

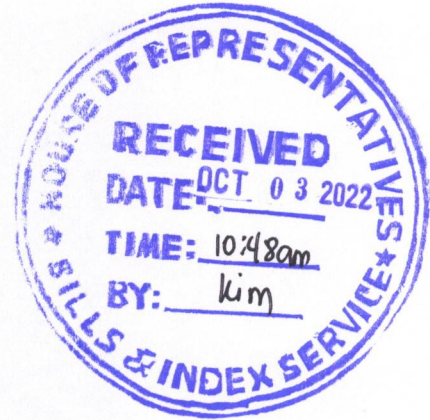


Republic of the Philippines
House of Representatives
Quezon City

NINETEENTH CONGRESS

First Regular Session

House Bill No. **5313**



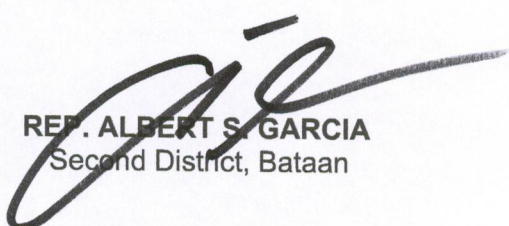
Introduced by Representative Albert S. Garcia

EXPLANATORY NOTE

This measure aims to provide a new rank classification for the Bureau of Fire Protection (BFP) and Bureau of Jail Management and Penology (BJMP) by amending Republic Act (RA) 9263 otherwise known as the "Bureau of Fire Protection and Bureau of Jail Management and Penology Professionalization Act of 2004."

Said amendment is meant to align the BJMP and BFP with other uniformed services and similar bureaus, whose rank classifications are higher and provide greater compensation and recognition. By introducing such alignment, it is the aim of this measure to further strengthen the said bureaus in the fulfilment of their respective mandates.

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


REP. ALBERT S. GARCIA
Second District, Bataan



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AN ACT

PROVIDING FOR RANK STRUCTURE UPGRADE AND RECLASSIFICATION IN THE BUREAU OF FIRE PROTECTION (BFP) AND THE BUREAU OF JAIL MANAGEMENT AND PENOLOGY (BJMP) AMENDING FOR THE PURPOSE CERTAIN PROVISIONS OF REPUBLIC ACT No. 9263, OTHERWISE KNOWN AS "THE BUREAU OF FIRE PROTECTION AND BUREAU OF JAIL MANAGEMENT AND PENOLOGY PROFESSIONALIZATION ACT OF 2004", AND FOR OTHER PURPOSES.

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

SECTION 1. Section 3 of Republic Act No. 9263 is hereby amended to read as follows:

"SECTION 3. Organization and Key positions of the BFP and the BJMP. - The BFP and the BJMP shall be headed by a Chief who shall be assisted by two (2) Deputy Chiefs, one (1) for Administration and one (1) for Operations, all of whom shall be appointed by the President upon recommendation of the Secretary of the DILG from among the qualified officers with at least the rank of Brigadier General in the service. Provided, that in no case shall any officer who has retired or is retriabable within six (6) months from his/her compulsory retirement age be appointed as Chief of the Fire Bureau or Chief of the Jail Bureau, as the case may be. *Provided, further,* that the Chief of the Fire Bureau and the Chief of the Jail Bureau, **WITH AN UPGRADED RANK AS HEREIN PROVIDED** shall serve a tour of duty not to exceed four (4) years: *Provided, however,* that in times of war or other national emergency declared by Congress, the President may extend such tour of duty.

