

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

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. **7410**



Introduced by **Rep. WOWO FORTES**

EXPLANATORY NOTE

Republic Act No. 8551, otherwise known as the "Philippine National Police Reform and Reorganization Act of 1998," was enacted twenty-eight (28) years ago to strengthen oversight over the Philippine National Police (PNP) through the National Police Commission (NAPOLCOM). At the time of its enactment, NAPOLCOM was placed under the Office of the President, underscoring its role as an independent constitutional body exercising administrative control and supervision over the national police force. However, subsequent developments transferred NAPOLCOM under the Department of the Interior and Local Government (DILG), which currently serves as its parent agency.

While the intent of administrative realignment was to enhance coordination, experience has shown that the present structure may limit the full exercise of NAPOLCOM's mandate, particularly in areas of policy formulation, disciplinary authority, and institutional independence. Given that NAPOLCOM exercises oversight functions over the PNP, an agency likewise attached to the DILG, there is a need to revisit and recalibrate this arrangement to avoid conflicts of interest and to strengthen accountability mechanisms.

Moreover, nearly three decades since the passage of Republic Act No. 8551, significant changes in governance standards, policing practices, technology, and public expectations necessitate key revisions to the law. These include strengthening NAPOLCOM's institutional independence, clarifying and enhancing its powers and functions, modernizing its organizational structure and systems, and reinforcing its capacity to effectively perform its role as the primary civilian oversight body over the PNP.

Therefore, this bill seeks to reorganize the NAPOLCOM by introducing strategic reforms that will enhance its effectiveness, impartiality, and responsiveness. By modernizing its structure, clarifying its mandate, and enhancing its oversight functions, this measure aims to ensure a more effective system of supervision over the Philippine National Police, promote transparency and accountability in law enforcement, and reinforce public trust in our peace and order institutions.

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


ATTY. WOWO FORTES
Representative

Second District, Province of Sorsogon

Twentieth Congress of the
Republic of the Philippines
First Regular Session

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Introduced by **Rep. WOWO FORTES**

**AN ACT PROVIDING FOR THE REORGANIZATION OF THE
NATIONAL POLICE COMMISSION**

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

SEC. 1. *Short Title.* – This Act shall be known as the “*National Police Commission Reorganization Act of 2026 or the NAPOLCOM LAW.*”

SEC. 2. *Declaration of Policy.* – It is hereby declared to be the policy of the State to concretize the abstract description of the police system as enunciated in Section 6, Article XVI of the 1987 Constitution. The provision that the National Police Commission shall administer and control the Philippine National Police, which is national in scope and civilian in character, should be construed within the context that the police force shall neither be absolutely national nor absolutely local in scope

Thus, the governors and mayors shall exercise a degree of authority over the same police force as far as their respective localities are concerned, with the National Police Commission striking a delicate balance to "control" the entire police system with the view that it shall be the unifying agency.

Further under this Act, the National Police Commission shall provide a clear check and balance on the entire police operation, management, and discipline, while at the same time, empowering the Chief PNP with emergency powers.

SEC. 3. *Definition of Terms.* – The following terms and phrases are defined as:

- a) *Absence Without Authorized Leave (AWOL)* refers to absences without the required approval, hence unauthorized.
- b) *Absolute Exoneration* refers to an official declaration by the disciplinary authority in a non -non-disciplinary proceedings provided by the rules that the police's AWOL was justified, legal, or warranted.
- c) *Ancillary Remedies* refers to protective remedies issued by the Commission en banc to preserve the status quo or to maintain peace and order for the protection of the complainant or victim.

