

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 1183



Introduced by Representative **MARLYN L. PRIMICIAS-AGABAS**

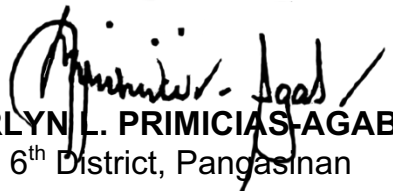
EXPLANATORY NOTE

The proposed bill aspires to revitalize the Philippine National Police (PNP) and enhance its operational capability through various interventions such as acquisition of modern equipment, construction of standard police stations and offices nationwide, upgrading and development of its infrastructures and facilities, and the adoption of advanced real-time information and communications technology (ICT) systems, among others. Such interventions as proposed in this bill are all geared towards developing the PNP into an even more capable and highly reliable police force while in the discharge of its constitutional and statutory mandates such as the maintenance of peace and order, and the preservation of internal security and safety.

In particular, the bill aims to infuse a high level of dynamism across all its multi-level organization and offices in the performance of police functions like law enforcement operations and the delivery of frontline public safety services, and induce the organization to adopt and pursue modern approaches against criminality.

The crucial roles of the police force in our lives from national society down to our municipal and barangay communities cannot be overemphasized. An ill-equipped, organizationally weak, and operationally incompetent police force jeopardizes law enforcement, crime prevention and investigation, emergency responses, and valuable community services; and thus, will ultimately compromise our security and safety, and peaceful and orderly living.

And so, for the sake of our societal and communal security and safety, the approval of the proposed bill is ardently requested.


MARLYN L. PRIMICIAS-AGABAS
6th District, Pangasinan

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. _____

Introduced by Representative **MARLYN L. PRIMICIAS-AGABAS**

AN ACT
PROVIDING FOR THE REVITALIZATION AND CAPABILITY ENHANCEMENT
OF THE PHILIPPINE NATIONAL POLICE AND APPROPRIATING FUNDS THEREFOR

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 "Philippine National Police Revitalization and Capability Enhancement Act."

Sec. 2. Declaration of Policy. - It is hereby declared the policy of the State to develop the Philippine National Police (PNP) into a highly efficient, capable, and competent police force to enable it to fully perform its mandate as the primary law enforcement agency of the government, and be capable of supporting the social and economic goals of the Republic, towards nation-building.

Towards this end, the State shall sustain a revitalized PNP that will continuously carry out effective policing functions and law enforcement operations, deliver timely and responsive frontline public safety services, and pursue a comprehensive and integrated approach against transnational crime and emerging forms of criminality, insurgency, terrorism and other serious threats to internal security.

For this purpose, the State shall pursue the implementation of the PNP Revitalization and Capability Enhancement Program under the provisions of this Act, focused on infrastructure and facilities development as well as equipment acquisition and upgrading.

Sec. 3. PNP Revitalization Thrusts. - As used in this Act, the term "revitalization" shall mean the state of achieving a dynamic level of performing police functions, law enforcement operations, and frontline public safety services, and pursuing modern approaches against criminality with the end view of establishing and maintaining a safe, secure, orderly, peaceful,

and prosperous nation. Towards this aspiration, the PNP shall pursue the following revitalization thrusts:

- a. Fill-up of basic equipage and construction of standard police stations and offices nationwide;
- b. Acquisition of modern equipage;
- c. Adoption of secured, modern, artificial intelligence (AI)-driven, real-time information and communications technology (ICT) systems to modernize and integrate police administration and operations;
- d. Strengthening police coordination and cooperation with the citizenry, local governments, public safety agencies, other law enforcement agencies and pillars of the criminal justice system, and the regional and international police communities, and
- e. Enhancement of law enforcement approaches and intensified operations against transnational crime and emerging forms of criminality, insurgency, terrorism, and other serious threats to internal security.

Sec. 4. Components of the Revitalization and Capability Enhancement Program. — The PNP revitalization thrusts shall be realized through the implementation of a Revitalization and Capability Enhancement (RACE) Program.

As used in this Act, the term police “capability enhancement” shall mean a measurable improvement in the performance of PNP mandates that translates into an enduring ability to enforce the law, prevent and control crimes, maintain peace and order, ensure public safety and internal security, and protect the country against threats to internal security, including terrorism.