The Heads of the BFP and the BJMP with the rank of [director shall have the position title of Chief of the Fire Bureau and the Chief of the Jail Bureau, respectively] **FIRE/JAIL GENERAL SHALL HAVE THE POSITION TITLE OF CHIEF, BFP AND THE CHIEF, BJMP, RESPECTIVELY.** The second officers in

1 command of the BFP and the BJMP with the rank of [chief superintendent]
2 **FIRE/JAIL LIEUTENANT GENERAL** shall have the position title of Deputy Chief
3 for Administration of the Fire Bureau and Deputy Chief for Administration of the
4 Jail Bureau, respectively. The third officers in command of the BFP and the
5 BJMP with the rank of [chief superintendent] **FIRE/JAIL LIEUTENANT**
6 **GENERAL** shall have the position title of Deputy Chief for Operations of the Fire
7 Bureau and the Deputy Chief for Operations of the Jail Bureau, respectively. The
8 fourth officers in command of the BFP and the BJMP with the rank of [chief
9 superintendent] **FIRE/JAIL LIEUTENANT GENERAL** shall have the respective
10 position title of Chief of Directorial Staff of the Fire Bureau and Chief of Directorial
11 Staff of the Jail Bureau, who shall be assisted by the directors of the directorates
12 in the respective national headquarters office. **THE HEADS OF THE VARIOUS**
13 **DIRECTORATES WITH THE POSITION TITLE OF THE DIRECTORS FOR**
14 **THEIR RESPECTIVE FUNCTIONAL DIRECTORATES SHALL HAVE THE**
15 **RANK OF FIRE/JAIL MAJOR GENERAL.**

16
17 **THE HEADS OF THE MANAGEMENT SUPPORT STAFF SUCH AS, BUT ARE**
18 **NOT LIMITED TO, OFFICE OF THE LEGAL SERVICE, OFFICE OF THE**
19 **LEGISLATIVE LIASION, OFFICE OF HEADQUARTERS SUPPORT SERVICE,**
20 **OFFICE OF THE FINANCE SERVICE, OFFICE OF THE ACCOUNTING**
21 **SERVICE, OFFICE OF THE SUPPLY ACCOUNTABLE OFFICER, OFFICE OF**
22 **THE CHAPLAINCY SERVICE, OFFICE OF THE COMMUNITY RELATIONS**
23 **SERVICE, OFFICE OF THE RETIREMENT AND SEPARATION BENEFITS**
24 **ADMINISTRATION SERVICE, OFFICE OF THE RETIREMENT AND**
25 **SEPARATION BENEFITS ADMINISTRATION SERVICE, SHALL HAVE THE**
26 **RANK OF AT LEAST FIRE/JAIL BRIGADIER GENERAL EXCEPT FOR THE**
27 **HEAD OF OFFICE OF THE INTERNAL AUDIT SERVICE WHO SHALL HAVE**
28 **THE RANK EQUIVALENT OF THE THIRD-RANKING OFFICIAL OF THE BFP**
29 **AND BJMP RESPECTIVELY.**

30
31 **THE HEAD OF THE NATIONAL CAPITAL REGION OF THE FIRE BUREAU**
32 **AND THE JAIL BUREAU WITH THE RANK OF FIRE/JAIL MAJOR GENERAL**
33 **SHALL ASSUME THE POSITION TITLE OF REGIONAL DIRECTOR-NCR.**

34
35 The BFP and the BJMP shall establish, operate and maintain their Regional
36 Offices in each of the administrative regions of the country which shall be
37 respectively headed by a Regional Director for Fire Protection and a Regional
38 Director for Jail Management and Penology with the rank of [senior
39 superintendent] **AT LEAST FIRE/JAIL BRIGADIER GENERAL**. He/she shall be
40 respectively assisted by the following officers with the rank of [superintendent]
41 **FIRE/JAIL COLONEL: [Assistant] DEPUTY** Regional Director for
42 Administration, [Assistant] **DEPUTY** Regional Director for Operations and
43 Regional Chief of Directorial Staff.

