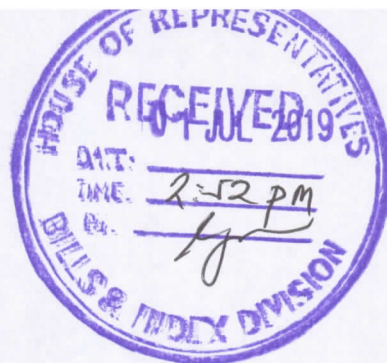




Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila



EIGHTEENTH CONGRESS
First Regular Session
House Bill No. 518

Introduced by **DIWA Party-list Representative Hon. Michael Edgar Y. Aglipay**

EXPLANATORY NOTE

Republic Act No. 5487, otherwise known as the Private Security Industry Act was enacted into law on June 21, 1969 and subsequently amended by Presidential Decree No. 11 in October 3, 1972. There have been immense developments in, and expansion of the private security industry after more than forty years since the law was first passed, but the law remains the same.

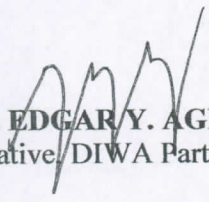
This bill seeks to professionalize the industry by intensifying the requirements for training and professional certification of security practitioners. More importantly, it is determined to uplift the plight and status of security guards who are the cornerstones of the private security industry. Amendments introduced to Republic Act No. 5487 are intended to address the needs and concerns of security guards, with the goal of improving their well-being, status in life and providing them with a deeper sense of pride in serving and protecting their fellow Filipinos.

The bill also intends to increase the efficiency of the security industry by introducing amendments to lessen bureaucracy with respect to licensing, operation and regulation of private security agencies. It also gives the agency players a greater role in the drafting of regulations and issuances related to and affecting private security agencies and private security personnel.

Another important amendment to R.A. No. 5487 that is introduced in this Bill is the provision on safeguards for the public against private security agencies that act as private armies. These safeguards become relevant with the advent of alleged human rights violations and election-related violence that have both been associated with the existence of private armies.

Amendments to the Private Security Agency Act are necessary in order to make the law more responsive to the changing times and changing needs not only of the private security industry but also the society.

Approval of this bill is earnestly sought.



MICHAEL EDGAR Y. AGLIPAY
Representative/DIWA Party-list



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EIGHTEENTH CONGRESS
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**AN ACT STRENGTHENING THE PRIVATE SECURITY INDUSTRY, AMENDING
FOR THIS PURPOSE REPUBLIC ACT NO. 5487, OTHERWISE KNOWN AS THE
ACT TO REGULATE THE ORGANIZATION AND OPERATION OF PRIVATE
DETECTIVE, WATCHMEN OR SECURITY GUARDS AGENCIES.**

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

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

SEC. 2. Section 3 of Republic Act No. 5487, or the Private Security Agency Law, is hereby amended, with the addition of the following subparagraphs, to read as follows:

"SECTION 3. *Definition of Terms.*

(a) Person - As used in this Act, person shall include not only natural but also juridical persons such as **SINGLE PROPRIETORSHIPS**, partnerships, corporations, companies or associations, duly organized and registered with the Securities and Exchange Commission and/or the **DEPARTMENT OF TRADE AND INDUSTRY**.

(b) **PRIVATE SECURITY SERVICES - SHALL INCLUDE THE FOLLOWING ACTS WHICH ARE RENDERED ON A COMPENSATED BASIS:**

- (1) **PROVIDING OR RENDERING SERVICES TO WATCH A PUBLIC OR PRIVATE ESTABLISHMENT;**
- (2) **CONDUCTING ACCESS CONTROL IN ANY FORM - WHETHER PHYSICALLY, MANUALLY OR BY ELECTRONIC MONITORING SYSTEMS, FOR THE PURPOSE OF SECURING**

SUCH AREA/PROPERTY, AND; AT THE SAME TIME
(3) PROVIDING SAFETY AND PROTECTION OF PERSONS WITHIN SUCH AREAS;
(4) MAINTAINING PEACE AND ORDER WITHIN SUCH AREAS;
(5) OTHER RELATED ACTIVITIES NECESSARY TO PERFORM SUCH FUNCTIONS; AND
(6) OTHER ACTIVITIES TO CATER TO THE SPECIALIZED SECURITY NEEDS THAT THE SOSIA MAY APPROVE.