- d) *Appointing Power* refers to the authority of the commission or its deputized representative or the Chief PNP to hire and confer a duly screened applicant the duty and functions of a police officer as provided by the published qualification standards.
- e) *Assignment* refers to the imposition of additional duties and functions as defined by the Civil Service Rules.
- f) *Breach of Internal Discipline (BOI)* refers to acts or omission which are minor in nature and relating to the police function or duty and not punishable by laws by imprisonment or suspension and where no injury or damage is sustained by a third party and do not involve moral turpitude.
- g) *Clemency* refers to the President's pardon power under the Constitution.
- h) *Confidential Intel-Asset* refers to a person authorized by the Chairman of the Commission to covertly collect and store data, information, papers, and effects, and perform such other duties relevant to the Commission's mandate or such other orders of the President.
- i) *Contempt Power* refers to the Commission's power to discipline parties, officers, and lawyers for acts and omissions that disrupt or disrespects or casts disrespect in the administrative proceedings or any stage thereof.
- j) *Deployment* shall mean the orderly and organized physical movement of elements or units of the PNP within the province, city, or municipality for purposes of employment as herein defined."
- k) *Deputation* refers to the process of designating the governors and mayors as representatives of the commission in their respective jurisdictions.
- l) *Disciplinary Power* refers to the power conferred by law to the Commission and other DAs to investigate, gather information, file or initiate actions, hear and decide disciplinary cases, and impose the corresponding penalties.
- m) *Drop from the Rolls (DFR)* refers to the exclusion of the employee or officer's name from the Personnel and Manpower Plantilla on account of absence without approved leave.
- n) *Employment* refers to the utilization of units or elements of the PNP for the purpose of protection of lives and properties, enforcement of laws, maintenance of peace and order, prevention of crimes, arrest of criminal offenders and bringing the offenders to justice, and ensuring public safety, particularly in the suppression of disorders, riots, lawlessness, violence, rebellious and seditious conspiracy, insurgency, subversion or other related activities.
- o) *Expedited Proceedings* refers to a proceeding where a Formal Charge is filed without pre-charge investigation.
- p) *Freeze Order* refers to the Order of the Court of Appeals, issued upon application of the PG through the AMLAC to hold the movement of the financial assets of the respondent.
- q) *Grave Offenses* refers to acts or omission where under the Revised Penal Code, Special Laws, perpetual disqualification is imposed as an accessory penalty or when imprisonment of not lower than six (6) months and one (1) day is imposed and where the Civil Service law or the rules provide a corresponding principal penalty of not less than sixty (60) days to six (6) months or more than one hundred ninety (190) days suspension, one rank demotion or dismissal from service whereas *Less Grave Offenses* refers to acts or omission where the Revised Penal Code, Special Laws, provide suspension as an accessory penalty and imprisonment not lower than sixty

(60) days and not more than six (6) months and where the Civil Service law or rules provide a corresponding principal penalty of not less than thirty-one (31) but not more than fifty-nine (59) days suspension.

- r) *Integrated Community Safety Plan* refers to the peace and order plans of the cities and municipalities of a certain province, as prepared and consolidated by the provincial peace and order council.
- s) *Integrity Monitoring Unit* refers to the IIMAIB exercising its oversight function on the conduct, behavior, activities, operational capabilities, and competence of the officers and personnel of the Commission and the PNP.
- t) *Non-Disciplinary Power* refers to proceedings against personnel where no penalties are imposed, and eligibility is not forfeited, thus allowing the concerned personnel to re-enter the service in the manner provided by the rules.
- u) *Operational Control* refers to the power to command and direct, including the power to direct, superintend, and oversee the day-to-day functions of police investigations of crime, crime prevention activities, and traffic control in accordance with the rules and regulations promulgated by the Commission. It shall also include the power to command or direct the COP or station commander to employ and deploy units or elements of the PNP, to ensure public safety and effective maintenance of peace and order within the locality.
- v) *Performance Audit* refers to the process of examination and evaluation of the performance of the officers and employees of the Commission and the PNP relative to their stipulated duties and functions, and this process shall determine their competence and the grant of incentives or otherwise.
- w) *Police Officers*:
 - 1. *First Level* refers to:
 - Police Executive Master Sergeant
 - Police Chief Master Sergeant
 - Police Senior Master Sergeant
 - Police Master Sergeant
 - Police Staff Sergeant
 - Police Corporal
 - Patrolman/Patrolwoman
 - 2. *Second Level Police Officers* refer to the Inspector to the Superintendent or:
 - Police Major
 - Police Captain
 - Police Lieutenant
 - 3. *Third Level Police Officers* refer to the Senior Superintendent to the Deputy Director General or to:
 - Police Lieutenant General
 - Police Major General
 - Police Brigadier General
 - 4. *Director Level Officers* refer to:
 - Police General
 - Police Lieutenant General
 - Police Major General
 - Police Brigadier General

The foregoing reclassifications are for purposes of defining and distributing jurisdiction of the disciplinary authorities in administrative cases.