44
45 **THE BFP AND BJMP SHALL LIKEWISE, MAINTAIN THEIR RESPECTIVE**
46 **PROVINCIAL OFFICES IN EACH OF THE PROVINCES WHICH SHALL BE**
47 **HEADED BY PROVINCIAL DIRECTORS WITH THE RANK OF FIRE/JAIL**
48 **COLONEL WHO SHALL BE ASSISTED BY A DEPUTY PROVINCIAL**
49 **DIRECTOR FOR ADMINISTRATION AND DEPUTY PROVINCIAL DIRECTOR**
50 **FOR OPERATIONS WITH THE RANK OF FIRE/JAIL LIEUTENANT**
51 **COLONEL."**

SECTION 2. Section 5 of Republic Act No. 9263 is hereby amended to read as follows:

"Section 5. Appointment of Uniformed Personnel to the BFP and BJMP - The appointment of uniformed personnel to the BFP and the BJMP shall be effected in the following manner:

- a) Fire/Jail Officer [I] to [Senior] Fire/Jail [Officer IV] **EXECUTIVE MASTER SERGEANT** - Appointed by the respective Regional Director for Fire Protection and Regional Director for Jail Management and Penology for the regional office uniformed personnel or by the respective Chief of the Fire Bureau and Chief of the Jail Bureau for the national headquarters office uniformed personnel, and attested by the Civil Service Commission (CSC);
- b) Fire/Jail [Inspector] **LIEUTENANT** to Fire/Jail [Superintendent] **LIEUTENANT COLONEL** - Appointed by the respective Chief of the Fire Bureau and Chief of the Jail Bureau, as recommended by their immediate superiors, and attested by the CSC;
- c) Fire/Jail [Senior Superintendent] **COLONEL** - Appointed by the Secretary of the DILG upon recommendation of the respective Chief of the Fire Bureau and Chief of the Jail Bureau, with the proper attestation of the CSC; and
- d) Fire/Jail [Chief Superintendent] **LIEUTENANT GENERAL** to Fire/Jail [General] **DIRECTOR** - Appointed by the President upon, recommendation of the Secretary DILG, with the proper endorsement by the Chairman of the CSC."

SECTION 3. Section 7 of Republic Act No. 9263 is hereby amended to read as follows:

"Section 7- Professionalization and Upgrading of Qualification Standards in the Designation of Uniformed Personnel of the BFP and the BJMP to Key Positions.

- a. No person shall be designated to the following key positions of the BFP unless he/she has met the qualifications provided therein:

1) *Municipal Fire Marshal*. - Should have the rank of [senior inspector] **FIRE MAJOR**, who must have finished at least second-year Bachelor of Laws or earned at least twelve (12) units in a master's degree program in public administration, management, engineering, public safety, criminology or another related discipline from a recognized institution of learning, and must have satisfactorily passed the necessary training of career courses for such position as may be established by the Fire Bureau;

2) *City Fire Marshal*. - Should the rank of [chief inspector] **FIRE LIEUTENANT COLONEL**, who must have finished at least second-year Bachelor of Laws or earned at least twenty-four (24) units in a master's degree program in public administration, management, engineering, public safety, criminology or other related disciplines from

a recognized institution of learning, and must have satisfactorily passed the necessary training or career courses for such position as may be established by the Fire Bureau;

3) *District Fire Marshal, Provincial Fire Marshal, [Assistant] **DEPUTY** Regional Director for Administration, [Assistant] **DEPUTY** Regional Director for Operations and Regional Chief of Directorial Staff.* – Should have the rank of [superintendent] **FIRE COLONEL**, who must be a graduate of Bachelor of Laws or a holder of a master's degree in public administration, management, engineering, public safety, criminology or other related disciplines from a recognized institution of learning, and must have satisfactorily passed the necessary training or career courses for such position as may be established by the Fire Bureau;

[4) *District Fire Marshal for the National Capital Region, Regional Director for the Protection and Director of the Directorate of the National Headquarters Office.* — Should have at least the rank of senior superintendent, who must be a graduate of Bachelor of Laws or a holder of a master's degree in public administration, management, engineering, public safety, criminology or other related disciplines from a recognized institution of learning, and must have satisfactorily passed the necessary training or career courses for such position as may be established by the Fire Bureau;]