PRIVATE SECURITY SERVICES SHALL HAVE THE FOLLOWING COMPONENTS:

- (1) SECURITY GUARD SERVICES;
- (2) PROTECTIVE AGENT SERVICES;
- (3) DETECTIVE AGENT SERVICES; AND
- (4) SECURITY CONSULTANCY SERVICES.

IT SHALL ALSO INCLUDE THE ACT OF CONTRACTING, RECRUITING, TRAINING, FURNISHING OR POSTING ANY SECURITY GUARD.

c) SECURITY GUARD SERVICES - SHALL INCLUDE THE PROVISION OF LICENSED SECURITY PERSONNEL WHO PERFORM PRIVATE SECURITY SERVICES AS DEFINED IN 3(b) AT A DEFINED AREA, E.G. INDUSTRIAL PLANTS, FINANCIAL INSTITUTIONS, EDUCATIONAL INSTITUTIONS, OFFICE BUILDINGS, GOVERNMENT FACILITIES, RETAIL ESTABLISHMENTS, COMMERCIAL COMPLEXES, HEALTH CARE FACILITIES, RECREATIONAL FACILITIES, RESIDENCE AND HOUSING DEVELOPMENT, TRANSPORTATIONS VEHICLES AND FACILITIES, WAREHOUSES AND GOODS DISTRIBUTION DEPOTS.

(d) SECURITY CONSULTANCY SERVICES - SHALL INCLUDE THE PROVISION OF LICENSED SECURITY PERSONNEL WHO PERFORM SECURITY CONSULTANCY-RELATED SERVICES SUCH AS FORMULATING A SECURITY PLAN, THREAT AND VULNERABILITY ASSESSMENT, SITE SURVEYING, SECURITY AUDITING, RISK MANAGEMENT, TRAVEL SECURITY TRAINING, HOSTAGE AVOIDANCE, EVACUATION PLANNING, AND INCIDENT MANAGEMENT.

e) PRIVATE SECURITY PERSONNEL - SHALL BE NATURAL PERSONS WHICH INCLUDE PRIVATE SECURITY GUARDS, PRIVATE DETECTIVES, PROTECTION AGENTS, SECURITY CONSULTANTS, SECURITY OFFICERS AND OTHER CERTIFIED OR LICENSED SERVICE PROVIDERS RENDERING/PERFORMING SECURITY AND/OR DETECTIVE SERVICES AS EMPLOYED BY PRIVATE SECURITY AGENCIES AND/OR PRIVATE FIRMS.

(f) PRIVATE Security Guard (SG) - SOMETIMES CALLED PRIVATE SECURITY GUARD OR WATCHMAN SHALL INCLUDE any person who offers or renders personal service to: (1) watch or secure either RESIDENCES, business establishmentS, buildingS, compoundS, areaS, OR PROPERTIES; (2) INSPECT OR MONITOR, CONDUCT BODILY CHECKS OR SEARCHES OF INDIVIDUALS AND/OR BAGGAGE AND OTHER FORMS OF SECURITY INSPECTION, WHETHER PHYSICALLY/ MANUALLY OR ELECTRONICALLY, including but not limited to, logging concessions and agricultural, mining or pasture lands, transportation, for hire or compensation.

(g) PROTECTION AGENT (PA) - SHALL REFER TO ANY NATURAL PERSON WHO OFFERS ms SERVICES TO PROTECT ANOTHER NATURAL PERSON FOR HIRE OR COMPENSATION, AGAINST UNLAWFUL ACTIVITIES, HARM, DANGER, OR INJURIES. SAID PERSON SHALL HAVE UNDERGONE THE TRAINING COURSE FOR PROTECTION AGENTS, AS MANDATED, DESIGNED AND IMPLEMENTED IN ACCORDANCE WITH THIS LAW.

(h) Private Detective (PD) - SHALL MEAN ANY PERSON LICENSED AND QUALIFIED TO PERFORM DETECTIVE WORK ON A COMPENSATED BASIS, OTHER THAN MEMBERS OF THE PHILIPPINE NATIONAL POLICE, ARMED FORCES OF THE PHILIPPINES, GUARDS OF THE BUREAU OF JAIL MANAGEMENT AND PENOLOGY, MUNICIPAL OR CITY JAIL GUARDS, PROVINCIAL JAIL GUARDS AND OR ANY OTHER MEMBERS OF LAW ENFORCEMENT AGENCIES OF THE GOVERNMENT;

(i) PRIVATE SECURITY AGENCY (PSA) - SHALL MEAN ANY PERSON ASSOCIATION, PARTNERSHIP, FIRM OR PRIVATE CORPORATION WHO IS LICENSED TO PROVIDE PRIVATE SECURITY SERVICES AS DEFINED IN SECTION 3 (b) HEREOF.

