Committee on Public Order and
4 Safety of the House of Representatives, the Chairperson of the Public Order and
5 Dangerous Drugs of the Senate of the Philippines, the Sergeant-at-Arms of the
6 House of Representatives, the Sergeant-at-Arms of the Senate, and a retired
7 General of the AFP or Chief Superintendent of the Philippine National Police
8 who shall act as Chairman and appointed jointly by the Speaker of the House of
9 Representatives and the Senate President. The Chairman shall serve for a term
10 of three (3) years with reappointment. The members of the Board shall hold
11 office until their successors are duly elected or appointed. The Board shall
12 exercise the following:

13 (a) Selection, appointment, and promotion of personnel;

14 (b) Deployment, placement, and utilization of the PLP or any of its
15 units and personnel;

16 (c) Resolution of any complaint filed against its officers and exercise
17 disciplinary powers, including imposition of penalties;

18 (d) Establishment of an effective performance system; and

19 (e) Issuance of policies and instructions regarding personnel, funds,
20 properties, records, correspondences, and such other matters as may be
21 necessary to effectively carry out the functions, powers, and duties of the PLP.

1 The exercise of powers of the Board is subject to the review and approval
2 of the Speaker on the part of the House of Representatives and Senate President
3 on the part of the Senate of the Philippines. The Board may hold its regular
4 meetings in either of the offices of the Sergeant-at-Arms of the House and the
5 Senate and its special meetings in any place in Metro Manila. Expenses for the
6 special meetings are subject to existing budgeting, accounting, and auditing
7 rules and regulations.

8 **SEC. 6. *Organizational Structure and Staffing Pattern.*** – Within six (6)
9 months from the convening of the Board, the organizational structure and
10 staffing pattern of the PLP shall be formulated and finalized for the joint
11 approval of the Speaker of the House and Senate President. The PLP shall be
12 comprised of two (2) key units, the Operations and Administrative Bureaus,
13 which shall be headed by the Chief for Operations and the Chief Administrative
14 Officer, respectively.

15 **A. *PLP Operations Bureau***

16 The following services shall be under the Operations Bureau:

17 (1) ***Operational Service***, which is responsible for the operational needs
18 of the PLP, shall include specialty units such as command center,
19 communications, crisis and emergency unit, patrol and mobile unit,
20 and canine unit.

21 (2) ***Protective Service***, which is responsible for collecting and
22 analyzing information to produce intelligence, assessing threats,

1 identifying and mitigating risks, and protecting the Members of
2 Congress, shall include specialty units such as investigation,
3 intelligence analysis, and dignitary protection.

4 (3)*Security Service* which is responsible for the planning, design, and
5 execution of security measures in the premises of both Houses of
6 Congress.

7 **B. *PLP Administrative Bureau***

8 The following services shall be under the Administrative Bureau:

9 (1)*Financial Management Service*, which is responsible for all the
10 financial activity of the PLP, shall include accounting, budget, and
11 procurement divisions.

12 (2)*Human Resource Service*, which is responsible for developing,
13 implementing, and administering human resource programs and services
14 including recruitment, compensation and benefits, employee relations,
15 training and development, and compliance with labor and employment
16 laws.

17 (3)*Information Systems Service*, which is responsible for the
18 planning, budgeting, designing, and applying various technologies in
19 support of the PLP operations, such as providing automated information,
20 networking, telecom, and wireless communications.

21 SEC. 7. *Rank of Officers*. – For purposes of efficient administration,
22 supervision, and control, the PLP shall have the following rank classification:

- 1 Legislative Chief Superintendent
- 2 Legislative Senior Superintendent
- 3 Legislative Superintendent
- 4 Legislative Chief Inspector
- 5 Legislative Senior Inspector
- 6 Legislative Inspector
- 7 Legislative Senior Police Officer IV
- 8 Legislative Senior Police Officer III
- 9 Legislative Senior Police Officer II
- 10 Legislative Senior Police Officer I
- 11 Legislative Police Officer III
- 12 Legislative Police Officer II
- 13 Legislative Police Officer I

14 The Board shall make use of this classification in preparing the staffing
15 pattern of the officers and prescribe the number of officers in each rank. The
16 Board may make reference to the existing ranks of the uniformed personnel of
17 other departments.

