

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
Third Regular Session

HOUSE BILL NO. 10553



Introduced by Honorable Michael L. Romero

EXPLANATORY NOTE

In the republic of the Philippines, the costs of several legal fees have always been known to be troublesome to most of its citizenry. To add to this, the expensive cost of legal fees, is not a matter that should be taken lightly. Thus even through a legal procedure, in any given venue is very wearisome, emotionally and financially.

Henceforth, in the current essence of the vocation of our mediators, they are more exposed to legal matters compared to other professions. Likewise, the income of these enlisted personnel of the **AFP** and **PNP** are not sufficient to cover for this legal fees on top of the cost of their basic necessities.

This House Bill seeks to create a comprehensive **Free Legal Assistance program** for all enlisted personnel of the **AFP** and **PNP**, for charges in relation to the performance of their duties.

Thus, the early passage of this bill is earnestly requested.

A handwritten signature in black ink, consisting of a series of loops and a long horizontal stroke at the end, representing the name Michael L. Romero.

MICHAEL L. ROMERO

Republic of the Philippines
HOUSE OF REPRESENTATIVES
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HOUSE BILL NO. 10553

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AN ACT

CREATING A COMPREHENSIVE **FREE LEGAL ASSISTANCE PROGRAM** FOR ALL ENLISTED PERSONNEL OF THE ARMED FORCES OF THE PHILIPPINES (**AFP**) AND PHILIPPINE NATIONAL POLICE (**PNP**) FOR CHARGES IN RELATION TO THE PERFORMANCE OF THEIR DUTIES, AND FOR OTHER PURPOSES

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

SECTION 1. SHORT TITLE. - This Act shall be known as the “*Free Legal Assistance Program to all Enlisted Personnel of the Armed Forces of the Philippines (**AFP**) and the Philippine National Police (**PNP**)*”.

SECTION 2. DECLARATION OF POLICY. - All Enlisted personnel of the Armed Forces of the Philippines (**AFP**) and the Philippine National Police (**PNP**), who is facing before the prosecutor's office, court, administrative or any

capable body, any charge arising from an incident or incidents in relation to the performance of their official duty shall be entitled to free legal assistance.

Within twenty four **(24)** hours from the official receipt of the information that the officer or enlisted personnel is charged, the Chief of Staff of the AFP, the Chairperson of the National Police Commission (NAPOLCOM) or the Chief of the PNP shall authorize the legal office of their respective agencies, with the assistance of the Public Attorney's Office **(PAO)**, to provide free legal assistance to any/all enlisted personnel of the **AFP** and the **PNP** for the purpose of the immediate succeeding process.

SECTION 3. ANNUAL REPORT. - The **AFP** and the **PNP** shall submit analysis and findings to the office of the President and the Department of Justice **(DOJ)** every year following the effectivity of this Act.

The report shall provide a detailed account of the status of the implementation of this Act and recommended legislation, whenever applicable and necessary.

SECTION 4. APPROPRIATION. - There shall hereby be created a *Free Legal Assistance Fund* to be used exclusively for the implementation of this Act, for Strategic Plan, following, existing government budgeting, prevailing accounting and auditing rules and regulations.

The amount necessary for the effective implementation of this Act shall be sourced from the Legal Defense Fund, funded through the General Appropriations Act **(GAA)**.

SECTION 5. TRANSITORY PROVISION – Existing industries, businesses and offices affected by the implementation of this Act shall be given six **(6)** months transitory period from the effectivity of the IRR or such other period as may be determined, to comply with the requirements of this Act.

SECTION 6. IMPLEMENTING RULES AND REGULATIONS. – The departments and agencies charged with carrying out the provisions of this Act shall, within sixty **(60)** days after the effectivity of this Act, formulate the necessary rules and regulations for its effective implementation.

SECTION 7. REPEALING CLAUSE. – All laws, decrees, executive orders, rules and regulations, or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 8. SEPARABILITY CLAUSE. – If, for any reason, any section or provision of this Act is held unconstitutional or invalid, the other sections or provisions hereof shall not be affected thereby.

SECTION 9. EFFECTIVITY CLAUSE. – This Act shall take effect after fifteen (15) days from its publication in the Official Gazette or in at least two (2) national newspapers of general circulation whichever comes earlier.

Approved,