

REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
Second Regular Session

House Bill No. 8027



Introduced by **MAGDALO Party-List Representative**
HON. GARY C. ALEJANO

EXPLANATORY NOTE

Republic Act No. 8551 or the "Philippine National Police Reform and Reorganization Act of 1998" was enacted to ensure accountability and uprightness in police exercise of discretion as well as to achieve efficiency and effectiveness of its members and units in the performance of their functions. Among the key provisions of RA No. 8551 is the creation of the Internal Affairs Service (IAS) of the PNP.

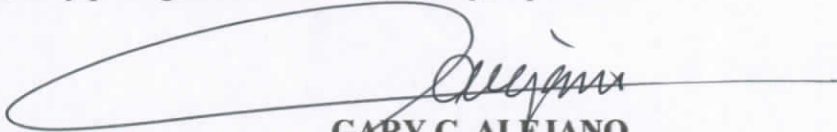
The Internal Affairs Service of the PNP is tasked among others to: pro-actively conduct inspections and audits on PNP personnel and units; investigate complaints and gather evidence in support on an open investigation; and, conduct investigation, *motu proprio*, on incidents where death, serious physical injury, or any violation of human rights occurred in the conduct of a police operation, among others.

The spate of killings, and other reports of human rights abuses in the implementation of the anti-drug war of the current administration, allegedly perpetuated by members of the PNP, puts into fore the capability of IAS to fulfil their mandated function.

As such, in order to ensure that IAS will effectively instil discipline and enhance the performance of the personnel and units of the PNP, there is a need to revisit and amend RA No. 8551 to capacitate and strengthen the IAS to make them more effective and efficient in promoting higher standards of integrity in the police force.

Among the salient points of this measure is the provision of a mandatory period by which an investigation conducted by the IAS must be concluded. Also, under this measure, IAS is given the power to formulate and adopt its own disciplinary rules and mechanism. In addition, the decisions of IAS with respect to cases under its jurisdiction shall be final and executory. Likewise, to improve the independence of IAS, they shall have automatic, direct, full, and regular release of funds based on the approved annual general appropriations.

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


GARY C. ALEJANO
Representative
Magdalo Para sa Pilipino Party-List

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AN ACT
TO STRENGTHEN THE INTERNAL AFFAIRS SERVICE OF THE PHILIPPINE
NATIONAL POLICE, AMENDING FOR THE PURPOSE CERTAIN PROVISIONS OF
REPUBLIC ACT NO. 6975 AS AMENDED BY REPUBLIC ACT NO. 8551, AND FOR
OTHER PURPOSES

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

1 **SECTION 1. *Statement Policy.*** – The Internal Affairs Service (IAS) of the Philippine
2 National Police shall be the primary instrument to measure, enhance and instill performance and
3 discipline among all units and individuals in the institution. The IAS shall conduct its
4 investigation and prosecution in an impartial, independent, expeditious and professional manner
5 thereby ensuring the citizenry of unbiased results.

6
7 **SEC. 2. *Organization of the Internal Affairs Service.*** – The IAS shall have a National,
8 Regional, District, Provincial and City Offices where applicable, which shall be established by
9 the Inspector General and approved by the PNP Chief.

10
11 **SEC. 3. *The Inspector General.*** – The head of the IAS shall be the Inspector General
12 (IG) with a rank of a Police Deputy Director General. He will be assisted by a Deputy Inspector
13 General for Administration (DIGA); and a Deputy Inspector General for Operations (DIGO);
14 both with the rank of Police Director. The Inspector General of the IAS shall exercise
15 administrative and operational control and supervision over the IAS. The IG, his deputies, Chief
16 of Staff of the IG Staff, and the Directors of the Regional Internal Affairs Service shall be
17 appointed by the President. Appointments of other personnel who shall occupy various positions
18 shall be made by the IG and shall be based on an established career pattern and criteria to be
19 promulgated by the NAPOLCOM.

20
21 **SEC. 4. *The Inspector General Staff.*** – The IG Staff shall be headed by the Chief of the
22 IG Staff (CIGS) with a rank of Police Director. For purposes carrying out its duties and powers
23 are provided for in this Act, the IAS shall have the following Services, namely: Human Resource
24 and Management; Intelligence and Investigation; Operations; and Finance and Logistics.

