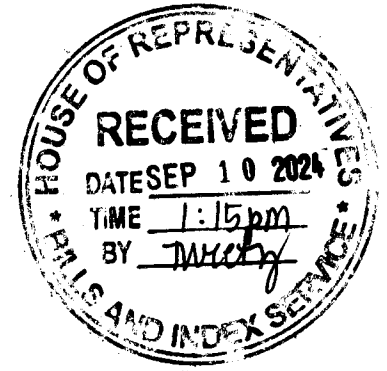




Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

NINETEENTH CONGRESS
Third Regular Session

HOUSE BILL NO. 10889



Introduced by Representative Crispin Diego “Ping” D. Remulla

AN ACT
ESTABLISHING THE NATIONAL POLICE CLEARANCE SYSTEM, PROVIDING
FUNDS THEREFOR AND FOR OTHER PURPOSES

EXPLANATORY NOTE

Effective crime prevention and police services are those that respond efficiently to societal needs while leveraging advancements in modern technology.

Previously, each town, city, and municipality maintained their own databases, which led to the risk of a person having a criminal record in one locality but not in another. The Philippine National Police (PNP) has initiated the implementation of the National Police Clearance System (NCPS), which was used for the application of police clearance aids in crime investigation and detection nationwide.

This proposed measure aims to institutionalize the initiative of the PNP, the NCPS, by consolidating information into a centralized police clearance system. This will ensure the process of criminal record checks across various jurisdictions.

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

A handwritten signature in black ink, appearing to read 'Ping D. Remulla', with a stylized, cursive script.

CRISPIN DIEGO "PING" D. REMULLA



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

1 **SECTION 1. Short Title.** – This Act shall be known as the National Police Clearance
2 System Act.

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

8 **SEC. 3. National Police Clearance System.** – The National Police Clearance System
9 (NPCS) is hereby established. The Philippine National Police (PNP) shall be the government
10 agency responsible for the implementation of the NPCS. Pursuant to this mandate, the PNP
11 shall formulate and adopt policies for the effective operationalization of the NPCS including,
12 but not limited to, maintenance of a national record of all recorded crime incidents, warrants

of arrest, pictures and personal details of arrested and wanted persons, fingerprints and ballistic examination records and other relevant information.

SEC. 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.

SEC. 5. Processing of Information. – The processing of information under the NPCCS shall be subject to Sections 11, 12, and 13 of Republic Act No. 10173, otherwise known as the Data Privacy Act of 2012.

SEC. 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.

SEC. 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.

SEC. 8. Penal Provision. – (a) Any person, who breach the confidentiality of information contained in the NPCCS, 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

1 Fifty Thousand Pesos (P50,000.00) but not more than One Hundred Thousand Pesos
2 (P100,000.00), subject to the degree of breach of information;

3 (b) The unauthorized processing of National Police Clearance without the consent of the
4 subject individual shall be penalized by imprisonment of three (3) months but not to exceed
5 one (1) year and a fine of not less than Fifty Thousand Pesos (P50,000.00) but not more than
6 One Hundred Thousand Pesos (P100,000.00)

7 **SEC. 9. Capability Enhancement Programs of the PNP.** – Collections from the
8 issuance of national police clearance shall be utilized to support the Capability Enhancement
9 Programs of the PNP

10 **SEC. 10. Appropriation.** – The amount necessary for the effective implementation of
11 the provisions of this Act shall be taken from the current year's appropriation of the PNP.
12 Thereafter, such sum as may be needed for the continued implementation of this Act shall be
13 included in the annual General Appropriations Act.

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

17 **SEC. 12. Separability Clause.** – If any portion or provision of this Act is declared
18 unconstitutional, the remainder of this Act or any provisions not affected thereby shall remain
19 in force and effect.

20 **SEC. 13. Repealing Clause.** - All laws, decrees, orders, regulations and policies
21 inconsistent with the provisions of this Act are hereby repealed and/or amended accordingly.

22 **SEC. 14. Effectivity.** – This Act shall take effect fifteen (15) days after its complete
23 publication in at least two (2) newspapers of general circulation

Approved,