- x) *Preventive Suspension* refers to the disciplinary authorities' power to deprive the respondent of having access to the office with all its facilities, papers, and effects, thus preventing the exercise of duties, including the use of his service pistol on the ground provided by law or the rules. It is not a penalty.
- y) *Promotion* refers to the power of the commission or its authorized officers and their deputized representatives, or the Chief PNP, to move the rank of a duly qualified officer.
- z) *Promotional Lateral* entry refers to a temporary appointment given to a police officer already holding an appointment and rank.
- aa) *Provident Fund* refers to funds contributed by the members for their mutual benefits, to include emergency loans and retirement benefits, and where a seed fund is provided and appropriated hereunder.
- bb) *Reinstatement of Deputation* refers to the process of restoring the deputized representative's authority as defined in this Act.
- cc) *Relieve Order* refers to the disciplinary authorities' power to remove the respondent from his office and prevent him from exercising his duties.
- dd) *Review* refers to the power to restudy the disciplinary authorities' decisions and the proceedings thereon, including the appreciations of the facts and evidence, with the power to reverse, amend, or modify the assailed decision and impose the appropriate penalties. It shall also refer to the power of the Prosecutor General to review the prosecutor's and the disciplinary authorities' resolution of no probable cause issued pursuant to a pre-charge investigation or evaluation of a complaint.
- ee) *Rule-Making* refers to the commission's power to issue policy guidelines, circulars, memoranda, including the proceedings in the investigation and adjudication, filing of pleadings, practice and appearances of counsels, definition and classification of offenses, and the imposition of corresponding penalties.
- ff) *Subpoena* refers to the power to compel appearance in the proceedings to testify or to produce relevant documents.
- gg) *Summary Hearing* refers to the proceedings before the Adjudicator where, upon filing of the Formal Charge, a summons is served to the respondent who may file his answer, and from thereon the parties shall proceed to Pre-hearing and submission of Position Paper in lieu of a full-blown trial, and a decision is subsequently rendered by the Adjudicator.
- hh) *Survivorship* refers to the right of the legal spouse or, in default, the legal heirs or, in default designated survivor authorized to receive any monthly pension due to the deceased member.
- ii) *Suspension or Withdrawal of Deputation* refers to the power of the Commission to remove or prevent the local executives from exercising the deputized authority on grounds provided by this Act and without prejudice to the power of the DILG and the President.
- jj) *Transfer of Authority* refers to the transfer of police control and supervision during an election to the COMELEC and to the Chief PNP during a declared emergency.
- kk) *Temporary Entry Appointment Status* refers to a newly recruited probationary officer who was not previously issued an appointment.
- ll) *Temporary Probationary Lateral Entry Appointment* refers to an applicant who was not previously issued a permanent appointment as a police officer, but

upon application and training was issued a temporary appointment as a police officer or commissioned rank.

- mm) *Termination Board* refers to the body in charge of the training and schooling of recruits, officers seeking promotion, and commission rank with authority to conduct an investigation for non-compliance with admission or promotion requirements, breach of conduct, and other offenses, with authority to recommend termination.

REORGANIZATION AND COMPOSITION

SEC. 4. *Reorganization and Composition of the National Police Commission.* – For a more effective discharge of its constitutional mandate, there is hereby reorganized a National Police Commission, a collegial body under the Office of the President of the Philippines composed of a Chairman and four (4) regular members with the Chief PNP and an Undersecretary of the DILG as ex officio members.

SEC. 5. *Qualifications of the Chairman and members of the commission.* – No person shall be appointed as a regular member of the Commission unless:

- a) He is at least thirty-five (35) years of age;
- b) A member of the Philippine Bar or a holder of a master's degree in public administration, business administration, management, sociology, criminology, law enforcement, national security administration, defense studies, and other related disciplines; and
- c) Has had legal practice for 10 years or experience in law enforcement for more than 10 years.