1 **SEC. 5. *The Directors of Regional Internal Affairs Service Office (RIAS).*** – The
2 Directors of the RIAS shall have the rank of Police Chief Superintendent. The organizational
3 structure of the RIAS offices shall follow closely the pattern of the IAS National Headquarters.
4

5 **SEC. 6. *The Provincial and City IAS Offices.*** – The Provincial and City Offices of the
6 IAS shall be headed by a Police Senior Superintendent. The organizational structure of said
7 offices shall also follow closely the pattern of the IAS National Headquarters.
8

9 **SEC. 7. *Qualification Standards for IAS Personnel – Uniformed Personnel.*** – In
10 general, entry into IAS is voluntary and requires high standards of integrity, morality, education
11 and training. PNP personnel transferring to IAS, except the Inspector General must have at least
12 five (5) more years in the service before reaching compulsory retirement, must have
13 satisfactorily completed at least a basic investigation and/ or intelligence training and have no
14 derogatory service records.
15

16 **SEC. 8. *Qualifications of the Inspector General.*** – In addition to the general
17 qualifications for appointment mentioned in RA No. 8551, the Inspector General of the IAS must
18 be an active duty commissioned officer of the PNP, a member of the Philippine Bar in good
19 standing and a holder of either a Police Executive Service Eligibility (PESE), Career Service
20 Executive Eligibility (CSEE), or Career Executive Service Eligibility (CESE).
21

22 **SEC. 9. *Non-Uniformed Personnel (NUP).*** – The NUP of IAS shall be selected from
23 among the very best human resource available, preferably with at least a Masters Degree in their
24 fields of training. Lawyers may enter the IAS laterally under existing PNP policies.
25

26 **SEC. 10. *Personnel Strength.*** – The strength of the IAS shall be pegged at five percent
27 (5%) of the total strength of the PNP: *Provided*, That the NUPs shall comprise not more than ten
28 percent (10%) of the total IAS strength.
29

30 **SEC. 11. *Prohibitions.*** – Any personnel who joins the IAS may not thereafter join any
31 other unit of the PNP. Neither shall any personnel of the IAS be allowed to sit in a committee
32 deliberating on the appointment, promotion, or assignment of any PNP personnel.
33

34 **SEC. 12. *Applicability of Sec. 39 of RA No. 8551.*** – The IAS shall exercise all the
35 powers and functions provided under Section 39 of RA No. 8551, insofar as they are applicable
36 and not in conflict with any provision of this Act: *Provided*, That the IG may direct *motu proprio*

1 investigations of all acts and omissions of the PNP personnel which tend to discredit or tarnish
2 the image of the PNP organization.

3
4 **SEC. 13. Operational Functions of the IAS.** – The IAS shall, as part of its integrity
5 development functions, conduct character building and other activities that would enhance its
6 capacity for resisting graft and corruption; conduct intelligence operations in aid of lifestyle
7 checks and investigations; and, strengthen investigations of PNP personnel who are subject to its
8 jurisdiction. It shall also impose restrictions, file appropriate criminal cases against PNP
9 members before the regular courts as evidence warrants and actively assist in the prosecution of
10 such cases.

11 It shall generally conduct summary proceedings and hearings of PNP members facing
12 administrative charges for violation of rules and regulations governing the PNP, the Civil Service
13 rules and regulations, and such other existing laws relative to or in connection with, the official
14 duty of a police officer including misconduct, dereliction of duty, insubordination, conduct
15 unbecoming of a police officer, abuse of power or authority, conviction by final judgment for
16 any crime or offense and other similar acts and decide such cases; and establish partnerships and
17 other synergies with the community and other stakeholders. It shall coordinate efforts to require
18 personnel who have undergone its adjudication processes to undergo psychological sessions
19 before they are deployed back to the PNP.

