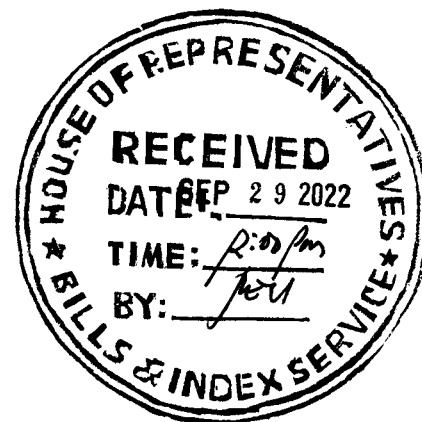




Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

Nineteenth Congress
First Regular Session

HOUSE BILL NO. 5278



Introduced by Representative Khymer Adan T. Olaso

EXPLANATORY NOTE

With the intent to realize a truly effective police disciplinary system, a robust and independent internal affairs body is essential. Having an internal affairs body in the police organization takes heritage from models adopted in the past from other countries, like the United States, Spain, and those from the internal oversight bodies in police organizations of European Union member-states. The Internal Affairs must be independent and impartial so it will be able to fulfill its mandate without the pressure of police traditions, i.e. rank superiority. Taking inspiration from the independence of other bodies, like the Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services, Independent Office for Police Conduct, and the College of Policing of the UK, and the Independent Police Oversight of Kenya, the Internal Affairs (IA) in the Philippines would prove to be more effective in performing its duty to the people when it is fully independent.

Over the years, the Internal Affairs, in its present form as the Internal Affairs Service (IAS), had been efficient in resolving cases under its jurisdiction. It has maintained since 2019 a case resolution efficiency at 99%. These achievements are marred, however, by irrelevance and ineffectiveness since findings are recommendatory. Indeed, the IAS in its present form is institutionally and bureaucratically captured.

An institutionally weak and bureaucratically captured police oversight and disciplining body is detrimental to the task of rebuilding public trust and transforming the PNP for the better. The present IAS must be strengthened and

reformed to ensure that it can exercise its primary jurisdiction over all cases of police misconduct, abuse, and other violations (e.g. those under the ICC jurisdiction), thereby assuring the Philippines of its sovereignty and integrity as a nation-state and complying with international law.

Institutional Standing and Organizational Relations

The proposed successor of the IAS is the Independent Agency for Conduct and Policing Standards (IACOPS) described as an independent, impartial, effective, and efficient institutional guardian of integrity for the PNP. It will be given a clear legal and administrative character as an “agency” as defined in the Administrative Code of 1987.

It enjoys what can be similarly called “embedded autonomy,” where it is intricately tied to the purposes and goals of the primary agency of concern, i.e. the PNP, yet the IACOPS enjoys full independence. This embodies the “arm’s length bodies” principle. As such, the IACOPS is an autonomous agency embedded in the PNP system but independent of the PNP hierarchy. The IACOPS shall directly report to the National Police Commission (NAPOLCOM) en banc and its budget sponsored by the Secretary of the Interior and Local Government.

Moreover, no current and former members of the IACOPS and its predecessors (e.g. IAS, IIAO, etc.) may join the PNP, which aims to avoid familiarity and the compadre or a patron-clientele system.

Powers and Units

The powers listed in the proposed Section 3 were taken from the original provisions with some amendments, adjustments, or clarifications. The powers were grouped into general, special, and other powers for clarity and easy referencing. Salient new powers are:

1. Disciplinary Authority with the power to hear and decide with finality
2. Linkage with the Department of Justice for witness protection
3. Restrictive custody or Preventive Suspension of the respondent
4. In certain instances, as provided, exercise of summary dismissal powers

5. Power to account for the liability of concerned personnel who may delay, fail to heed, or exercise undue discretion on final orders of IACOPS
6. Issuance of Subpoena

The proposed IACOPS have ten (10) component units at the national level.

The Inspection and Audit Service (IAS) covers the IACOPS' function to ensure that the PNP remains effective and efficient in performing its mandate. The Field Operations Service (IIS) covers the IACOPS' investigative power, both *motu proprio* and *non-motu proprio*, including intelligence operations to support the proceedings of the IACOPS.

The Prosecution Service (PS) covers the IA's function to proceed against erring members of the PNP and to assist the Ombudsman or the National Prosecution Service in any case involving the PNP's uniformed members. The Legal Affairs Service (LAS) acts as the overall law arm of the IACOPS, with functions covering summary hearing, legal opinions, legal representation of the IACOPS, among others.

The Governance and Technology Service (GTS) serves as the heart and neural center of technologically aided operations of the IACOPS. Taking off from the present technological advancements undertaken by the IACOPS, the GTS would serve as an important boost. The Integrity and Police Oversight Service (IPOS) takes off from the present Integrity Development Unit of the IAS, which is established as a nucleus for programs and activities focusing on integrity and credibility of the police service. As a new Service, it will be tasked, among others, to focus on the IAS Desk initiative of the present IAS and such other relevant preventive and restorative programs on integrity, as well as best practices worthy of attention and emulation. The Planning and Research Service (PRS) will be the think-tank of the IACOPS in relation to its overall functioning.