(j) LICENSE TO EXERCISE PROFESSION - SHALL MEAN ANY VALID AND AUTHENTIC DOCUMENT ISSUED BY THE CHIEF OF THE PHILIPPINE NATIONAL POLICE OR HIS DULY AUTHORIZED REPRESENTATIVE, RECOGNIZING A PERSON TO BE QUALIFIED TO PERFORM ITS DUTIES AS PRIVATE SECURITY PERSONNEL, AS DEFINED IN SECTION 3 (e) HEREOF.

(k) LICENSE TO OPERATE (LTO) - IS A LICENSE CERTIFICATE DOCUMENT, ISSUED BY THE CHIEF OF THE PHILIPPINE NATIONAL POLICE OR ITS DULY AUTHORIZED REPRESENTATIVE, AUTHORIZING A PERSON TO ENGAGE IN EMPLOYING SECURITY GUARD, DETECTIVE OR PROTECTIVE SERVICES, OR A JURIDICAL PERSON TO ESTABLISH, ENGAGE, DIRECT, MANAGE OR OPERATE AN INDIVIDUAL OR A PRIVATE SECURITY AGENCY/COMPANY, DETECTIVE OR PROTECTIVE AGENCY/COMPANY AFTER PAYMENT OF THE PRESCRIBED

DUES OR FEES AND AFTER COMPLYING WITH ALL THE REQUIREMENTS AS PROVIDED BY THE RULES AND REGULATIONS IMPLEMENTING THIS ACT.

(I) PADPAO REFERS TO THE PHILIPPINE ASSOCIATION OF DETECTIVE AND PROTECTIVE AGENCY OPERATORS, INC., WHICH IS AN ASSOCIATION OF ALL LICENSED SECURITY AGENCIES AND COMPANY SECURITY FORCES."

SEC. 3. Section 4 of Republic Act No. 5487, or the Private Security Agency Law, is hereby amended, to read as follows:

"SECTION 4. Who May Organize a Private Security Agency. - Any Filipino citizen or a corporation, partnership, or association one hundred percent (100%) of which is owned and controlled by Filipino citizens may organize a **PRIVATE SECURITY AGENCY.** The operator or licensee of the said agency must be at least 25 years of age, a college graduate, of good moral character, having no previous record of conviction of any crime or offense involving moral turpitude and not suffering from any of the following disqualifications:

- (1) Having been dishonorably discharged or separated from the Armed Forces of the Philippines, PHILIPPINE NATIONAL POLICE AND OTHER GOVERNMENT LAW ENFORCEMENT AGENCIES;**
- (2) Being a mental incompetent;**
- (3) Being addicted to the use of narcotic drug or drugs; and**
- (4) Being a habitual drunkard.**

THE MINIMUM CAPITAL REQUIREMENT AND MINIMUM BANK DEPOSIT REQUIRED OF PRIVATE SECURITY AGENCIES SHALL BE DETERMINED BY THE CHIEF OF THE PNP IN CONSULTATION WITH VARIOUS STAKEHOLDERS E.G. PADPAO THROUGH THE IMPLEMENTING RULES AND REGULATIONS OF THIS ACT.

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

SEC. 4. Section 5 of Republic Act No. 5487, or the Private Security Agency Law, is hereby amended, with the addition of the following subparagraphs, to read as follows:

"SECTION 5. WHO MAY APPLY FOR A LICENSE TO EXERCISE PRIVATE SECURITY PROFESSION. -ANY FILIPINO CITIZEN MAY APPLY FOR A LICENSE TO EXERCISE PRIVATE SECURITY

PROFESSION IN ORDER TO ENGAGE IN THE OCCUPATION, CALLING OR EMPLOYMENT EITHER AS A PRIVATE SECURITY GUARD, PRIVATE SECURITY OFFICER, PRIVATE DETECTIVE, PROTECTION AGENT AND/OR PRIVATE SECURITY CONSULTANT, AFTER COMPLYING WITH BOTH ACADEMIC/SCHOLASTIC AND SKILLS/TRAINING REQUIREMENTS SUBJECT TO OTHER REQUIREMENTS PRESCRIBED HEREINUNDER.