20
21 The PNP shall cooperate fully with the IAS in order to accelerate the conduct of its
22 investigation with the view to exonerate innocent officers quickly and prosecute the guilty
23 swiftly. Internal affairs investigation shall be completed as rapidly as is reasonably necessary
24 which in no case shall exceed thirty (30) days after which the appropriate administrative and/ or
25 criminal charges shall be filed immediately thereafter. The IAS shall have at most thirty (30)
26 days to resolve the administrative case against any erring member of the Philippine National
27 Police.

28
29 **SEC. 14. Special Functions of the IAS.** – The IAS shall file cases against any police
30 personnel who shall break the provisions of restrictive custody including the custodian of the
31 personnel under restrictive custody and any other act and/ or omission made by a police
32 personnel detrimental to the image of PNP. The IAS shall issue clearances and other requisite
33 documents including recommendations for promotion, transfer or appointment to any position,
34 and for financial transactions of PNP personnel.

35
36 **SEC. 15. Deputization.** – The IG may deputize the Directors of the PNP Directorates or
37 any of the Regional Directors of the Police Regional Offices as Inspectors and Auditors of the
38 IAS, subject to the approval of the PNP Chief.

1 **SEC. 16. IAS Infrastructure and Other Resources.** – The PNP shall provide the
2 infrastructure, camp requirements, technology and other resources of the IAS that will enable it
3 to perform its mandated powers and functions: *Provided*, That additional funding requirements
4 may be appropriated under the General Appropriations Act.

5
6 **SEC. 17. IAS Inspections and Audits.** – The inspections and audits of all PNP units and
7 personnel shall be conducted by IAS proactively and shall form part of the performance
8 evaluation rating of the latter; *Provided*, That the framework of inspections and audit shall be
9 based on existing NAPOLCOM and PNP Circulars and approved by the Commission.

10
11 **SEC. 18. Finality of Decision.** – The decisions of the IAS in cases falling under its
12 jurisdiction shall be final and executor without prejudice, however, to the filing of an appeal with
13 the Secretary of the Department of Interior and Local Government (DILG) where the penalty
14 imposed upon the erring PNP personnel is dismissal, demotion or suspension for a period
15 exceeding ninety (90) days; or forfeiture of benefits equivalent to more than ninety (90) days
16 pay.

17
18 **SEC. 19. IAS Character Studies.** – At the end of every quarter, IAS shall submit a
19 general observation/ assessment of the general character of the PNP personnel and units to the
20 Chief of the PNP and NAPOLCOM.

21
22 **SEC. 20. Source of Funds.** – The appropriation for the Office of the Internal Affairs
23 Service, including funds for the Occupational Specialty Pay (OSP), shall be under a specific item
24 in the annual General Appropriations Act (GAA). This shall include Personnel Services (PS),
25 Maintenance and Other Operating Expenses (MOOE) and Capital Outlay (CO).

26
27 **SEC. 21. Financial Independence.** – In order to strengthen its fiscal independence, the
28 Internal Affairs Service shall have an automatic, direct, full and regular release of funds based on
29 the approved annual general appropriations subject to the existing rules, practices and regulations
30 on auditing and accounting of the Commission on Audit (COA). The IAS shall have a distinct
31 and separate budget from the PNP.

32
33 **SEC. 23. Disciplinary Mechanism.** – The IAS shall formulate and adopt its own
34 disciplinary rules and mechanisms taking into account pertinent laws, rules and regulations on
35 the matter: *Provided*, That the applicable provisions of the AFP Military Justice System may also
36 be applied by analogy or in a suppletory character whenever practical and convenient, in
37 disciplinary cases against PNP uniformed personnel; *Provided, further*, That the applicable

1 guidelines promulgated by the Civil Service Commission shall govern the non-uniformed
2 personnel.

3
4 **SEC. 23. Separability Clause.** – If any provision of this Act shall be declared invalid or
5 unconstitutional, the remaining part or provisions not otherwise affected shall remain in force.

6
7 **SEC. 24. Repelaing Clause.** – Any law, decree, ordinance, administrative circulars not
8 consistent with any provision of this Act is hereby amended, repealed or modified accordingly.

9
10 **SEC. 25. Effectivity Clause.** – This Act shall take effect fifteen (15) days after its
11 complete publication in the Official Gazette or in at least two (2) newspapers of general
12 circulation.

Approved,