4) REGIONAL DIRECTOR AND HEADS OF THE MANAGEMENT STAFF FOR FIRE PROTECTION. – SHOULD HAVE AT LEAST THE RANK OF FIRE BRIGADIER GENERAL, WHO MUST BE A GRADUATE OF BACHELOR OF LAWS OR A HOLDER OF MASTER'S DEGREE IN PUBLIC ADMINISTRATION, MANAGEMENT, ENGINEERING, PUBLIC SAFETY, CRIMINOLOGY OR OTHER RELATED DISCIPLINES FROM A RECOGNIZED INSTITUTION OF LEARNING, AND MUST HAVE SATISFACTORILY PASSED THE NECESSARY TRAINING OF CAREER COURSE FOR SUCH POSITION AS MAY BE ESTABLISHED BY THE FIRE BUREAU;

5) NCR REGIONAL DIRECTOR AND DIRECTOR FOR DIRECTORATES FOR THE FIRE BUREAU – SHOULD HAVE THE RANK OF FIRE MAJOR GENERAL, WHO MUST BE A MEMBER OF THE PHILIPPINE BAR OR A HOLDER OF A MASTER'S DEGREE IN PUBLIC ADMINISTRATION, MANAGEMENT, ENGINEERING, PUBLIC SAFETY, CRIMINOLOGY, OR RELATED DISCIPLINES FROM A RECOGNIZED INSTITUTION OF LEARNING, AND MUST HAVE SATISFACTORILY PASSED THE NECESSARY TRAINING OR CAREER COURSES FOR SUCH AS MAY BE ESTABLISHED BY THE FIRE BUREAU;

[5] **6) Deputy Chief for Administration of the Fire Bureau, Deputy Chief for Operations of the Fire Bureau and Chief Directorial Staff of the Fire Bureau.**– Should have the rank of [chief superintendent] **FIRE**

1 **LIEUTENANT GENERAL**, who must be a member of the Philippine
2 Bar or a holder of a master's degree in public administration,
3 management, engineering, public safety, criminology or other related
4 disciplines from a recognized institution of learning, and must have
5 satisfactorily passed the necessary training or career courses for such
6 as may be established by the Fire Bureau; and

7 [6] 7) *Chief of the Fire Bureau.* – Should have the rank of [senior
8 director] **FIRE GENERAL**, who must be a member of the Philippine
9 Bar or a holder of a master's degree in public administration,
10 management, engineering, public safety, criminology or other related
11 disciplines from a recognized institution of learning, and must
12 satisfactory passed the necessary training or career courses for such
13 position as may be established by the Fire Bureau.

14 b. No person shall be designated to the following key positions of the
15 BJMP unless he/she has met the qualification provided therein:

16 1) *Municipal Jail Warden.* – Should have the rank of [senior inspector]
17 **JAIL MAJOR**, who has finished at least second-year Bachelor of Laws or
18 earned at least twelve (12) units in a master' degree program in
19 management, public administration, public safety, criminology, penology,
20 sociology, national security administration, defense studies, or other
21 related disciplines from a recognized institution of learning, and must have
22 satisfactorily passed the necessary training or career courses for such
23 position as may be established by the Jail Bureau;

24 2) *City Jail Warden.* – Should have the rank of [the chief inspector] **JAIL**
25 **LIEUTENANT COLONEL**, who must have finished at least second-year
26 Bachelor of Laws or earned at least twenty-four (24) units in a master's
27 degree program in management, public administration, public safety,
28 criminology, penology, sociology, national security administration,
29 defense studies or related disciplines from a recognized institution of
30 learning and must satisfactory passed the necessary training or career
31 courses for such position as may be established by the Jail
32 Bureau: *Provided*, That in city jails with a population of one thousand
33 (1,000) or more inmates, the city jail warden shall have the rank and
34 qualification of a district jail warden;