18 SEC. 8. ***Qualification and Examination.*** – No person shall be appointed
19 officer of the PLP unless the applicant possesses the following minimum
20 qualifications:

- 21 (a) A citizen of the Philippines;
- 22 (b) A person of good moral conduct;

1 (c) Must have passed the psychiatric or psychological, drug, and
2 physical tests to be administered by the PLP accredited government hospitals
3 for the purpose of determining physical and mental health;

4 (d) Must possess a formal baccalaureate degree from a recognized
5 institution of learning;

6 (e) Must be eligible in accordance with the standards set by the Board;

7 (f) Must not have been dishonorably discharged from military
8 employment or dismissed for cause from any civilian position in the
9 Government;

10 (g) Must not have been convicted by final judgment of an offense or
11 crime involving moral turpitude;

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

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

16 (j) A new applicant must not be less than twenty-one (21) years of age
17 nor more than twenty-nine (29) years of age for female and thirty-two (32) years
18 of age for male.

19 Except for item (j) above, these qualifications shall be continuing in
20 character and an absence of any one of them at any given time shall be a ground
21 for separation or retirement from the service.

1 For the purpose of determining compliance with the requirements on
2 physical and mental health, as well as the non-use of prohibited drugs, the PLP,
3 through an accredited government hospital, shall conduct regular psychiatric,
4 psychological drug, and physical tests randomly and without prior notice.

5 Likewise, no officer may be appointed without passing the qualifying
6 entrance examinations that shall be administered by the PLP on the basis of the
7 standards set by the Board.

8 **SEC. 9. *Training and Education.*** – The officers of the PLP shall undergo
9 continuous training and education to ensure that they maintain and improve
10 their skills as well as inform themselves of up-to-date knowledge and
11 information on security.

12 The officers of the PLP may undergo training and education in the
13 Philippine Public Safety College or in other equivalent institutions. The
14 Congress of the Philippines may establish its own training and education
15 support unit for the benefit of the PLP.

16 **SEC. 10. *Promotion.*** – To be eligible for promotion, an officer of the
17 PLP shall comply with the following requirements:

18 (a) Pass the corresponding promotional examination given by the
19 Board;

20 (b) Complete an appropriate and accredited training course designed
21 by the Board;

22 (c) Pass the psychiatric or psychological and drug tests; and

1 (d) Present certification of no pending administrative or criminal case.

2 Special or meritorious promotion may be extended to any officer for acts
3 of conspicuous courage and gallantry at the risk of the officer's life above and
4 beyond the call of duty upon prior validation by the Board based on established
5 criteria.

6 SEC. 11. *Salaries and Benefits.* – The officers and employees shall
7 receive the existing salaries, benefits, and other allowances authorized for
8 corresponding salary grades provided under existing laws, and civil service
9 laws, rules and regulations. They shall also be entitled to other benefits and
10 allowances that secretariat employees of the House of Representatives and the
11 Senate may receive subject to the joint approval of the Speaker of the House
12 and the Senate President.

13 SEC. 12. *Retirement.* – Any officer attaining fifty-six (56) years of age
14 shall be compulsorily retired. However, any officer, upon accumulation of
15 twenty-five (25) years of satisfactory service may apply for early retirement
16 subject to the approval of the Board.

17 Upon compulsory retirement, an officer is entitled to retirement benefits
18 computed one grade higher than the position last held.

19 The retirement age provided in this section applies only to new entrants.
20 An existing personnel who qualifies to be an officer shall be compulsorily
21 retired after attaining sixty-five (65) years of age. However, such personnel may

1 retire after attaining fifty-six (56) years of age and is entitled to additional
2 gratuity provided by existing law, rules, and regulations on retirement.

3 SEC. 13. *Death and Disability.*— The officer or the heirs are entitled to all
4 benefits relative to the death or permanent incapacity of the officer under
5 existing laws. In addition, an officer who accumulated at least twenty (20)
6 years of service who incurs total permanent disability in line of duty is
7 compulsorily retired and is entitled to a separation pay equivalent to one and
8 one-half (1½) basic salary for every year of service computed on the current
9 salary grade. A fraction of six (6) months shall be considered one (1) whole
10 year.

