

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

Nineteenth Congress
First Regular Session

House Bill No. 7371



**Introduced by Representatives Samier Abubakar Tan and
Shernee A. Tan-Tambut**

EXPLANATORY NOTE

Too often than not, the spirits of the military and the uniformed personnel are dampened by the barrage of cases filed against them by reason of or in connection with the performance of their office or function. This resulted to unnecessary psychological and financial burden on the part of the military and the uniformed personnel considering the cost of competent legal representation. The state should assist the military and the uniformed personnel during these trying times by providing them free access to competent legal service. Through this act, the undersigned proponents intends to fill this need of our the military and the uniformed personnel.


Samier Abubakar Tan


Shernee A. Tan-Tambut

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

Nineteenth Congress
First Regular Session

House Bill No. 7371

**Introduced by Representatives Samier Abubakar Tan and
Shernee A. Tan-Tambut**

AN ACT PROVIDING FOR FREE LEGAL ASSISTANCE TO ANY OFFICER OR UNIFORMED PERSONNEL OF THE AFP, BFP,BJMP,PCG,AND PNP FOR ADMINISTRATIVE, CIVIL OR CRIMINAL CASES FILED AGAINST THEM BEFORE ANY COURT, QUASI-JUDICIAL OR ANY ADMINISTRATIVE AGENCIES BY REASON OR IN CONNECTION WITH THE PERFORMANCE OF THEIR OFFICE OR FUNCTIONS AND APPROPRIATING FUNDS THEREFOR.

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 for the Military and other Uniformed Personnel Act".

SECTION 2. DECLARATION OF POLICY. It is the policy of the state to protect the rights and dignity of every citizen. This protection shall also extend to public officers and employees particularly those charged with defending the constitution and the sovereignty of the state, enforcement of the laws, maintenance of peace and order and

ensuring the safety of the people. Further, the right of the people charged with any case to be presumed innocent shall be respected including the military and the uniformed personnel. To this end, the state shall provide free and readily available legal assistance to the members of the Armed Forces of the Philippines, Bureau of Fire Protection, Bureau of Jail Management and Penology, the Philippine Coast Guard and the Philippine National Police in all stages of administrative, civil or criminal cases filed against them by reason or in connection with the performance of their office or function.

SECTION 3. DEFINITION OF TERMS. The following shall be understood within the context of this act:

3.1 MUP -- military and other uniformed personnel of the AFP, BFP,BJMP,PCG,AND PNP.

3.2 Cases – refers to administrative, civil or criminal cases filed against the MUP by reason or in connection with the performance of their office or function.

SECTION 4. LEGAL SERVICE. There shall be created a Civilian Legal Office each for AFP, BFP,BJMP,PCG,AND PNP for the sole purpose of maintaining a pool of lawyers in order to properly defend the officers and uniformed personnel .

4.1 There shall be a Chief Attorney for each Legal Office who shall be assisted by Provincial Attorney for each Provincial Police Office.

4.2 The Provincial Attorney shall be assigned three assisting lawyers for each of the district offices of the AFP, BFP,BJMP,PCG,AND PNP whenever practicable.

4.3 For the National Capital Region, there shall be a Regional Attorney who shall be assisted by a three district attorneys for each Police Districts in the NCR

4.4 The qualifications, rank, salaries and privileges of the of the lawyers of civilian Legal Office shall equivalent to the Regional Director, District attorney and public attorney of the Public Attorney's Office.

SECTION 5. GRANT OF FREE LEGAL ASSISTANCE. Any officer or uniformed personnel of the AFP, BFP,BJMP,PCG,AND PNP who was charged with administrative, civil or criminal case by reason of or in connection with the performance of their office or function shall be automatically assisted by the lawyer from their respective civilian legal office upon referral of the said cases to them.

SECTION 6. STRENGTHENING OF THE CIVILIAN LEGAL OFFICE. Within 60 days from the effectivity of this act, the Chief of Staff of the AFP, the Chief of the BFP, the chief of the BJMP,the Commandant of the PCG,AND the Chief of PNP shall submit to the Department of Budget and Management the revised organizational structure and staffing patterns for their respective legal offices necessary to render competitive legal assistance for their officers and uniformed personnel. The DBM shall act in accordance with Republic Act 6713 and Republic Act 11032.

SECTION 7. APPLICABILITY TO EXISTING AND PENDING CASES. The benefits created under this act shall be available to pending administrative, civil or criminal cases filed against the military and other uniformed personnel under the same conditions.

SECTION 8. IMPLEMENTING RULES AND REGULATION. Within 60 days from the effectivity of this act, the DBM, DND, DILG and DOTr in coordination with the Chief of Staff of the AFP, the Chief of the BFP, the Chief of the BJMP, the Commandant of the PCG,AND the Chief of PNP shall issue the uniform implementing rules and regulation to implement this act.

SECTION 9. APPROPRIATIONS. The amount necessary to carry out this act shall be included in the General Appropriations Act.

SECTION 10. SEPARABILITY CLAUSE. Should any provision of this Act be declared invalid, the remaining provision which are not affected and which can stand on its own shall continue to be in force and effect.

SECTION 11. REPEALING CLAUSE. All laws, rules, regulations, decrees, orders and issuances or any part thereof which are inconsistent herewith are repealed or modified accordingly.

SECTION 12. EFFECTIVITY. This act shall take effect fifteen days (15) after its publication in the official gazette or in a newspaper of general circulation whichever comes first.

Approved,