A. BASIC REQUIREMENTS OF PRIVATE SECURITY PERSONNEL -

1. FILIPINO CITIZEN;
2. NOT BE LESS THAN EIGHTEEN (18) YEARS OF AGE;
3. MUST HAVE TAKEN A PRIVATE SECURITY COURSE/SEMINAR AND/OR MUST HAVE ADEQUATE TRAINING;
4. OF GOOD MORAL CHARACTER AND MUST NOT HAVE BEEN CONVICTED OF ANY CRIME OR OFFENSE OF MORAL TURPITUDE;
5. MUST BE PHYSICALLY AND MENTALLY FIT; AND
6. HAS PASSED THE NEURO-PSYCHIATRIC TEST AND DRUG TEST ADMINISTERED BY ANY GOVERNMENT-ACCREDITED NEURO-PSYCHIATRIC TESTING CENTER.

B. QUALIFICATIONS OF A PRIVATE SECURITY GUARD.-NO PERSON SHALL BE LICENSED AS A SECURITY GUARD FOR PRIVATE SECURITY AGENCIES AND COMPANY GUARD FORCES UNLESS HE/SHE POSSESSES THE FOLLOWING QUALIFICATIONS:

1. FILIPINO CITIZEN;
2. HIGH SCHOOL GRADUATE;
3. PHYSICALLY AND MENTALLY FIT;
4. NOT LESS THAN EIGHTEEN (18) YEARS OF AGE NOR MORE THAN FIFTY (50) YEARS OF AGE (FOR NEW APPLICANTS AND SG'S IN NON-SUPERVISORY POSITIONS);
5. HAS PASSED THE NEURO-PSYCHIATRIC TEST AND DRUG TEST ADMINISTERED BY ANY GOVERNMENT-ACCREDITED NEURO-PSYCHIATRIC TESTING CENTER; AND
6. HAS UNDERGONE A PRE-LICENSING TRAINING COURSE OR ITS EQUIVALENT.

NO LICENSE SHALL BE RENEWED FOR SECURITY GUARDS BEYOND THE AGE OF FIFTY SIX (56) YEARS OLD.

C. QUALIFICATIONS OF A SECURITY OFFICER.-NO PERSON SHALL BE LICENSED AS A SECURITY OFFICER UNLESS HE HAS THE FOLLOWING QUALIFICATIONS:

1. FILIPINO CITIZEN;
2. HOLDER OF A BACCALAUREATE DEGREE; OR ONE WHO IS WITHOUT A BACCALAUREATE DEGREE BUT HAS

EARNED/COMPLETED AT LEAST SEVENTY TWO (72) UNITS IN ANY COLLEGENOCATIONAL COURSE AND HAS AT LEAST FIVE (5) YEARS EXPERIENCE IN ANY SUPERVISORY POSITION;

1. PHYSICALLY AND MENTALLY FIT;
2. HAS GRADUATED FROM A SECURITY OFFICER TRAINING COURSE OR ITS EQUIVALENT; AND
3. HAS PASSED THE NEURO-PSYCHIATRIC TEST AND DRUG TEST ADMINISTERED BY ANY GOVERNMENT - ACCREDITED NEURO-PSYCHIATRIC TESTING CENTER.

D. QUALIFICATIONS OF SECURITY CONSULTANTS. - NO PERSON SHALL BE LICENSED AS A SECURITY CONSULTANT UNLESS HE POSSESSES THE FOLLOWING QUALIFICATIONS:

1. PHYSICALLY AND MENTALLY FIT;
2. HOLDER OF A BACCALAUREATE DEGREE;
3. HAS AT LEAST TEN (10) YEARS EXPERIENCE IN THE OPERATION AND MANAGEMENT OF SECURITY BUSINESS; AND
4. HAS PASSED THE NEURO-PSYCHIATRIC TEST AND DRUG TEST ADMINISTERED BY ANY GOVERNMENT-ACCREDITED NEURO-PSYCHIATRIC TESTING CENTER.

