

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

EIGHTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 9572



Introduced by Representative **TYRONE D. AGABAS**

EXPLANATORY NOTE

Article XVI, Section 6 of the 1987 Constitution provides the establishment of the police force which is national in scope and civilian in character, to wit:

“Section 6. The State shall establish and maintain one police force, which shall be national in scope and civilian in character, to be administered and controlled by a national police commission. The authority of local executives over the police units in their jurisdiction shall be provided by law.”

In response, Republic Act No. 6975 entitled, “An Act Establishing the Philippine National Police under a Reorganized Department of the Interior and Local government (DILG),” was signed into law on December 13, 1990, which took effect on January 1, 1991. Furthermore, to further strengthen the PNP into a highly efficient and competent police force, Republic Act No. 8551 entitled “PNP Reform and the Reorganization Act of 1998” was enacted on February 17, 1998, amending certain provisions of Republic Act No. 6975.

With the major reform of the Philippine National Police (PNP) enacted more than 20 years ago, in the midst of challenges to modern threats and security concerns, it is high time that we pass a law that will capacitate our police force to better respond to these challenges. Through this Act, we will be able to modernize and equip our police force with better equipment and knowledge in responding to crimes and violations of the law, at the same level of competence by international police.

Moreover, with these modernization efforts, we increase the trust of our citizens in our police forces in the proper execution of their duties and responsibilities. With its two-fold agenda of improving our police force and modernizing our response to modern crimes and protecting the liberties and safeguarding life, liberty, and property of our citizens, this bill will ultimately benefit not only our standing for crime prevention all over the world but the fabric of safety and conduct of lives in our society.

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



TYRONE D. AGABAS
*District Representative,
6th District of Pangasinan*

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Introduced by Representative **TYRONE D. AGABAS**

**AN ACT
PROVIDING FOR THE REVITALIZATION AND CAPABILITY ENHANCEMENT
OF THE PHILIPPINE NATIONAL POLICE, APPROPRIATING FUNDS
THEREFOR, AND FOR OTHER PURPOSES**

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

SECTION 1. *Short Title.* — This Act shall be known as the "PNP Revitalization and Capability Enhancement Act."

SECTION 2. *Declaration of Policy.* — It is hereby declared the policy of the State to transform the Philippine National Police (PNP) into a highly efficient, capable, and competent police force in order to fully perform its mandate as the primary law enforcement agency of the government.

Towards this end, the State shall sustain a revitalized PNP that will continuously carry out effective policing functions and law enforcement operations, deliver timely and responsive frontline public safety services, and pursue a comprehensive and integrated approach against transnational crime and emerging forms of criminality, insurgency, terrorism and other serious threats to national security.

For this purpose, the State shall pursue the implementation of a Revitalization and Capability Enhancement Program focused on infrastructure and facilities development as well as equipment acquisition and upgrading.

SECTION 3. *PNP Revitalization Thrusts.* — As used in this Act, the term "revitalization" shall be understood to mean the state of being enlivened or the condition of achieving a dynamic level of performing police functions and law

enforcement operations, frontline public safety services, and modern approaches against criminality with the end view of establishing and maintaining for all people a safe, secure, orderly, peaceful, and prosperous nation. Towards this aspiration, the PNP shall pursue the following revitalization thrusts:

- a. Fill-up of basic equipage and construction of standard police stations nationwide;
- b. Acquisition of modern equipage;
- c. Adoption of Information and Communications Technology (ICT) to modernize and integrate police administration and operations;
- d. Strengthening police coordination and cooperation with the citizenry, local governments, public safety agencies, other law enforcement agencies and pillars of the criminal justice system, and the regional and international police communities; and
- e. Enhancing law enforcement approach and intensified operations against transnational crime and emerging forms of criminality, insurgency, terrorism, and other serious threats to national security.

SECTION 4. *Components of the Revitalization and Capability Enhancement Program.* — The PNP revitalization thrusts shall be realized through the implementation of a Revitalization and Capability Enhancement Program.

As used in this Act, the term police "capability enhancement" shall be understood to mean a measurable improvement in the performance of PNP mandates that translates into an enduring ability to enforce the law, prevent and control crimes, maintain peace and order, ensure public safety and internal security, and protect the country against threats to national security including, terrorism.