The Logistics and Finance Service (LFS) and the Human Resource Service (HRS) will provide the necessary administrative support services.

Finally, the Command Integration Service (CIS) serves as the neural center of the overall command and coordination system of the IACOPS.

The proposed IACOPS will be present nationwide through its six (6) area offices covering Northern Luzon, Southern Luzon, Eastern Visayas, Western Visayas, Eastern Mindanao, and Western Mindanao; regional offices; provincial offices; and, resident oversight and accountability review offices.

The Inspector General and his Authority

The Inspector General (IG), who must be a civilian presidential appointee, shall head the IACOPS. Assisting the Inspector General are the Deputy Inspector General (DIG) and Executive Officer (EX-O). A term limit for the IG is introduced to prevent familiarity. A set of qualifications are also provided to ensure that the IG appointed is best suited for the job. The IG as Chief Executive of the IACOPS exercises ultimate control and supervision over the agency, including all human resource actions and decisions.

Finances and Incentives

The IACOPS enjoys fiscal independence. The provision on career development and incentives is mostly carried over with some amendments only. The payment of the Occupational Specialty Pay (OSP) is retained since it serves as a form of incentive for the IACOPS members to perform well and secures them in a similar way some pays are given to some specialized services. Since the present IAS experienced having its OSP delayed or only subjected to the savings of the entire PNP organization despite the clear statutory mandate, it is proposed that the OSP must be included as a separate line item in the GAA. The continuing education and training provision is amended to mandate the special allocation of quota and not merely prioritization.

Congressional Oversight

The Congressional Oversight Committee for this law shall have 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 Dangerous Drugs of each Chamber, respectively, as joint chairpersons. The three (3) other members representing the House of Representatives, shall be designated by the Speaker of the House of Representatives, while the three (3) other members from the Senate shall be designated by the Senate President. The Minority shall have at least one (1) representative from each Chamber.

An empowered and equipped internal affair is a linchpin in effective law enforcement by the Philippine National Police.

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


KHYMER ADAN T. OLASO
Representative
1st District, Zamboanga City



Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

Nineteenth Congress
First Regular Session

HOUSE BILL NO. 5278

Introduced by Representative Khymer Adan T. Olaso

AN ACT

**STRENGTHENING THE INTERNAL AFFAIRS OF THE PHILIPPINE
NATIONAL POLICE, AMENDING FOR THE PURPOSE CERTAIN
PROVISIONS OF REPUBLIC ACT NO. 8551, OTHERWISE KNOWN
AS THE “PHILIPPINE NATIONAL POLICE REFORM AND
REORGANIZATION ACT OF 1998”**

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

SECTION 1. *Short Title.* – This Act shall be known as the “Internal
Affairs Reform and Reorganization Act.”

SEC. 2. *Declaration of Policy.* – It is the policy of the State to establish a
highly efficient, effective, and competent police force, which is national in
scope, civilian in character, and administered and controlled by the National
Police Commission (NAPOLCOM). As a community and service-oriented law
enforcement agency, the Philippine National Police (PNP) shall promote and
respect human rights and uphold the rule of law in the performance of its
primary functions to maintain peace and order and ensure public safety and
security.

The State shall endeavor to establish and maintain a strengthened internal affairs agency that shall be the primary instrument to measure, enhance, and instill performance and discipline among all PNP units and personnel. The agency shall conduct its investigation and prosecution in an impartial, independent, expeditious, and professional manner, thereby ensuring the citizenry of an unbiased police disciplinary mechanism.

SEC. 3. Section 39, Title V of Republic Act No. 8551, otherwise known as the “Philippine National Police Reform and Reorganization Act of 1998”, is hereby amended to read as follows:

“TITLE V

Internal Affairs [Service]

“Sec. 39. Creation, Powers, and Functions. – An Independent Agency for Conduct and Policing Standards (IACOPS) [An Internal Affairs Service (IAS) of the PNP] is hereby created which shall[:] BE AN INDEPENDENT, IMPARTIAL, EFFECTIVE, AND EFFICIENT INSTITUTIONAL GUARDIAN OF INTEGRITY FOR THE PNP.

THE IACOPS SHALL EXERCISE THE FOLLOWING POWERS
AND FUNCTIONS:

I. GENERAL FUNCTIONS

a. [pro-actively conduct inspections and audits on PNP personnel and units] INSPECT AND AUDIT MEMBERS AND UNITS OF THE PNP;

1
2 b. investigate [complaints and gather evidence in support of an
3 open investigation] ANY ILLEGAL, UNJUST, IMPROPER OR
4 UNETHICAL ACT OR OMISSION INVOLVING UNIFORMED
5 MEMBERS AND UNITS OF THE PNP;
6

7 c. MONITOR AND INVESTIGATE THE LIFESTYLE OF
8 AND UNEXPLAINED ACCUMULATION OF WEALTH, HAVING
9 NO CREDIBLE PURPOSE OR ORIGIN, UNDERLYING TRADE
10 OBLIGATION OR CONTRACT, BY UNIFORMED MEMBERS OF
11 THE PNP;
12