35 3) *District Jail Warden, Provincial Jail Administrator, Deputy Regional*
36 *Director for Administration, Deputy Regional Director for Operations and*
37 *Regional Chief of Directorial Staff.* – Should have the rank of
38 [superintendent] **JAIL COLONEL**, who must be a graduate of Bachelor of
39 Laws or a holder of a master's degree in management, public
40 administration, public safety, criminology, penology, sociology, national
41 security administration, defense studies or other related disciplines from
42 a recognized institution of learning, and must satisfactory passed the
43 necessary training or career courses for such position as may be
44 established by the Jail bureau;

1 4) *Regional Director [for Jail Management and Penology] and [Director of*
2 *the Directorate of the National Headquarters Office]* **HEADS OF THE**
3 **MANAGEMENT SUPPORT STAFF FOR JAIL MANAGEMENT AND**
4 **PENOLOGY** – Should have [at least] the rank of [senior superintendent]
5 **JAIL BRIGADIER GENERAL**, who must be a graduate of Bachelor of
6 Laws or a holder of a master's degree in management, public
7 administration, public safety, criminology, penology, sociology, national
8 security administration, defense studies or other related disciplines from
9 a recognized institution of learning, and must satisfactory passed the
10 necessary training or career courses for such position as may be
11 established by the Jail bureau;

12 **5) NCR REGIONAL DIRECTOR AND DIRECTOR OF DIRECTORATES**
13 **OF NHQ FOR JAIL MANAGEMENT AND PENOLOGY** – SHOULD
14 **HAVE THE RANK OF JAIL MAJOR GENERAL, WHO MUST BE A**
15 **GRADUATE OF BACHELOR OF LAWS OR A HOLDER OF A**
16 **MASTER'S DEGREE IN MANAGEMENT, PUBLIC ADMINISTRATION,**
17 **PUBLIC SAFETY, CRIMINOLOGY, PENOLOGY, SOCIOLOGY,**
18 **NATIONAL SECURITY ADMINISTRATION, DEFENSE STUDIES, OR**
19 **OTHER RELATED DISCIPLINED FROM A RECOGNIZED**
20 **INSTITUTION OF LEARNING, AND MUST HAVE SATISFACTORILY**
21 **PASSED THE NECESSARY TRAINING OR CAREER COURSES FOR**
22 **SUCH POSITION AS MAY BE ESTABLISHED BY THE JAIL BUREAU;**

23 [5] **6) Deputy Chief for Administration of the Jail Bureau, Deputy Chief for**
24 **Operations of the Jail Bureau and Chief of Directorial Staff of the Jail**
25 **Bureau.** – Should have the rank of [chief superintendent] **JAIL**
26 **LIEUTENANT GENERAL**, who must be a member of the Philippine Bar
27 or a holder of a master's degree in management, public administration,
28 public safety, criminology, penology, sociology, national security
29 administration, defense studies or other related disciplines from a
30 recognized institution of learning, and must satisfactory passed the
31 necessary training or career courses for such position as may be
32 established by the Jail bureau; and

33 [6] **7) Chief of the Jail Bureau.** – Should have the rank of [director] **JAIL**
34 **GENERAL**, who must be a member of the Philippine Bar or a holder of a
35 master's degree in management, public administration, public safety,
36 criminology, penology, sociology, national security administration,
37 defense studies or other related disciplines from a recognized institution
38 of learning, and must satisfactory passed the necessary training or career
39 courses for such position as may be established by the Jail bureau.

40 Any uniformed personnel of the BFP and the BJMP who is currently
41 occupying such position but lacks any of the qualifications mentioned therein
42 shall be given three(3) years upon the effectivity of this Act to comply with the
43 requirements, otherwise, he/she shall be relieved from the position.”
44

SECTION 4. Rank Upgrade and Classification and Corresponding Salary Grades – Section 12 of Republic Act No. 9263, is hereby amended to read as follows:

“Sec. 12. **RANK CLASSIFICATION**, Standardization of the Base Pay, Retirement and other benefits of the Uniformed Personnel of the BFP and BJMP- In order to enhance the general welfare, commitment to service and professionalism of the uniformed personnel of the BFP and BJMP, they shall receive the minimum starting salary equivalent to the salary grade level of the corresponding rank classification of their counterparts in the PNP, as provided under Sec 36 of Republic Act No. 8551, and in the AFP, as provided under Section 2 of Republic Act No. 9166.