The Revitalization and Capability Enhancement Program shall consist of the following components:

- a. Infrastructure and Facilities Development - The objectives of this component are:
 - i. construction and upgrading of basic infrastructure like buildings, police stations and police community precincts and support facilities for administrative, investigative, and operational services which include crime laboratory, communications systems, research and development centers, training institutions, hospitals, and dispensaries for delivery of medical and dental services, in accordance with camp development plans;
 - ii. upgrading of facilities to support regulatory functions;
 - iii. development, procurement, and management of ICT systems and automated systems to ensure integration and effective coordination; and

- iv. real estate acquisition, titling, and management.
- b. Equipment Acquisition and Upgrading. - The objectives of this component are judicious procurement and acquisition of modern equipage for enhanced PNP capabilities which includes munitions and ordnance, firepower and weapons, transportation and mobility assets, communication, intelligence, investigative and forensic equipment.

SECTION 5. *Standard of Modernization.* — In preparing and implementing the Police Capability Enhancement Program, the standard test to indicate modernity is the possession of the latest attribute or innovative quality of infrastructure, facilities, and equipment, over and above the basic and standard features. This would enable the PNP to better adapt to the needs of the present time, add value to services delivered, and achieve increased citizens' satisfaction with the police.

In endeavoring to modernize police infrastructure and facilities, the primary consideration shall be developing capabilities for command and direction, tactical and strategic control, effective communication, robust ICT and automated systems network, upholding the human rights and rule of law, and sustained police-community-relations.

The acquisition of modern equipment shall be based on the results of operational needs assessment.

SECTION 6. *Revitalization and Capability Enhancement Program.* — Within ninety (90) days from the effectivity of this Act, the Chief of the PNP, in consultation with the Secretaries of the Department of the Interior and Local Government (DILG) and Department of Budget and Management (DBM), shall prepare a Revitalization and Capability Enhancement Program.

After consultation, the Chief of the PNP shall submit the Revitalization and Capability Enhancement Program to the National Police Commission (NAPOLCOM), which shall endorse the same to Congress, through the Congressional Oversight Committee created under this Act, for consideration and approval in a joint resolution of the House of Representatives and the Senate.

- a. The police organizational structure, personnel strength, and logistics and facilities inventory during the various implementation stages;
- b. The capability enhancement programs, activities, and projects to be undertaken vis-à-vis the particular component and corresponding objectives and revitalization thrusts they relate to;
- c. The priorities, schedules, and phases of implementation of the capability enhancement projects and activities; and

- d. The estimated average cost of each project or activity to be undertaken.

The Program shall be based on an amount of at least Forty billion pesos (P40,000,000.00) for the first three (3) years and on a ceiling of One hundred thirty billion pesos (P130,000,000.00) for the full period of implementation.

SECTION 7. *Period of Implementation.* — The Revitalization and Capability Enhancement Program under this Act shall be implemented over a period of ten (10) years.

SECTION 8. *Appropriations for the Revitalization and Capability Enhancement Program.* — The amount necessary to support the rehabilitation and capability enhancement projects and activities under the Program approved through joint resolution shall be appropriated by Congress.

Appropriations to support the Revitalization and Capability Enhancement Program shall be treated as distinct and separate budget items from the regular appropriations for the PNP.

The joint congressional resolution shall be the basis for subsequent executive and legislative actions to implement the Revitalization and Capability Enhancement Program, from year to year, until its complete and full realization.

SECTION 9. *Revitalization and Capability Enhancement Trust Fund.* — There is hereby created a trust fund to be known as the Revitalization and Capability Enhancement (RCE) Trust Fund. Said Trust Fund, which shall be used exclusively for the projects and activities approved in the joint resolution, but not to include payment of salaries and allowances, shall be funded out of the following:

- a. Congressional allocation under the General Appropriations Act;
- b. Appropriations allocated under the PNP Capability Enhancement Program approved by Congress;
- c. Portion of amounts collected from the PNP Trust Receipts (TR) Funds;
- d. Portion of the PNP Provident Fund established and operated under Administrative Order No. 279, series of 1992, and surplus declared at the end of every fiscal year;
- e. Donations from local or foreign sources specifically earmarked for the implementation of the Revitalization and Capability Enhancement Program; and
- f. All other funds that may be made available through subsequent legislative enactment or executive action.