13 d. [conduct summary hearings on] HEAR AND DECIDE
14 WITH FINALITY THE ADMINISTRATIVE CASES FILED AGAINST
15 UNIFORMED MEMBERS OF THE PNP [members] facing
16 administrative charges;
17

18 e. Release [Submit] a [periodic] report on the assessment,
19 analysis and evaluation of the character and behavior of the PNP
20 personnel and units [to the Chief, PNP and the Commission];
21

22 f. file appropriate criminal cases against PNP members before
23 the court as evidence and assist in the prosecution of the case;
24

25 g. [provide assistance to] ASSIST the Office of the
26 Ombudsman in cases involving the [personnel] UNIFORMED
27 MEMBERS of the PNP.”
28

1 II. SPECIAL FUNCTIONS: The [IAS] IACOPS shall also conduct, motu
2 proprio, automatic investigation of the following [cases] INCIDENTS
3 WHERE:

4
5 a. [incidents where a police personnel discharges a firearm] A
6 UNIFORMED MEMBER OF THE PNP UNLAWFULLY discharges a
7 firearm;

8
9 b. [incidents where] death, serious physical injury, or any
10 violation of human rights occurred DURING, IN CONNECTION WITH,
11 OR AS A RESULT OF the conduct of a police operation;

12
13 c. [incidents where] evidence was compromised, tampered
14 with, obliterated, or lost while in the custody of police personnel;

15
16 d. [incidents where] a suspect in the custody of the police DIES
17 OR was seriously injured; [and]

18
19 e. [incidents where] the [established rules of engagement] PNP
20 OPERATIONAL PROCEDURES have been violated; AND

21
22 f. INCIDENTS WHERE THERE IS PRIMA FACIE
23 EVIDENCE TO BELIEVE THAT A POLICE PERSONNEL HAS
24 COMMITTED A CRIME IN THE PERFORMANCE OF HIS OR HER
25 DUTIES.

26
27 III. OTHER FUNCTIONS

1
2 A. [Finally, the IAS] THE IACOPS shall provide documents or
3 recommendations as regards [to] the promotion of the members of the
4 PNP or the assignment of [PNP personnel] UNIFORMED MEMBERS
5 OF THE PNP to any key position;
6

7 B. THE IACOPS SHALL RECOMMEND TO THE
8 DEPARTMENT OF JUSTICE (DOJ) THE PROTECTION OF
9 WITNESSES WHO ARE VITAL TO THE CONDUCT OF
10 INVESTIGATION AND EFFECTIVE PROSECUTION OF
11 UNIFORMED MEMBERS OF THE PNP FACING AN
12 ADMINISTRATIVE OR CRIMINAL CASE;
13

14 C. THE IACOPS MAY DIRECT ANY PNP COMMANDER,
15 SUPERIOR, OR SUPERVISOR TO PLACE ANY RESPONDENT
16 UNDER RESTRICTIVE CUSTODY PENDING INVESTIGATION ON
17 ALLEGED COMMISSION OF SERIOUS OR GRAVE CRIMES OR
18 OFFENSES; AND
19

20 D. UPON FILING OF A FORMAL CHARGE, THE IACOPS
21 MAY, MOTU PROPRIO OR UPON MOTION OF THE
22 COMPLAINING PARTY, ORDER THE PREVENTIVE SUSPENSION
23 OF ANY POLICE PERSONNEL FOR A PERIOD NOT EXCEEDING
24 NINETY (90) DAYS, UPON ANY OF THE FOLLOWING GROUNDS:
25

26 1) THAT THE EVIDENCE OF GUILT AGAINST THE
27 RESPONDENT IS STRONG, AND THAT HE OR SHE MAY
28 UNDULY INFLUENCE THE COURSE OF THE

1 INVESTIGATION OR TAMPER WITH THE EVIDENCE TO BE
2 ADDUCED AGAINST HIM OR HER; OR

3
4 2) THAT THERE IS EVIDENCE TO SHOW THAT
5 RESPONDENT IS HARASSING, INTIMIDATING, COERCING
6 OR UNDULY INFLUENCING THE COMPLAINANT OR ANY
7 OF HIS OR HER WITNESSES INTO WITHDRAWING THE
8 CHARGE FILED AGAINST THE RESPONDENT.

9
10 E. AS A DISCIPLINARY AUTHORITY IN THE PNP, THE
11 IACOPS, AFTER DUE NOTICE AND HEARING, MAY
12 IMMEDIATELY REMOVE OR DISMISS ANY UNIFORMED
13 MEMBER OF THE PNP IN ANY OF THE FOLLOWING CASES:

14
15 1) WHEN THE CHARGE IS SERIOUS, AND THE
16 EVIDENCE OF GUILT IS STRONG;

17
18 2) WHEN THE RESPONDENT IS A RECIDIVIST OR
19 HAS BEEN REPEATEDLY CHARGED AND THERE ARE
20 REASONABLE GROUNDS TO BELIEVE THAT HE OR SHE
21 IS GUILTY OF THE CHARGES; AND

22
23 3) WHEN THE RESPONDENT IS GUILTY OF A
24 SERIOUS OFFENSE INVOLVING CONDUCT UNBECOMING
25 OF A POLICE OFFICER.