[The rate of base pay of the uniformed personnel of the BFP and the BJMP shall be adjusted in accordance with the following salary grade schedule:]

FOR PURPOSES OF EFFICIENT ADMINISTRATION, SUPERVISION AND CONTROL, THE RANK CLASSIFICATION WITH ITS CORRESPONDING SALARY GRADES OF THE UNIFORMED PERSONNEL OF THE BFP AND BJMP SHALL BE AS FOLLOWS:

Rank CLASSIFICATION	Salary Grade
Fire/Jail [Director] GENERAL (F/JGEN)	[28] 30
Fire/Jail [Chief Superintendent] LIEUTENANT GENERAL (F/JLTGEN)	[27] 29
Fire/Jail [Senior Superintendent] MAJOR GENERAL (F/JMGEN)	[26] 28
Fire/Jail [Superintendent] BRIGADIER GENERAL (F/JBGEN)	[25] 27
Fire/Jail [Chief Inspector] COLONEL (F/JCOL)	[24] 26
Fire/Jail [Senior Inspector] LIEUTENANT COLONEL (F/JLTCOL)	[23] 25
Fire/Jail [Inspector] MAJOR (F/JMAJ)	[22] 24
[Senior] Fire/Jail [Officer IV] CAPTAIN (F/JCPT)	[19] 23
[Senior] Fire/Jail [Officer III] LIEUTENANT (F/JLT)	[18] 22
[Senior] Fire/Jail [Officer II] EXECUTIVE MASTER SERGEANT (F/JEMS)	[17] 19
[Senior] Fire/Jail [Officer I] CHIEF MASTER SERGEANT (F/JCMS)	[16] 18

Fire/Jail [Officer III] SENIOR MASTER SERGEANT (F/JSMS)	[14] 17
Fire/Jail [Officer II] MASTER SERGEANT (F/JMS)	[12] 16
Fire/Jail [Officer I] STAFF SERGEANT (F/JSS)	[10] 14
FIRE/JAIL CORPORAL (F/JCpl)	12
FIRE/JAIL OFFICER (F/JO)	10

Provided, That all benefits currently received by the uniformed personnel of the BFP and the BJMP under other existing laws shall continue to be received by them: Provided, further, that their retirement pay shall be subject to the adjustment/s based on the prevailing scale of the base pay of the uniformed personnel in the active service."

SECTION 5. Power to administer Oaths - Officers of the BFP/BJMP from the rank of Fire/Jail Lieutenant to Fire/Jail Colonel, in addition to persons authorized to administer oaths as provided under Section 41 of the Administrative Code of 1987 as amended by Section 2 of Republic Act No. 6733, shall have the power to administer oaths on matters which are connected with the performance of their duties.

SECTION 6. Implementing Rules and Regulations - The Department of the Interior and Local Government (DILG) and the Department of Budget and Management (DBM), in coordination with the BFP, BJMP and the CSC, shall promulgate within sixty (60) days the necessary rules and regulations for the effective implementation of this Act.

SECTION 7. Separability Clause - If for any reason, any provision of this Act is declared to be unconstitutional or invalid, the other sections or provisions hereof which are not affected thereby shall continue to be in full force and effect.

SECTION 8. Repealing Clause - All laws, decrees, orders, rules and regulations, and other issuances or parts thereof which are inconsistent with this Act are hereby amended, repealed or modified accordingly.

SECTION 9. Effectivity Clause - This Act shall take effect upon completion of its publication in at least two (2) newspapers of general circulation.

Approved,