The Revitalization and Capability Enhancement Program shall consist of the following components:

- a. Infrastructure and Facilities Development - The objectives of this component are:
 - 1) Establishment of Standard Infrastructure and Basic Facilities
 - a) Construction and upgrading of standard infrastructure like green buildings for police stations and offices, that are accessible and suited to the peculiar topography of or weather conditions in the area, with provision for adequate perimeter fencing;
 - b) Construction and upgrading of basic facilities for administrative, investigative, intelligence, operational, and police-community- relations functions, such as: crime laboratory; evidence rooms; storage rooms; records rooms; appropriate custodial facilities; communications systems; research and development centers; training institutions; hospitals and

dispensaries for delivery of medical and dental services; and quartering and barracks facilities, in accordance with approved camp master development plans;

c) Construction and upgrading of facilities to provide repair and maintenance works, such as: regional or provincial motor pool and maintenance facilities for other mobility assets.

2) Construction and upgrading of facilities to support regulatory functions, such as firearms surrender storage and impounding area;

3) Development, procurement, and management of ICT systems and automated systems to ensure integration and effective coordination; and

4) Real estate acquisition, titling, and management.

b. Equipment Acquisition, Re-fleeting, Replenishment, and Upgrading - The objective of this component is judicious procurement, taking into consideration standardization, inter-operational capabilities, maintenance and subscription costs, responsive standards and specifications of:

1) Basic equipage;

2) Modern equipage for enhanced PNP capabilities, such as: munitions and ordnance; firepower and weapons; transportation and mobility assets; information and communications equipment; intelligence; investigative and forensic equipment; including digital forensic equipment and software and corresponding certification trainings essential for digital forensic examination and investigation; software solutions; testing equipment; and police training and education equipment;

3) ICT-enabled tactical equipment;

4) Search and rescue equipment and equipment that will enable the PNP to perform critical functions for initial calamity response

Sec. 5. Standard of Modernization. - In preparing and implementing the Revitalization and Capability Enhancement Program, the standard test to indicate modernity is the possession of latest attributes or innovative qualities of infrastructure, facilities, and equipment, over and above the basic and standard features, or in accordance with current or latest market or industry standards. This will enable the PNP to better adapt to the needs of the present time, add value to services delivered, and achieve increased citizen satisfaction with the police.

In endeavoring to modernize police infrastructure and facilities, the primary consideration shall be developing capabilities for command and direction, crime prevention, detection, and solution, tactical and strategic control, effective communication, robust ICT and

automated systems network, upholding human rights and the Rule of Law, and sustained police-community-relations.

The acquisition of modern equipment shall be based on the results of operational needs assessment. For purposes of this Act, the term "operational needs assessment" refers to the mandatory periodic evaluation of materiel and logistical capabilities with the end view of identifying deficiencies or limitations in existing resources and addressing significant impediments in achieving operational tasks and attaining organizational mission, through equipment acquisition.

Sec. 6. Mutual Logistics Support Service Cooperation. - The Chief of the PNP may directly negotiate with an agency or instrumentality or private enterprises of another country with which the Philippines has entered into a mutual logistics support and services or law enforcement and security cooperation agreement, or otherwise maintains diplomatic relations, when the procurement involves modern equipage or ICT solutions for enhanced PNP capabilities, subject to the following conditions:

- a. The Secretary of the Interior and Local Government, in his capacity as ex-officio Chairperson of the National Police Commission (NAPOLCOM), has deemed it necessary for the maintenance of peace and order, ensuring public safety, or curbing transnational crime; emerging forms of criminality; terrorism, insurgency, and other serious threats to internal security;
- b. The expertise or capability required is not locally available or the goods, articles, supplies, or materials involved are not locally produced or manufactured;
- c. The police equipment, other law enforcement and security equipment, and related consultancy services to be procured under this modality are included in the PNP's Revitalization and Capability Enhancement Program, prepared in accordance with Section 7 of this Act; and
- d. Pertinent guidelines in the negotiation of cooperation agreements, under the Department of Foreign Affairs, shall be observed.

Sec. 7. Revitalization and Capability Enhancement Program. - Within ninety (90) days from the effectivity of this Act, the Chief of the PNP shall, in consultation with the Chairperson of the NAPOLCOM and the Secretary of the Department of Budget and Management (DBM), prepare a Revitalization and Capability Enhancement Program.

After consultation, the Chief of the PNP shall submit the Revitalization and Capability Enhancement Program to the NAPOLCOM, which shall review and endorse the same to Congress, through the Congressional Oversight Committee created under this Act, for monitoring and overseeing.

The Program shall indicate the following:

a. The police organizational structure and staffing pattern, authorized personnel strength, and logistics and facilities inventory during the various implementation stages;

b. The capability enhancement programs, projects, and activities to be undertaken vis-a-vis the particular component and corresponding objectives and revitalization thrusts they relate to;

c. The priorities, phases of implementation, and schedules of the capability enhancement projects and activities; and

d. The estimated average cost of each project or activity to be undertaken.