26
27 THE CONCERNED PERSONNEL SHALL
28 IMMEDIATELY IMPLEMENT THE SAID ORDERS IN ITEMS

1 (C) AND (D). ANY CONCERNED PERSON WHO FAILS TO
2 ABIDE BY THE ORDERS OR UNDULY LIFTS THEM SHALL
3 BE MADE LIABLE FOR GROSS NEGLIGENCE OF DUTY.
4

5 IN THE EXERCISE OF THE FOREGOING FUNCTIONS,
6 THE INSPECTOR GENERAL (IG) OR THE IACOPS
7 REGIONAL DIRECTOR (RD), AS THE CASE MAY BE, HAS
8 THE POWER TO ISSUE SUBPOENA.
9

10 SEC. 4. Section 40, Title V of R.A. No. 8551 is hereby amended to read
11 as follows:
12

13 "Sec. 40. Organization. – [National, regional and provincial offices
14 of the Internal Affairs shall be established. Internal Affairs Service shall
15 be headed by an Inspector General who shall be assisted by a Deputy
16 Inspector General. The area offices shall be headed by a Director while
17 the provincial offices shall be headed by a Superintendent: Provided, That
18 the head of the Internal Affairs Service shall be a civilian who shall meet
19 the qualification requirements provided herein. The Commission shall
20 establish a rationalized staffing pattern in the Reorganization Plan as
21 provided for in Section 13 hereof.]
22

23 THE IACOPS SHALL BE AN AUTONOMOUS AGENCY
24 EMBEDDED IN THE PNP SYSTEM; PROVIDED, THAT IT SHALL
25 BE INDEPENDENT OF THE PNP HIERARCHY; PROVIDED
26 FURTHER, THAT IACOPS SHALL DIRECTLY REPORT TO THE

1 NATIONAL POLICE COMMISSION (NAPOLCOM) EN BANC AND
2 ITS BUDGET SPONSORED BY THE SECRETARY OF THE
3 INTERIOR AND LOCAL GOVERNMENT, SUBJECT TO THE
4 PROVISIONS OF SECTION 17 HEREOF.

5
6 THE IACOPS SHALL SIT AND PARTICIPATE DURING THE
7 COMMAND CONFERENCES AND OTHER RELEVANT
8 ACTIVITIES AND MEETINGS OF THE PNP, AND THAT THE
9 IACOPS MAY REQUIRE THE PNP TO SUBMIT REPORTS AND
10 UPDATES ON THE CURRENT EVENTS AND PERTINENT
11 MATTERS OF THE POLICE SERVICE.

12
13 THE IACOPS SHALL BE HEADED BY AN INSPECTOR
14 GENERAL (IG), WHO MUST BE A CIVILIAN, AND SHALL BE
15 ASSISTED BY A DEPUTY INSPECTOR GENERAL (DIG) WITH
16 THE RANK EQUIVALENT TO A POLICE MAJOR GENERAL AND
17 AN EXECUTIVE OFFICER (EX-O) WITH THE RANK
18 EQUIVALENT TO A POLICE BRIGADIER GENERAL.

19
20 THERE SHALL BE A NATIONAL IACOPS OFFICE THAT
21 SHALL HAVE THE FOLLOWING FUNCTIONAL SERVICES,
22 HEADED BY CHIEFS WHO MAY BE UNIFORMED OR CIVILIAN
23 PERSONNEL WITH SUCH RANK EQUIVALENT TO A POLICE
24 COLONEL:

1 1. INSPECTION AND AUDIT SERVICE (IAS), WHICH
2 SHALL INSPECT, AUDIT, AND MONITOR THE CHARACTER
3 DEVELOPMENT, STATE OF DISCIPLINE, PERFORMANCE OF
4 PERSONNEL, OPERATIONAL READINESS AND OVERALL
5 EFFECTIVENESS AND EFFICIENCY OF MEMBERS AND UNITS
6 OF THE PNP AND THEIR PROGRAMS, PROJECTS, AND
7 ACTIVITIES;
8

9 2. FIELD OPERATIONS SERVICE (FOS), WHICH SHALL
10 CONDUCT INVESTIGATION AND EXERCISE GENERAL POWER
11 OF ARREST; AND COLLECT PERTINENT INFORMATION ON
12 DEROGATORY AND ILLEGAL ACTIVITIES OF UNIFORMED
13 MEMBERS OF THE PNP AND ITS SUBSEQUENT CONVERSION
14 INTO USEFUL INTELLIGENCE ON THE UNIFORMED MEMBERS
15 AND UNITS OF THE PNP;
16

17 3. PROSECUTION SERVICE (PS), WHICH SHALL
18 CONDUCT PRELIMINARY INVESTIGATION OR EXAMINATION
19 AND PROSECUTION OF BOTH ADMINISTRATIVE AND
20 CRIMINAL CASES; AND ASSIST THE OFFICE OF THE
21 OMBUDSMAN AND THE NATIONAL PROSECUTION SERVICE
22 AND THEIR CONSTITUENT OFFICES IN CASES INVOLVING THE
23 UNIFORMED MEMBERS OF THE PNP;
24