E. QUALIFICATIONS OF A PRIVATE DETECTIVE. - NO PERSON SHALL BE LICENSED AS A PRIVATE DETECTIVE UNLESS HE POSSESSES THE FOLLOWING QUALIFICATIONS:

1. FILIPINO CITIZEN;
2. PHYSICALLY AND MENTALLY FIT;
3. HOLDER OF A BACCALAUREATE DEGREE PREFERABLY BACHELOR OF LAWS OR BACHELOR OF SCIENCE IN CRIMINOLOGY;
4. GRADUATE OF A CRIMINAL INVESTIGATION COURSE OFFERED BY THE PHILIPPINE NATIONAL POLICE OR THE NATIONAL BUREAU OF INVESTIGATION OR ANY POLICE TRAINING SCHOOL, OR A DETECTIVE TRAINING IN ANY AUTHORIZED/RECOGNIZED TRAINING CENTER; AND
5. HAS PASSED THE NEURO-PSYCHIATRIC TEST AND DRUG TEST ADMINISTERED BY ANY GOVERNMENT-ACCREDITED NEURO-PSYCHIATRIC TESTING CENTER.

F. QUALIFICATIONS OF A PROTECTION AGENT. - NO PERSON SHALL BE LICENSED AS A PROTECTION AGENT UNLESS HE POSSESSES THE FOLLOWING QUALIFICATIONS:

1. FILIPINO CITIZEN;
2. HAS PASSED THE NEURO-PSYCHIATRIC TEST AND DRUG TEST ADMINISTERED BY ANY GOVERNMENT-ACCREDITED NEURO-PSYCHIATRIC TESTING CENTER;
3. HOLDER OF A BACCALAUREATE DEGREE OR ONE

WHO IS WITHOUT A BACCALAUREATE DEGREE BUT HAS EARNED/COMPLETED AT LEAST SEVENTY TWO (72) UNITS IN ANY COLLEGENOCATIONAL COURSE AND HAS AT LEAST FIVE (5) YEARS EXPERIENCE IN ANY SUPERVISORY POSITION;

4. NOT LESS TWENTY FIVE (25) YEARS OLD BUT NOT MORE THAN FIFTY SIX (56) YEARS OLD."

SEC. 5. Section 6 of Republic Act No. 5487, or the Private Security Agency Law, is hereby amended, with the addition of the following subparagraphs, to read as follows:

"SECTION 6. License Necessary.

(A) No person shall engage in the business of or act as a PRIVATE SECURITY AGENCY or engage in PRIVATE SECURITY SERVICES without first obtaining the necessary permit from the Chief OF THE PHILIPPINE NATIONAL POLICE which permit as approved is a prerequisite in obtaining a license TO OPERATE.

(B) LICENSE IS LIKEWISE NECESSARY FOR ANY PERSON OPERATING, MANAGING, DIRECTING OR CONDUCTING A LICENSED PRIVATE SECURITY/DETECTIVE/TRAINING AGENCY. ANY PERSON HAVING ANY PARTICIPATION IN THE MANAGEMENT OR OPERATION THEREOF EXCEPT THOSE EMPLOYED SOLELY FOR CLERICAL OR MANUAL WORK, SHALL ALSO SECURE A LICENSE.

(C) NO LICENSE TO OPERATE SHALL BE GRANTED TO ANY APPLICANT FOR ENGAGING IN PRIVATE SECURITY SERVICES WITH THE FOLLOWING DISQUALIFICATIONS:

- 1. HAVING PREVIOUS RECORD OF CONVICTION OF ANY CRIME OR OFFENSE INVOLVING MORAL TURPITUDE;**
- 2. HAVING BEEN DISHONORABLY DISCHARGED OR SEPARATED FOR CAUSE FROM EMPLOYMENT OR SERVICE;**
- 3. BEING A MENTAL INCOMPETENT, AS DETERMINED BY COMPETENT AUTHORITY;**
- 4. HAVING FAILED A GOVERNMENT-MANDATED DRUG TEST;**
- 5. BEING A HABITUAL DRUNKARD ; AND**
- 6. BEING A DUMMY OF A FOREIGNER.**

(D) NO LICENSE SHALL BE ISSUED TO ANY PRIVATE SECURITY AGENCY UNLESS IT HAS A MINIMUM OF ONE HUNDRED (100) LICENSED PRIVATE SECURITY PERSONNEL UNDER ITS EMPLOY.

WITH RESPECT TO A PRIVATE DETECTIVE AGENCY OR COMPANY GUARD FORCE, NO LICENSE SHALL BE GRANTED UNLESS IT HAS A MINIMUM OF THIRTY (30) LICENSED

PRIVATE SECURITY PERSONNEL UNDER ITS EMPLOY.”