A Program Management Office (PMO) shall be created at the PNP to monitor, oversee, and evaluate program implementation.

Sec. 8. Period of Implementation. - The Revitalization and Capability Enhancement Program under this Act shall be implemented within ten (10) years: Provided, That payments for amortization of outstanding multi-year contract obligations incurred under the PNP Revitalization and Capability Enhancement Program may be extended beyond this period.

Sec. 9. The PNP RACE Trust Fund. - There is hereby created a trust fund, to be known as the PNP RACE Trust Fund. Said Trust Fund, which shall be used exclusively for the PNP Revitalization and Capability Enhancement Program, including all necessary expenses to implement equipment acquisition and upgrading and infrastructure and facilities development shall be funded out of the following:

a. Appropriations for police capability enhancement and construction of police stations;

b. Portion of proceeds from the implementation of the National Police Clearance System;

c. Portion of proceeds of the License to Own and Possess Firearms License Fees;

d. Proceeds from the disposal of excess and/or uneconomically repairable equipment and other movable assets of the PNP;

e. Funds from budgetary surplus, if any, as may be authorized by Congress;

f. Donations coming from local and foreign sources, specifically earmarked to be used for the PNP Revitalization and Capability Enhancement Program; and

g. All interest income of the Trust Fund.

Funds from the foregoing sources, regardless of income source, shall be directly deposited to a special account in the general fund created specifically for the PNP Revitalization

and Capability Enhancement Program. The corresponding allotment and cash allocation shall be released directly to the PNP and transferred to the PNP RACE Trust Fund, and shall be administered by the Chief of the PNP in accordance with existing government budgeting and auditing rules and regulations. The PNP shall conduct periodic studies on how additional revenues can be generated to fund the PNP Revitalization and Capability Enhancement Program and how to maximize the utilization of the trust fund.

Sec. 10. Appropriations for the PNP Revitalization and Capability Enhancement Program. - The annual appropriations for the PNP Revitalization and Capability Enhancement Program shall include the amounts necessary to support the funding requirements for the programs, projects, and activities submitted to Congress under Section 7.

Under the Program, the initial amount necessary to support the funding requirements for basic equipage fill-up and establishment of standard infrastructure and basic facilities shall be funded from the existing police capability enhancement funds, police station construction funds, and such additional funds as Congress may appropriate thereafter. The PNP Revitalization and Capability Enhancement Program shall be based on an amount of at least One Hundred Billion Pesos (Php100,000,000,000.00), for the full period of implementation.

Whenever deemed necessary, in order to expedite full implementation of the Program, the Chief of the PNP may, subject to the approval of the President and consistent with the provisions of existing laws, including Commission on Audit rules and regulations, under such terms and conditions most favorable to the government, enter into multi-year contracts and other contractual arrangements. The Chief of the PNP shall submit to the Congressional Oversight Committee, the Secretary of the DBM, and the Secretary of the Department of Finance, copies of these multi-year contracts and other contractual arrangements to enable Congress to appropriate necessary funds. For this purpose, Congress shall, upon issuance of a multi-year obligation authority by the DBM and certification by the President, make the corresponding appropriations for the ensuing fiscal years, to cover multi-year obligations.

The funds appropriated by Congress under this Act shall be treated as a distinct and separate budget item from the regular appropriations for the PNP.

Sec. 11. Tax Treatment of the Purchase and Importation of the PNP. - All internal revenue tax and duty obligations from the purchase and importation of munitions and ordnance, firepower and weapons, transportation and mobility assets, communication, intelligence, investigative and forensic equipment and other equipment by the PNP, under the Revitalization and Capability Enhancement Program, where such acquisition directly or exclusively relates to the performance of its police and law enforcement functions; or may be needed in public transactions; or in the pursuit of any government undertaking, shall be chargeable to the tax expenditure fund provided for in the General Appropriations Act.

Donations made to the PNP to be used actually, directly, and exclusively for its Revitalization and Capability Enhancement Program shall be exempt from donor's tax and the

same shall be considered as allowable deduction from the gross income of the donor for purposes of computing taxable income in accordance with the provisions of the National Internal Revenue Code of 1997, as amended. Likewise, donations from foreign sources shall be exempt from value-added tax and customs duties.

Sec. 12. Local Government Support Through Local Development Plans. - In the formulation of their respective socio-economic local development programs, all provincial, city, and municipal development councils shall allocate in their comprehensive land use plans such adequate, suitable, and accessible lands for the establishment of basic police infrastructure and support facilities within their areas of jurisdiction.

