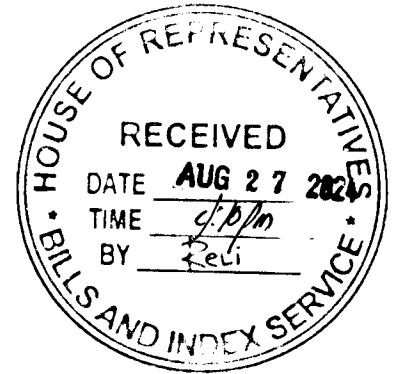


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
Third Regular Session

House Bill No. 10828



Introduced by **Rep. ANGELO MARCOS BARBA**
2nd District, Ilocos Norte

EXPLANATORY NOTE

The National Police Clearance System Act seeks to establish a more streamlined and efficient process for issuing police clearances, enhancing public safety, reducing bureaucratic hurdles, and safeguarding privacy rights. This legislation aims to improve the reliability and accuracy of police clearances while protecting personal information and ensuring strict adherence to privacy regulations.

Under the supervision of the National Privacy Commission (NPC), all information processing will comply with Republic Act No. 10173, also known as the "Data Privacy Act of 2012."

This measure represents a significant step toward modernizing the Philippine National Police, ensuring public safety through a more efficient, transparent, and technology-driven clearance system. It carefully balances the need for security with the protection of individual privacy rights, aiming to improve service delivery while mitigating bureaucratic inefficiencies and corruption.

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


ANGELO MARCOS BARBA

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House Bill No. **10828**

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AN ACT
ESTABLISHING THE NATIONAL POLICE CLEARANCE
SYSTEM, PROVIDING 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 "**National Police Clearance System Act.**"

SECTION 2. *Declaration of State Policy.* – It is hereby declared the policy of the State to ensure public safety thru a highly efficient, effective, competent and modernized police force and the use of information and communications technology. Furthermore, the State shall improve efficiency in the delivery of service by reducing bureaucratic red tape and preventing corruption while ensuring the protection of the fundamental human right of privacy.

SECTION 3. *National Police Clearance System.* – The National Police Clearance System (NPCS) is hereby established. The Philippine National Police (PNP) shall be the primary government agency responsible for the implementation of the NPCS. Pursuant to this mandate, the PNP shall formulate and adopt policies for the effective operationalization of the NPCS including, but not limited to, maintenance of a national record of all reported crime incidents, warrants of arrest, pictures and personal details of arrested and wanted persons, fingerprints and ballistic examination records and other relevant information.

SECTION 4. *National Police Clearance.* – The National Police Clearance shall be the primary government certificate or document indicating the presence or absence of any criminal and/or derogatory records in the Philippines of any individual.

The National Police Clearance shall also be the sole government certificate or document that will be required in all PNP transactions for verifying the presence or absence of any criminal and/or derogatory records in the Philippines of the individual transacting with the PNP.

SECTION 5. *Processing of Information.* - The processing of information under the NPCPS shall be subject to Section 11, 12 and 13 of Republic Act No. 10173, otherwise known as the "Data Privacy Act of 2012."

SECTION 6. *Issuance of National Police Clearance.* - Any person may request for the issuance of their National Police Clearance from the PNP. In line with this, the PNP may determine, fix and collect reasonable amounts to be charged as fees for the issuance of the police clearance: Provided, That no fees and other charges shall be collected from first time jobseekers when obtaining such police clearance as mandated by Republic Act No. 11261, otherwise known as the "First Time Jobseekers Assistance Act."

SECTION 7. *Confidentiality.* - The Philippine National Police shall ensure at all times the confidentiality of any personal information that comes to Its possession or obtained as a requirement for the issuance of a Police Clearance under the preceding section.

SECTION 8. *Penal Provision.* - (a) Any person, who breach the confidentiality of information contained in the NPCPS, whether by carelessness, improper behavior, behavior with malicious Intent, and use of confidential information for profit, shall be penalized by imprisonment of three (3) months but not to exceed one (1) year and a fine of not less than Fifty Thousand Pesos (P50,000.00) but not more than One Hundred Thousand Pesos (P100,000.00), subject to the degree of breach of information; (b) The unauthorized processing of National Police Clearance without the consent of the subject individual shall be penalized by imprisonment of three (3) months but not to exceed one (1) year and a fine of not less than Fifty Thousand Pesos (P50,000.00) but not more than One Hundred Thousand Pesos (P100,000.00).

SECTION 9. *Capability Enhancement Programs of the PNP.* - Collections from the issuance of national police clearance shall be utilized to support the Capability Enhancement Programs of the PNP.

SECTION 10. *Appropriation.* - The amount necessary for the effective implementation of the provisions of this Act shall be taken from the current year's appropriation of the PNP. Thereafter, such sum as may be needed for

the continued implementation of this Act shall be included in the annual General Appropriations Act.

SECTION 11. *Implementing Rules and Regulations.* - Within sixty (60) days from the effectivity of this Act, the PNP shall promulgate the rules and regulations necessary for the for the effective implementation of this Act.

SECTION 12. *Separability Clause.* - If, for any reason, any provision of this Act is declared unconstitutional or invalid, other provisions hereof which are not affected thereby shall continue to be in full force and effect.

SECTION 13. *Repealing Clause.* - Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule, or regulation contrary to or inconsistent with the provisions of this Act is hereby repealed, modified, or amended accordingly.

SECTION 14. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after its publication in a newspaper of general circulation in the Philippines.

Approved,