25 4. LEGAL AFFAIRS SERVICE (LAS), WHICH SHALL
26 PROVIDE EFFICIENT, EFFECTIVE, AND SPEEDY SUMMARY
27 HEARING OF ADMINISTRATIVE CASES; DRAFT OR STUDY
28 CONTRACTS; RENDER LEGAL OPINIONS ARISING FROM THE

1 ADMINISTRATION AND OPERATIONS OF THE IACOPS; AND
2 SERVE AS THE LEGAL COUNSEL OF THE IACOPS;
3

4 5. INTEGRITY AND POLICE OVERSIGHT SERVICE
5 (IPOS), WHICH SHALL PROVIDE THE NECESSARY SUPPORT,
6 PROGRAMS, AND ACTIVITIES TO ENSURE TRANSPARENCY
7 AND ACCOUNTABILITY, TO RESTORE VALUES, DISCIPLINE,
8 AND PERFORMANCE OF THE UNIFORMED MEMBERS OF THE
9 PNP, AND TO IMPROVE POLICE SERVICES AND INTEGRITY;
10 AND OVERSEE THE INTERNAL AFFAIRS DESKS AND RESIDENT
11 OVERSIGHT AND ACCOUNTABILITY REVIEW OFFICES AND
12 PROVIDE WHISTLEBLOWING SYSTEM AND ALTERNATIVE
13 CHANNELS TO REPORT POLICE IRREGULARITIES AND
14 ANOMALIES;
15

16 6. PLANNING AND RESEARCH SERVICE (PRS), WHICH
17 SHALL PROVIDE TECHNICAL SERVICES IN AREAS OF
18 OVERALL POLICY FORMULATION, STRATEGIC AND
19 OPERATIONAL PLANNING, MANAGEMENT SYSTEMS,
20 ORGANIZATIONAL DEVELOPMENT, COMMUNICATIONS,
21 COORDINATION AND COOPERATION, INTERNAL CONTROL,
22 AND DESIGN, MONITORING, AND EVALUATION OF
23 PROGRAMS, PROJECTS, AND INTERNAL OPERATIONS OF THE
24 IACOPS;
25

26 7. LOGISTICS AND FINANCE SERVICE (LFS), WHICH
27 SHALL PROVIDE PLANS AND PROGRAMS AND FORMULATE
28 POLICIES AND PROCEDURES REGARDING ACQUISITION,
29 INVENTORY, CONTROL, DISTRIBUTION, MAINTENANCE AND

1 DISPOSAL OF SUPPLIES AND RECORDS, AND SHALL OVERSEE
2 THE IMPLEMENTATION OF PROGRAMS ON TRANSPORTATION.
3 FACILITIES AND INSTALLATIONS, AND THE PROCUREMENT
4 AND MAINTENANCE OF SUPPLIES AND EQUIPMENT; AND
5 FINANCE WHICH SHALL PROVIDE ADVICE AND ASSISTANCE
6 ON BUDGETARY AND FINANCIAL MATTERS, INCLUDING THE
7 PROCESSING AND DISBURSEMENT OF FUNDS;

8
9 8. HUMAN RESOURCE SERVICE (HRS), WHICH SHALL
10 PROVIDE SERVICES RELATED TO RECRUITMENT,
11 PROMOTION, TALENT AND CAPACITY DEVELOPMENT,
12 CAREER PLANNING AND DEVELOPMENT, PERSONNEL
13 TRANSACTIONS, AND EMPLOYEE WELFARE AND DISCIPLINE;

14
15 9. GOVERNANCE AND TECHNOLOGY SERVICE (GTS),
16 WHICH SHALL RESPOND TO THE URGENT NEED OF THE
17 IACOPS FOR EXECUTIVE STRATEGY DEVELOPMENT,
18 TECHNOLOGY MANAGEMENT, SYSTEMS UPGRADING, AND
19 PRODUCTIVITY IMPROVEMENT. IT SHALL LIKEWISE BE
20 RESPONSIBLE FOR THE DESIGN, DEVELOPMENT,
21 IMPLEMENTATION, AND MAINTENANCE OF INTERNAL
22 CONTROLS, PROFESSIONAL RESPONSIBILITY STANDARDS,
23 INFORMATION SYSTEMS, AND OTHER GOVERNANCE AND
24 TECHNOLOGY PLATFORMS; AND,

25
26 10. COMMAND INTEGRATION SERVICE (CIS), WHICH
27 SHALL BE THE SECRETARIAT OF THE IACOPS COMMAND AND
28 THE CHIEF COORDINATING CENTER BETWEEN THE
29 NATIONAL IACOPS AND ITS FIELD OFFICES.

1 THERE SHALL BE SIX (6) AREA OFFICES COVERING
2 NORTHERN LUZON, SOUTHERN LUZON, EASTERN VISAYAS,
3 WESTERN VISAYAS, EASTERN MINDANAO, AND WESTERN
4 MINDANAO. EACH OFFICE SHALL BE HEADED BY AN AREA
5 COMMANDER WITH THE RANK EQUIVALENT TO A POLICE
6 BRIGADIER GENERAL. THE AREA COMMANDER SHALL
7 EXERCISE GENERAL AND DIRECT SUPERVISION OVER THE
8 REGIONAL OFFICES WITHIN THEIR AREA OF RESPONSIBILITY:
9 PROVIDED THAT THE REGIONAL OFFICE FOR THE NATIONAL
10 CAPITAL REGION (NCR) SHALL BE AUTONOMOUS FROM ANY
11 AREA OFFICE.