11 SEC. 14. *Administrative Complaint and Disciplinary Action.* – Any
12 administrative complaint and disciplinary action filed against any officer shall
13 be heard, decided, and implemented in accordance with the rules of procedure
14 that the Board shall establish for the purpose. The administrative penalties that
15 the Board may impose corresponding to the act or omission of the officer
16 include withholding of privileges, forfeiture of salary, suspension, or any
17 combination thereof, for a period not exceeding one hundred eighty (180) days.

18 SEC. 15. *Summary Dismissal Power of the Board.* – The Board, after
19 due notice and hearing, may immediately remove or dismiss any officer in the
20 following cases:

21 (a) When the charge involves moral turpitude and the evidence of guilt
22 is strong;

1 (b) When the officer has been repeatedly charged and there are
2 reasonable grounds to believe that the officer is guilty of the charges; and

3 (c) When the officer is guilty of a serious offense involving conduct
4 unbecoming of an officer.

5 Any officer who shall go on absence without leave (AWOL) for a
6 continuous period of thirty (30) days or more shall be dismissed immediately
7 from the service.

8 SEC. 16. *Legal Assistance.* – The Office of the Legal Affairs of the
9 House of Representatives and the Office of Legal Counsel of the Senate shall
10 provide legal assistance to any officer of the PLP who is charged in any court or
11 competent body arising from any incident related to the performance of official
12 duty.

13 SEC. 17. *Transitory Provision.* – All personnel, properties, equipment,
14 functions, and responsibilities of the Offices of the Sergeant-at-Arms as
15 provided by the Rules of the House of Representatives and the Rules of the
16 Senate, as well as their legislative security bureaus, are hereby transferred to the
17 PLP.

18 All regular or permanent employees transferred to the PLP shall not
19 suffer any loss of seniority nor diminution of benefits and shall undergo six (6)
20 months of socio-civic police training, which includes one hundred (100) hours
21 of theoretical and practical exercises on constitutional and human rights and
22 other relevant trainings necessary to their new function. The Board shall

1 identify who among the regular employees may be appointed officer of the PLP.
2 The appointed officers shall then be deployed and remain in their present
3 assignments.

4 Any employee who may not be accommodated in the new position
5 structure and staffing pattern shall be given preference to join any offices of the
6 Congress or allowed to retire under existing laws, rules, and regulations. Any
7 employee who opts to retire is entitled to an additional gratuity equivalent to
8 three (3) months basic salary for every year of service. A fraction of six (6)
9 months shall be considered one (1) whole year.

10 SEC. 18. ***Appropriation.*** – The amount necessary for the initial
11 implementation of this Act shall be sourced from the current appropriations of
12 the House of Representatives and the Senate. Thereafter, such sums as may be
13 necessary for the continued implementation of this Act shall be included in the
14 annual General Appropriations Act.

15 SEC. 19. ***Reportorial Requirements.*** – The Board shall submit to the
16 Speaker of the House and Senate President an annual report of the operations of
17 the PLP. Likewise, within fifteen (15) days before the final adjournment of each
18 Congress, the Board shall submit a summary report on the review of the
19 organizational structure and staffing pattern, which includes recommendation on
20 the viability of the abolition or creation of services.

21 SEC. 20. ***Implementing Rules and Regulations.*** – Within ninety (90)
22 days from the approval of this Act, the Board shall promulgate the rules and

1 regulations implementing the provisions of this Act. The implementing rules
2 and regulations issued pursuant to this section shall take effect thirty (30) days
3 after publication in two (2) newspapers of general circulation.

4 SEC. 21. *Separability Clause*. – If any provision of this Act is declared
5 unconstitutional, the remainder of this Act or any provision not affected thereby
6 shall remain in full force and effect.

7 SEC. 22. *Effectivity*. – This Act shall take effect fifteen (15) days after its
8 publication in the *Official Gazette* or a newspaper of general circulation.

9 Approved,