Regional Development Councils shall ensure that allocation of such lands for use of local police forces and other police support units are included in the approved socio-economic local development programs of provinces and cities prior to integration into their respective Regional Development Plans and subsequent submission to the National Economic and Development Authority.

Within one hundred twenty (120) days from the effectivity of this Act, the Chief of the PNP shall submit to the NAPOLCOM such guidelines and parameters governing the allocation of land for the police, for approval and implementation.

In effecting land allocation for local police forces and other police support units, local government units may, in addition to making donation and granting usufruct, enter into negotiated sale or exercise the inherent power of eminent domain, in accordance with existing laws.

Sec. 13. Local Fund Support for Police Capability Enhancement. Provincial, city, and municipal governments may also allocate funds to augment the capability enhancement and modernization of the police, within their jurisdiction, and as aligned with their respective socio-economic development thrusts.

Sec. 14. Land Acquisition and Titling. - Other than through donation, or in cases where local government units have inadequate, unsuitable, or inaccessible lots to allocate, the PNP may acquire lands as site or location for the establishment of standard police infrastructure and basic and support facilities, and cause the titling thereof under the name of the PNP or its subordinate police offices and units, as well as right-of-way, through negotiated sale.

Sec. 15. Engineering and Administrative Overhead (EAO) and Project Related Expenses.
- For construction projects undertaken under this Act, the PNP is authorized to deduct percentages from the appropriated funds, to be used for EAO and other project related expenses to cover lot readiness activities; pre-construction activities after detailed engineering; construction project management; and contingencies.

The EAO and project related expenses shall be reflected in the program of work for the police construction project concerned, and treated or booked-up as capitalized expenditures, to

form part of the project cost. The program of work shall include, but not be limited to, estimates of work items; quantities and costs, schedule of activities, and disbursements.

Within one hundred twenty (120) days from the effectivity of this Act, the Chief of the PNP shall prescribe rationalized percentages authorized to be deducted, and the detailed items of expenditures for its utilization.

Sec. 16. Congressional Oversight Committee. — There is hereby created a Congressional Oversight Committee upon the effectivity of this Act to monitor and oversee the implementation of the provisions of this Act.

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, with the inclusion of the Chairperson of the Committee on Dangerous Drugs, 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.

Sec. 17. Program Modification. - In the exigency of the service or whenever necessary to address unforeseen emergencies to curb transnational crime; emerging forms of criminality; insurgency, terrorism and other serious threats to internal security, or to satisfy delivery of public safety services, the Chief of the PNP may modify, through substitution or revision, a component project in the Revitalization and Capability Enhancement Program, subject to the favorable endorsement of the NAPOLCOM, for the President's approval. Within thirty (30) days from such approval, the Chief of the PNP shall report such program modification to Congress, through the Congressional Oversight Committee.

Sec. 18. Fund Augmentation. - During program implementation, a member of Congress may endorse an equipment for acquisition and provide fund augmentation, or submit a substitute or additional infrastructure construction project, with fund augmentation, subject to existing laws, NAPOLCOM rules and regulations, and PNP policies, for his congressional district, if a member of the House of Representatives, or in any congressional district, if a member of the Senate, to be supported out of their respective Congressional Initiative Allocation or by Congress-introduced increases in appropriations.

Sec. 19. Annual Reports. - Within the first quarter of the succeeding year of implementation, the Chief of the PNP shall submit to the President and Congress, through the Chairperson of the NAPOLCOM, an annual report on the progress of the implementation of the Revitalization and Capability Enhancement Program.

Sec. 20. Sunset Review. - After five (5) years following its effectivity, or as the need arises, the Congressional Oversight Committee shall conduct a sunset review of this Act, to

systematically evaluate the accomplishments under the Revitalization and Capability Enhancement Program and its impact on the PNP organizational structure, institutional mechanisms, and performance of functions, for purposes of determining and effecting remedial legislation.

Sec. 21. Implementing Rules and Regulations- Within sixty (60) days from the approval of this Act, the PNP shall, in consultation with the NAPOLCOM and the DBM, formulate the implementing rules and regulations for the effective implementation of this Act.

Sec. 22. Separability Clause. - If any provision of this Act shall be held unconstitutional or invalid, the other provisions not otherwise affected shall remain in full force and effect.

Sec. 23. Repealing Clause. - All laws, executive orders, rules and regulations inconsistent with or contrary to this Act, are hereby deemed repealed or modified accordingly.

Sec. 24. Effectivity Clause. - This Act shall take effect after fifteen (15) days after its complete publication in the Official Gazette or in a newspaper of general circulation.

Approved,