12
13 THERE SHALL BE A REGIONAL OFFICE FOR EACH
14 ADMINISTRATIVE REGION, WHICH SHALL BE HEADED BY A
15 REGIONAL DIRECTOR, WHO MAY BE UNIFORMED OR
16 CIVILIAN, WITH SUCH RANK EQUIVALENT TO A POLICE
17 COLONEL, EXCEPT FOR THE REGIONAL DIRECTOR OF THE
18 NATIONAL CAPITAL REGION (NCR) WHO SHALL HAVE SUCH
19 RANK EQUIVALENT TO A POLICE BRIGADIER GENERAL. THE
20 REGIONAL DIRECTOR SHALL EXERCISE GENERAL AND
21 DIRECT SUPERVISION OVER THE PROVINCIAL OFFICES
22 WITHIN THEIR AREA OF RESPONSIBILITY.

23
24 THERE SHALL BE A PROVINCIAL OFFICE FOR EACH
25 PROVINCE, WHICH SHALL BE HEADED BY A PROVINCIAL
26 DIRECTOR, WHO MAY BE UNIFORMED OR CIVILIAN, WITH
27 SUCH RANK EQUIVALENT TO POLICE LIEUTENANT COLONEL.

1
2 THERE SHALL BE A RESIDENT OVERSIGHT AND
3 ACCOUNTABILITY REVIEW OFFICE IN SUCH AREA OR PNP
4 UNIT AS THE IACOPS MAY DETERMINE, SUBJECT TO THE
5 NAPOLCOM EN BANC'S APPROVAL.

6
7 SEC. 5. Section 41, Title V of R.A. No. 8551 is hereby amended to read
8 as follows:

9
10 “Sec. 41. [Appointments.] QUALIFICATION AND TERM OF
11 OFFICE OF THE INSPECTOR GENERAL – The Inspector General
12 (IG) shall be appointed by the President upon the recommendation of the
13 [Director General and duly endorsed by the Commission] SECRETARY
14 OF THE INTERIOR AND LOCAL GOVERNMENT. [Appointments of
15 personnel who shall occupy various positions shall be made by the IG and
16 shall be based on an established career pattern and criteria to be
17 promulgated by the Commission.]

18
19 THE IG SHALL SERVE FOR A TERM OF SIX (6) YEARS
20 WITHOUT REAPPOINTMENT, OR UPON REACHING THE
21 COMPULSORY RETIREMENT AGE OF SIXTY-FIVE (65) YEARS
22 OLD, WHICHEVER COMES FIRST, AND MUST BE:

23
24 a. A CITIZEN OF THE PHILIPPINES;

1 b. A MEMBER OF THE PHILIPPINE BAR IN GOOD
2 STANDING, WITH AT LEAST TEN (10) YEARS OF EXPERIENCE
3 IN HANDLING CRIMINAL OR ADMINISTRATIVE CASES;

4 c. FROM THE CIVILIAN SECTOR WHO IS NEITHER AN
5 ACTIVE NOR FORMER MEMBER OF THE POLICE OR MILITARY;
6 AND

7 d. CREDIBLE EXPERIENCE OR ACADEMIC
8 BACKGROUND IN PUBLIC ADMINISTRATION, CRIMINOLOGY,
9 CRIMINAL JUSTICE, AND OTHER RELATED DISCIPLINES.”
10

11 SEC. 6. Section 42, Title V of R.A. No. 8551 is hereby amended to read
12 as follows:

13
14 “Sec. 42. Entry Qualifications AND APPOINTMENTS to [IAS]
15 THE IACOPS. – Entry OR TRANSFER to the [Internal Affairs Service]
16 IACOPS from the PNP shall be voluntary and subject to rigid screening
17 where only PNP personnel who have at least five (5) years’ experience in
18 [law enforcement] POLICE INVESTIGATION, and who have no
19 derogatory service records shall be considered for appointment: Provided,
20 That members of the Bar may enter the service laterally.
21

22 WITHOUT PREJUDICE TO THE PROVISIONS OF OTHER
23 EXISTING LAWS, appointments of ALL UNIFORMED AND
24 CIVILIAN personnel who shall occupy various positions AND ALL
25 HUMAN RESOURCE ACTIONS IN THE IACOPS shall be made by the
26 IG and shall be based on [an established career pattern and] THE

1 APPLICABLE QUALIFICATION STANDARDS AND criteria to be
2 promulgated by the [Commission] NAPOLCOM.

3
4 THE IACOPS SHALL HAVE ITS OWN LATERAL ENTRY
5 QUOTA FOR LAWYERS.”

6
7 SEC. 7. Sec. 43, Title V of R.A. No. 8551 is hereby amended to read as
8 follows:

9
10 “Sec. 43. Initial Appointments to the IACOPS offices. – Initial
11 appointments of the heads of the offices in the [Internal Affairs Service]
12 IACOPS shall be made by the President upon recommendation by the
13 incumbent IG and as endorsed by the [Commission] NAPOLCOM.
14 Thereafter, appointments and promotions [to] IN the Service shall [follow
15 the established requirements and procedures] be made by the IG.”