The four (4) regular commissioners shall come from the civilian sector, one (1) of whom shall be designated by the Chairman as Vice Chairperson. The four (4) regular commissioners shall come from:

- a) Representative from the law enforcement sector, either active or retired: *Provided*, that an active member of a law enforcement agency shall be considered resigned from said agency once appointed to the Commission, or may opt to retire as a career officer of the agency if qualified and receive terminal pay, if any, provided that the monthly pension shall be discontinued;
- b) Representative from the National Police Commission, either active or retired: *Provided*, That an active member of the Commission shall be considered resigned from said agency once appointed to the Commission, or may opt to retire as a career officer of the agency if qualified and receive terminal pay, if any, *provided* that the monthly pension shall be discontinued;
- c) Representative from the women's sector; and
- d) Representative from the private sector.

SEC. 6. *Rank, Emoluments, Benefits, and Designations.* – The Chairman of the Commission shall have a rank equivalent to Secretary of the Cabinet and shall have a corresponding salary appurtenant thereto. The members shall have a salary equivalent to that of an undersecretary.

The Chairman shall be the Executive Officer and shall preside and represent the National Police Commission. The Chairman shall designate from among the regular

members of the Commission the Vice Chairman who shall act as Chairman in case of absence or incapacity.

The regular members of the Commission shall, upon full term completion, immediately receive a five (5) year lump sum of their basic pay and a monthly annuity for life equivalent to their last basic pay. If they die or are incapacitated or get sick in line of or related to the performance of duty, the surviving legitimate spouse or, in default, the legitimate minor heirs shall receive the same lump sum benefit and fifty (50) percent of the monthly annuity for life.

Save as provided under Section 8, the commissioner, upon full term completion, may, if qualified, opt to re-enter or be re-appointment to the government service, *provided* that upon re-entry or re-joining public service, payment of the monthly annuity shall be suspended and *provided furthermore* that upon eventual retirement from service, has the option to either continue receiving the lifetime monthly annuity or another monthly pension benefit from other government retirement system.

SEC. 7. *Appointment of Members of the Commission.* – The members of the Commission shall be appointed by the President.

SEC. 8. *Term of Office of Members.* – The term of office of regular members of the Commission, including the Chairman, shall be seven (7) years without reappointment. A member filling a vacancy shall remain in office during the rest of the term of office of the predecessor and may be reappointed. The current members of the Commission, upon the effectivity of this Act, may be reappointed by the President.

The Chief PNP, as an ex officio member, shall have a term coterminous to his tour of duty unless retired or removed earlier. The DILG Undersecretary, as ex officio member, shall continue as such until replaced by another undersecretary by the DILG Secretary.

SEC. 9. *Dismissal of Members.* – A member of the Commission may be dismissed for cause as provided for by Civil Service Law or rules.

DUTIES

SEC. 10. *Performance of Duty, etc. of Members of the Commission.* –

- a) No regular member of the Commission shall become concurrently personnel in full-time, part-time, or contractual service of national or local public entities, including state universities or colleges, except for the PNPA or any training institutes of the PNP and the Commission.
- b) ***Staff Bureaus*** – the Staff Bureaus of the Commission, which shall be headed by Assistant Commissioners, shall be as follows:
 1. ***Crime Prevention, Monitoring, Planning, and Research Bureau.*** – It shall provide technical services to the Commission and the PNP in areas of overall policy formulation, strategic and operational planning, management systems, or procedures. evaluation and monitoring of the Commission's programs, projects, and internal operations; and shall conduct thorough research and analysis on social and economic conditions affecting peace and order in the country, including criminological research and studies.

It shall jointly with the PNP collect, store, and manage all crime data and information.

It shall formulate and develop a crime prevention and information program and provide editorial direction for all criminology research and crime prevention publications.

It shall assist the Chairman in providing the President with accurate advice on the peace and order situation of the country or any region or locality and on police matters.

2. *Legal Affairs Bureau.* – It shall provide the Commission and the PNP with efficient legal service. It shall draft or study contracts affecting the Commission and the PNP and submit appropriate recommendations pertaining thereto.