SEC. 6. Section 7 of Republic Act No. 5487, or the Private Security Agency Law, is hereby amended, with the addition of the following subparagraphs, to read as follows:

“SECTION 7. *Application for License TO OPERATE (LTO).*

A. The application shall be made in writing **BY THE OWNER (FOR SINGLE PROPRIETORSHIPS) OR THE AUTHORIZED PERSON DULY DESIGNATED BY THE CORPORATION OR PARTNERSHIP (THROUGH A BOARD RESOLUTION OR JOINT AFFIDAVIT, RESPECTIVELY)** and shall be filed with the Chief **OF THE PHILIPPINE NATIONAL POLICE THROUGH THE PNP SUPERVISORY OFFICE FOR SECURITY AND INVESTIGATION AGENCY, CIVIL SECURITY GROUP (SOSIA-CSG).**

B. **APPLICATIONS OF CORPORATIONS, ASSOCIATIONS, PARTNERSHIPS OR SINGLE PROPRIETORSHIP S SHALL FURTHERMORE INCLUDE A COPY OF THE CERTIFICATE OF REGISTRATION ISSUED BY THE SECURITIES AND EXCHANGE COMMISSION AND/OR THE DEPARTMENT OF TRADE AND INDUSTRY TOGETHER WITH ITS BY-LAWS AND ARTICLES OF INCORPORATION.**

C. **ALL APPLICATIONS SHALL BE ACCOMPANIED BY A BOND ISSUED BY ANY COMPETENT OR REPUTABLE SURETY OR FIDELITY OR INSURANCE COMPANY, DULY ACCREDITED BY THE OFFICE OF THE INSURANCE COMMISSIONER, WHICH BOND SHALL ANSWER FOR ANY VALID AND LEGAL CLAIM AGAINST THE AGENCY BY ITS CLIENTS OR EMPLOYEES. THE AMOUNT OF THE BOND SHALL BE DETERMINED BY THE CHIEF OF THE PNP THROUGH THE IMPLEMENTING RULES AND REGULATIONS OF THIS ACT. THE AMOUNT OF THE BOND SHALL NOT BE UNJUSTIFIED, PROHIBITIVE OR UNREASONABLE ACCORDING TO THE NEEDS OF THE ECONOMY.”**

SEC. 7. Section 8 of Republic Act No. 5487, or the Private Security Agency Law, is hereby amended, to read as follows:

‘SECTION 8. Fees to be Paid and Bonds. - When all requisites for the issuance of the license have been complied with, the Chief of the PHILIPPINE NATIONAL POLICE or his duly authorized representative shall issue a permit for the issuance of such license and register the same in his office, upon payment by the applicant of the fees TO BE DETERMINED IN SUBSEQUENT ISSUANCES OR ORDERS. THE DETERMINATION OF THE FEES SHALL BE IN COORDINATION AND CONSULTATION WITH VARIOUS STAKEHOLDERS (E.G. PADPAO).

Licenses issued **BY** an authorized representative of the Chief of the PNP are

subject to review by the Chief of the PNP.

Any provision of this or other law to the contrary notwithstanding, the Chief of the **PHILIPPINE NATIONAL POLICE** may, **AFTER FOLLOWING DUE PROCESS**, suspend or cancel the licenses of **PRIVATE SECURITY AGENCIES** found violating any of the provisions of this Act or of the rules and regulations promulgated by the Chief of the **PNP** pursuant thereto.'

SEC. 8. Republic Act No. 5487, or the Private Security Agency Law, is hereby amended, with the addition of a new Section 9, to read as follows:

"SECTION 9. SAFEGUARDS FOR THE PUBLIC AGAINST PRIVATE ARMIES. - THE CHIEF OF THE PNP MAY CANCEL, REVOKE OR SUSPEND THE LICENSE TO OPERATE OF ANY PRIVATE SECURITY AGENCY IF ANY OF THE FOLLOWING CRITERIA IS VIOLATED BY THE SAID PRIVATE SECURITY AGENCY:

CRITERIA FOR THE CANCELLATION AND REVOCATION OF A LICENSE TO OPERATE:

- 1. WHEN A PRIVATE SECURITY AGENCY TAKES PART IN AN ARMED CONFLICT EITHER FOR PRIVATE GAIN OR THE DESIRE FOR MATERIAL COMPENSATION OR FOR THE ADVANCEMENT OF IDEOLOGICAL AND PHILOSOPHICAL POSITIONS.**
- 2. WHEN A PRIVATE SECURITY AGENCY USES FORCE OR THE THREAT OF FORCE TO ASSERT ITSELF OR THOSE THEY REPRESENT IN A NATIONAL OR LOCAL ELECTORAL CONTEST.**
- 3. WHEN A PRIVATE SECURITY AGENCY USES ITS AUTHORITY TO ENGAGE IN HUMAN RIGHTS VIOLATIONS AS DESCRIBED AND PROTECTED IN THE 1987 CONSTITUTION OF THE PHILIPPINES.**
- 4. WHEN A PRIVATE SECURITY AGENCY IS USED AS A PRIVATELY-OWNED AND OPERATED PARA-MILITARY ORGANIZATION OPERATING OUTSIDE OF THE REGULATORY FRAMEWORK ESTABLISHED BY THIS LAW AND THE IMPLEMENTING RULES AND REGULATIONS ADOPTED BY THE PNP.**
- 5. WHEN A PRIVATE SECURITY AGENCY IS KNOWINGLY AND UNILATERALLY USED FOR THE PROTECTION OF A SYNDICATED CRIMINAL ENTERPRISE.**
- 6. WHEN THE STOCKHOLDER, DIRECTOR OR SENIOR OFFICER OF THE PRIVATE SECURITY AGENCY IS CONVICTED OF A HEINOUS CRIME, AS DEFINED BY LAW.**

CRITERIA FOR THE SUSPENSION OF A LICENSE TO OPERATE:

- 1. WHEN A STOCKHOLDER, DIRECTOR OR SENIOR OFFICER OF THE PRIVATE SECURITY AGENCY IS CONVICTED OF A CRIME.**
- 2. WHEN THE PRIVATE SECURITY AGENCY ENGAGES IN BUSINESS PRACTICES DEEMED IN VIOLATION OF REPUBLIC ACT NO. 8799, OTHERWISE KNOWN AS THE SECURITIES REGULATION CODE."**

SEC. 9. Section 9 of Republic Act No. 5487, or the Private Security Agency Law, is hereby amended, to read as follows:

"SECTION [9] 10. *Employees Need Not Be Licensed.* - PERSONNEL IN CHARGE OF THE OPERATIONS AND GENERAL ADMINISTRATION OF THE PRIVATE SECURITY AGENCY SHALL SECURE A LICENSE TO EXERCISE SECURITY PROFESSION."

SEC. 10. Section 10 of Republic Act No. 5487, or the Private Security Agency Law, is hereby amended, to read as follows:

"SECTION [10]11. *Display of License* OF A PRIVATE SECURITY AGENCY. - The license TO OPERATE shall be displayed at all times in a conspicuous and suitable place in the agency office or headquarters AND/OR BRANCH OFFICE(S) of the agency and shall be exhibited at the request of any person whose jurisdiction is in relation with the business of the agency or the employees thereof, or of the Chief of the PHILIPPINE NATIONAL POLICE or his duly authorized representative or any peace officer."

SEC. 11. Section 11 of Republic Act No. 5487, or the Private Security Agency Law, is hereby amended, to read as follows:

"SECTION [11]12. *Supervision of the PHILIPPINE NATIONAL POLICE.*- Upon approval of this Act, the PHILIPPINE NATIONAL POLICE shall exercise general supervision over the operation of all PRIVATE SECURITY AGENCIES."

SEC. 12. Section 12 of Republic Act No. 5487, or the Private Security Agency Law, is hereby amended, to read as follows:

"SECTION [12]13. *Powers of City or Municipal Mayors in Cases of Emergency.* - In case of emergency or in times of disaster or calamities where the services of such agencies arise, the City or Municipal Mayor, as director of Civil Defense, may REQUEST the services of the agency nearest the area where such emergency, disaster or calamity arises and its duly licensed personnel to help maintain peace and order; and/or the prevention or apprehension of law violators and in the preservation of life and property WITHOUT COMPROMISING THE SAFETY AND SECURITY OF

THE AREA TO WHICH THE PRIVATE SECURITY PERSONNEL ARE ASSIGNED. Deputized private detectives, watchmen or security guards shall take direct orders from the Chief of **THE PNP** for the duration of the fire, inundation, earthquakes, riots or other emergencies.”