The Chief of the Philippine National Police shall conduct periodic studies on maximizing the fund utilization and generating additional revenues to augment the RCE Trust Fund.

SECTION 10. *Exemption from Taxes and Customs Duties.* — The sale of munitions and ordnance, firepower and weapons, transportation and mobility assets, communication, intelligence, investigative and forensic equipment, and other equipment to the PNP, under the Revitalization and Capability Enhancement Program, where such acquisition directly or exclusively relates to the performance of its police and law enforcement functions; or may be needed in public transactions; or in the pursuit of any government undertaking, to include importation shall be exempt from the value-added tax and customs duties. Donations from local or foreign sources granted to the PNP shall likewise be exempt from payment of donor's tax.

SECTION 11. *Fund Augmentation from Provincial, City, and Municipal Governments for Local Police Stations.* — Provincial, city, and municipal governments shall allocate five (5%) percent of its annual appropriations earmarked for local development projects, sourced from its internal revenue allocation (IRA), as its annual fund augmentation to support priority projects and activities of local police stations, embodied in their respective provincial public safety plans or integrated area or community public safety plan, as the case may be, which should be aligned with the components of the Revitalization and Capability Enhancement Program, its corresponding objectives, and the revitalization thrusts identified under this Act.

SECTION 12. *Congressional Oversight Committee.* — There is hereby created a Congressional Oversight Committee to receive the Revitalization and Capability Enhancement Program of the Chief of the Philippine National Police, as endorsed by NAPOLCOM, for further endorsement to the Speaker of the House of Representatives and the Senate President, for consideration and approval in a joint resolution.

It shall be composed of four (4) members from the House of Representatives and four (4) members from the Senate with the Chairpersons of the Committee on Public Order and Safety and the Committee on Public Order and Illegal Drugs of both Chambers, respectively, as Joint Chairpersons. The three (3) other members from each Chamber shall be designated by the Speaker of the House of Representatives and the Senate President, respectively. The Minority shall have at least (1) representative from both Chamber. The Committee shall regularly monitor and oversee the implementation of the provisions of this Act.

SECTION 13. *Program Modification.* — In the exigency of service or whenever necessary to address unforeseen emergencies to curb transnational crime, emerging forms of criminality, insurgency, terrorism and other serious threats to national security, the Chief of the PNP may modify, through substitution or revision, a component project in the Revitalization and Capability

Enhancement Program, subject to the favorable endorsement of the Secretary of the Interior and Local Government, for the President's approval. Within thirty (30) days from such approval, the Chief of the PNP shall report such program modification to Congress, through the Congressional Oversight Committee.

SECTION 14. *Annual Reports.* — Within the first quarter of the succeeding year of implementation, the Chief of PNP shall submit to the President and Congress, through the Secretary of the Interior and Local Government or as Chairman of the NAPOLCOM, an annual report on the status of the RCE Trust Fund, as provided for in Section 9 of this Act, and on the progress of the implementation of the Revitalization and Capability Enhancement Program.

SECTION 15. *Sunset Review.* — After five (5) years following its effectivity, or as the need arises, the Congressional Oversight Committee shall conduct a sunset review of this Act, to systematically evaluate the accomplishments under the Revitalization and Capability Enhancement Program and its impact on the PNP organizational structure, institutional mechanisms, and performance of functions, for purposes of determining and effecting remedial legislation.

SECTION 16. *Separability Clause.* — If any provision or part of this Act is held invalid or unconstitutional, the remaining provisions or parts unaffected shall remain in full force and effect.

SECTION 17. *Repealing Clause.* — All laws, executive orders, presidential decrees or issuances, letters of instruction, administrative orders, rules, and regulations contrary to or inconsistent with the provisions of this Act are hereby repealed, amended, or modified accordingly.

SECTION 18. *Effectivity Clause.* — This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,