16
17 SEC. 8. Sec. 44, Title V of R.A. No. 8551 is hereby amended to read as
18 follows:

19
20 “Sec. 44. Promotions. – [The Commission shall establish the
21 promotion system within the IAS which] PROMOTIONS IN THE
22 IACOPS shall [follow the general principles of the promotion system in
23 the PNP] HAVE THE IG AS THE APPROVING AND/OR
24 APPOINTING AUTHORITY.”

1 SEC. 9. Sec. 45, Title V of R.A. No. 8551 is hereby amended to read as
2 follows:

3
4 “Sec. 45. Prohibitions. – [Any personnel who joins the IAS may
5 not thereafter join] ALL CURRENT AND FORMER MEMBERS OF
6 THE IACOPS AND ITS PREDECESSORS SHALL BE BARRED
7 FROM JOINING any [other] unit of the PNP. [Neither shall any
8 personnel of the IAS be allowed to sit in a committee deliberating on the
9 appointment, promotion, or assignment of any PNP personnel.]”

10
11 SEC. 10. Sec. 46, Title V of R.A. No. 8551 is hereby amended to read as
12 follows:

13
14 “Sec. 46. Career Development and Incentives. – (1) Personnel of
15 the [Internal Affairs Service] IACOPS shall in addition to other PAY
16 AND allowances authorized under existing laws be granted occupational
17 specialty pay which shall [not exceed] AMOUNT TO fifty percent (50%)
18 of their basic pay. IT SHALL BE INCLUDED AS A SEPARATE LINE
19 ITEM IN THE GENERAL APPROPRIATIONS ACT (GAA). This pay
20 shall be considered neither a double compensation nor a forfeiture of
21 other remuneration and allowances allowed under existing laws.

22
23 (2) [IAS members] IACOPS PERSONNEL shall [also have
24 priorities in the] BE ALLOCATED a quota [allocation] BY THE
25 NAPOLCOM for training and education, BOTH LOCAL AND
26 FOREIGN, AS PART OF CAREER ADVANCEMENT.

1
2 (3) THE IACOPS SHALL DEVELOP ITS OWN CAREER
3 DEVELOPMENT AND PATTERN TO BE APPROVED AND
4 PROMULGATED BY THE NAPOLCOM.”

5
6 SEC. 11. Sec. 47, Title V of R.A. No. 8551 is hereby amended to read as
7 follows:

8
9 “Sec. 47. Records Management of the [IAS] IACOPS. – [Local
10 Internal Affairs Offices] THE IACOPS shall [be responsible for the
11 maintenance and update of the] HAVE SOLE CONTROL OVER ITS
12 OWN records. IACOPS OFFICES SHALL ALSO MAINTAIN AND
13 UPDATE THE PROFILE AND CASE RECORDS of the UNIFORMED
14 members of the PNP within their jurisdiction. THE IACOPS SHALL
15 NOT BE DENIED ACCESS BY ANY PNP UNIT HEAD/CHIEF,
16 UPON REQUEST OF DOCUMENTS FOR THIS PURPOSE.

17
18 [“When a PNP personnel is reassigned or transferred to another
19 location or unit outside the jurisdiction of the current Internal Affairs
20 Office, the original records of such personnel shall be transferred over to
21 the Internal Affairs Office that will acquire jurisdiction over the
22 transferred personnel while copies will be retained by the former Internal
23 Affairs Office. In cases where a PNP personnel has been relieved of
24 his/her position and has not been given an assignment, the Internal
25 Affairs Office where the person has been assigned last shall continue to
26 have jurisdiction over his or her records until such time that the officer or

1 member shall have been given a new assignment where the records will
2 be forwarded to the Internal Affairs Office acquiring jurisdiction over the
3 PNP personnel.”]”

4
5 SEC. 12. Sec. 48, Title V of R.A. No. 8551 is hereby amended to read as
6 follows:

7
8 “Sec. 48. Inclusion of Supervisors and Superiors in [IAS]
9 Investigations. – The immediate superior or supervisor of the personnel
10 or units being investigated [under the preceding section] shall be
11 automatically included in the investigation to determine POSSIBLE
12 INVOLVEMENT IN THE COMMISSION OR OMISSION AND lapses
13 in administration or supervision.”

14
15 SEC. 13. Section 49, Title V of R.A. No. 8551 is hereby repealed and a
16 new section is hereby inserted to read as follows:

17
18 “SEC. 49. DECISIONS OF THE IACOPS. – THE DECISIONS
19 OF THE IACOPS IN CASES FALLING UNDER ITS JURISDICTION
20 SHALL BE FINAL AND IMMEDIATELY EXECUTORY PENDING
21 APPEAL: *PROVIDED*, THAT DECISIONS OF THE IG MAY BE
22 APPEALED TO THE SECRETARY OF THE INTERIOR AND LOCAL
23 GOVERNMENT.