SEC. 13. Section 13 of Republic Act No. 5487, or the Private Security Agency Law, is hereby amended, to read as follows:

“SECTION [13]14. *Issuance of Firearms.* - A PRIVATE SECURITY AGENCY shall be entitled to possess firearms after having satisfactorily passed the requirements prescribed by the Chief of the **PNP**, pertinent to the possession of firearms of any caliber not higher than **5.56** caliber in a number not exceeding one firearm for every **ONE PRIVATE SECURITY PERSONNEL, TO INCLUDE SINGLE-POSTS**, in its employ; Provided, that all the firearms mentioned herein shall be carried by the private security personnel only during his tour of duty, in proper uniform, within the compound of the establishment, except when he escorts **AND PROTECTS** big amounts of cash or valuables **AND/OR PERSONS.**”

SEC. 14. Section 14 of Republic Act No. 5487, or the Private Security Agency Law, is hereby amended, to read as follows:

“SECTION [14]15. *Uniform.* - The uniform of PRIVATE SECURITY PERSONNEL shall be different from the uniform worn and prescribed for members of the Armed Forces of the Philippines, City and Municipal Police Force. The Chief of the **PHILIPPINE NATIONAL POLICE**, through his duly authorized representative shall prescribe the uniform, ornaments, equipment and paraphernalia to be worn by the **PRIVATE SECURITY PERSONNEL** throughout the Philippines.”

SEC. 15. Section 15 of Republic Act No. 5487, or the Private Security Agency Law, is hereby amended, to read as follows:

“SECTION [15]16. *Compensation AND OTHER BENEFITS OF PRIVATE SECURITY PERSONNEL.* - PRIVATE SECURITY PERSONNEL SHALL BE PAID NOT LESS THAN THE MINIMUM WAGE AND OTHER BENEFITS UNDER THE LABOR CODE OF THE PIDLIPPINES, AS AMENDED AND OTHER EXISTING LAWS AND REGULATIONS RELATING TO LABOR STANDARDS. IN CASE THE PRIVATE SECURITY PERSONNEL IS RECEIVING A SALARY LOWER THAN THE MINIMUM WAGE PRESCRIBED BY LAW, THE PRIVATE SECURITY AGENCY AND ITS CLIENT WHERE THE UNDERPAID PRIVATE SECURITY PERSONNEL IS DETAILED SHALL BE SOLIDARILY LIABLE FOR UNDERPAYMENT OF WAGES AND OTHER RELATED BENEFITS.”

SEC. 16. Section 16 of Republic Act No. 5487, or the Private Security Agency Law, is hereby amended, to read as follows:

"SECTION [16]17. *Limitations and Prohibitions.* - No PRIVATE SECURITY agency shall offer OR render services to gambling dens or other illegal enterprises. The extent of the PRIVATE security service being provided by any PRIVATE security agency shall not go beyond the whole compound or property of the person or establishment requesting the security service, except when they escort AND PROTECT big amounts of cash AND/OR PERSONS."

SEC. 17. Section 17 of Republic Act No. 5487, or the Private Security Agency Law, is hereby amended, to read as follows:

"SECTION [17]18. *Rules and Regulations by Chief, Philippine National Police.* -The Chief of the PNP, in STRICT AND PUBLIC consultation with the PADPAO and other stakeholders of the security industry, and subject to the provisions of existing laws, is hereby authorized to issue the rules and regulations necessary to carry out the purpose of this Act. FUTHERMORE, THE CHIEF OF THE PHILIPPINE NATIONAL POLICE SHALL CONSULT WITH VARIOUS STAKEHOLDERS (E.G. PADPAO) PRIOR TO THE ISSUANCE OF ALL REGULATIONS AND ISSUANCES RELATED TO AND AFFECTING PRIVATE SECURITY AGENCIES AND/OR PRIVATE SECURITY PERSONNEL.

THESE IMPLEMENTING RULES AND REGULATIONS SHALL BE REVIEWED EVERY THREE (3) YEARS."

SEC. 18. Section 18 of Republic Act No. 5487, or the Private Security Agency Law, is hereby amended, to read as follows:

"SECTION [18]19. *Penal Provisions.* - ANY PRIVATE SECURITY AGENCY WHICH VIOLATES ANY PROVISION/S OF THE REVISED PENAL CODE OF THE PHILIPPINES AND OTHER EXISTING PENAL LAWS, SHALL BE HELD LIABLE THEREFOR."

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

SEC. 20. *Separability Clause.* If any part or provision of this Act is declared unconstitutional, the remaining parts or provisions not affected shall remain in full force and effect.

SEC. 21. *Effectivity.* This Act shall take effect fifteen days following its official publication.

Approved,