1 ANY CONCERNED PERSONNEL OF THE PNP UNIT OR
2 OFFICE WHO ACTS WITH ABUSE OF DISCRETION ON THE
3 IACOPS DECISION, OR WHO FAILS TO IMPLEMENT OR DELAYS
4 THE IMPLEMENTATION OF THE SAID DECISION WITHIN TEN
5 (10) DAYS FROM RECEIPT THEREOF SHALL BE MADE LIABLE
6 FOR GROSS NEGLIGENCE OF DUTY.

7
8 DECISIONS SHALL BECOME FINAL AFTER TEN (10) DAYS
9 FROM RECEIPT OF A COPY THEREOF BY THE RESPONDENT, IF
10 NO PROPER MOTION FOR RECONSIDERATION OR APPEAL IS
11 FILED WITHIN THE SAID PERIOD.”

12
13 SEC. 14. Sec. 50, Title V of R.A. No. 8551 is hereby repealed and a new
14 section is hereby inserted to read as follows:

15
16 “SEC. 50. INTERNAL PROCEDURES AND APPEALS. – THE
17 IACOPS SHALL PROMULGATE ITS OWN INTERNAL RULES AND
18 REGULATIONS, INCLUDING APPEALS: PROVIDED, HOWEVER,
19 THAT SUCH RULES AND REGULATIONS SHALL CONFORM TO
20 THE RULES OF PROCEDURE TO BE OBSERVED BY ALL
21 DISCIPLINARY AUTHORITIES OF THE PNP AND APPELLATE
22 BODIES, AS PROMULGATED BY THE NAPOLCOM.”

23
24 SEC. 15. Sec. 53, Title VI of R.A. No. 8551 is hereby amended to read as
25 follows:

26 “Title VI

Disciplinary Mechanisms

Sec. 53. Sec. 42 of Republic Act No. 6975 is hereby amended to read as follows:

“Sec. 42. Summary Dismissal Powers of the National Police Commission, INDEPENDENT OFFICE FOR CONDUCT AND POLICING STANDARDS (IACOPS), PNP Chief, and PNP Regional Directors. – The National Police Commission, THE IACOPS, the Chief of the PNP and PNP regional directors, after due notice and summary hearings, may immediately remove or dismiss any respondent PNP member in any of the following cases:

“(a) xxx

(b) xxx

(c) xxx

“xxx...”

SEC. 16. *Complaints against IACOPS officials and members.* — Sec. 51, Title V of R.A. No. 8551 is hereby amended to read as follows:

“Sec. 51. Complaints against the [IAS] IACOPS. A complaint against any personnel or office of [IAS] the IACOPS shall be brought to the [Inspector General’s Office] OFFICE OF THE INSPECTOR GENERAL or to the NATIONAL POLICE Commission, as may be appropriate.”

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SEC. 17. *Appropriations.* – The amount necessary to carry out the provisions of this Act is hereby authorized to be appropriated in the General Appropriations Act (GAA) of the year following its enactment into law, and every year thereafter. The funds for the Occupational Safety Pay shall be included under a specific item in the annual GAA.

SEC. 18. *Fiscal Independence.* – In order to strengthen its fiscal independence, the IACOPS shall have an automatic, direct, and regular release of funds based on the approved annual general appropriations, subject to the existing rules and regulations on auditing and accounting of the Commission on Audit. The IACOPS shall likewise have its own budget to be administered by its own Finance, Budget and Management, and Accounting Offices.

SEC. 19. *Congressional Oversight Committee.* – There is hereby created a Congressional Oversight Committee upon the effectivity of this Act to monitor and oversee the implementation of its provisions. 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 Dangerous Drugs of each Chamber, respectively, as joint chairpersons. The three (3) other members representing the House of Representatives, shall be designated by the Speaker of the House of Representatives, while the three (3) other members from the Senate shall be designated by the Senate President. The Minority shall have at least one (1) representative from each Chamber.

1 SEC. 20. *Implementing Rules and Regulations.* – Within ninety (90) days
2 from the approval of this Act, the DILG and the Department of Budget and
3 Management (DBM) shall, in coordination with the Civil Service Commission,
4 NAPOLCOM, PNP Internal Affairs Service and the Chief, PNP, promulgate the
5 rules and regulations necessary to implement this Act.

6
7 SEC. 21. *Transitory Clause.* – The incumbent IG, who shall continue to
8 hold the said office for an additional period of two (2) years after his present
9 term, shall implement the provisions of this Act for the said period. The
10 qualifications and term limit of the IG under Sec. 5 hereof shall only apply to
11 the appointees succeeding the incumbent IG.

12
13 SEC. 22. *Separability Clause.* – If any part, section or provision of this
14 Act is declared invalid or unconstitutional, the section or provisions which are
15 not affected shall remain valid and subsisting.

16
17 SEC. 23. *Repealing Clause.* – All laws, decrees, ordinances, rules,
18 regulations, other issuances or parts thereof that are inconsistent with this Act
19 are hereby repealed or modified accordingly.

20
21 SEC. 24. *Effectivity.* – This Act shall take effect fifteen (15) days after its
22 complete publication in the Official Gazette or in a newspaper of general
23 circulation.

24
25 *Approved,*