It shall render legal opinions pertaining to the administration and operation of the Philippine National Police and the Commission.

It shall provide legal service to the PLEB and to the deputies of the Commissions relevant to their duties.

It shall provide free legal service to first-level police officers involving administrative cases or refer them to accredited IBPs or to PAO.

Subject to the rules, the regional legal officer shall assist the regional finance division in the processing and investigation of claims and benefits and may seek assistance from the IIMAIB for such purpose. Denials of claims by the Regional Director may be appealed to RAB.

3. *Personnel and Administrative Bureau.* – It shall perform personnel and human resource functions for the Commission and the PNP. It shall maintain accurate and updated records of the strength of the PNP, including those with partial disabilities, retired, deceased, missing, and presumed dead, and a registry of cases involving its officers.

Consistent with the Commission's policies and projected allowable expenditures, the Bureau shall prepare the PNP's staffing pattern and organizational structure, which shall be approved and regularly reviewed by the Commission en banc.

It shall review the appointments, promotions, movements, detail, assignments, reassignments, and reorganization of PNP officers and maintain records thereof, and submit its report to the Commission or Regional Directors for appropriate actions

It shall prepare PNP recruitment and promotions programs consistent with the Commission's approved manpower and organizational plans, taking into account actual demand, peace and order conditions of every locality.

It shall also maintain accurate records of the performance, awards, and commendations of the police officers, which may be taken judicial

notice by the investigators, disciplinary authorities, and appellate boards in disposing of cases. It shall issue clearances for promotions, retirement, and other legal purposes.

It shall administer the entrance and promotional examinations for policemen and provide the necessary services relating to manpower, career planning and development, personnel transactions, and employee welfare, including records, correspondence, supplies, property and equipment, security and general services, and the maintenance and utilization of facilities.

It shall head, organize, convene, and preside, through Regional and Provincial Directors or their representatives, all PNP Promotional Boards, including the Local Peace and Order Council, and conduct interviews of all candidates.

It shall conduct continuing education, seminars, training, re-orientation, assessment, or evaluation of police operational and law enforcement and emergency response capability on critical road accidents and other calamities, and efficient coordination with the Bureau of Fire and hospitals.

It shall supervise the operation and management of the Commission's National Training Academy and prepare the required curriculum.

4. *Installations, Logistics, and IT Bureau.* – It shall review the Commission's and the PNP's plans and programs and formulate policies, standards, and procedures regarding acquisition, procurement, inventory, control, distribution, maintenance, and disposal of supplies.

It shall oversee the implementation and delivery of programs, including maintenance of transportation facilities, designs, engineering, and installations of communication and IT facilities and office structures, office and equipment, emergency response kits, equipment, and ambulances.

It shall serve as the procurement office of the Commission and an ex officio member of the PNPs BAC.

5. *Information and Technology Office.* – The Office shall manage the information technology infrastructure, networks, software, and hardware, including acquisition and installation. It shall also manage and protect all data, information stored and transmitted or received through the system. It shall provide the Commission systems and programs for the efficient use, sharing, and transmission, as well as research and analysis, and ensure system reliability by adopting backup firewalls and cybersecurity measures.

It shall assist the employees with technical issues.

It shall provide technical support to the PNP's IT system.

It shall provide a secure, dedicated system for both the Commission and the PNP for quick access and sharing of data and information relevant to the mandates of the Commission and the PNP.

It shall perform such other technical functions as directed by the Chairman.

6. *Financial Bureau.* – It shall provide the Commission and the PNP with financial services, most importantly, the preparation of the budget and national expenditures to be submitted to the DBM.

It shall certify the existence and availability of funds for any project or program.

It shall manage and oversee the release, disbursement, and reimbursement of funds and processing of retirement, pensions, awards, including the scholarship program for the surviving children of deceased and/or permanently incapacitated PNP personnel.

It shall oversee and manage the provident fund as provided hereunder.

It shall oversee and manage the retirement fund of the PNP as provided by law.

SEC. 11. *Appointment and Qualifications of the Assistant Commissioners.* – The Assistant Commissioners shall be appointed by the President. They must have been in the Commission for at least five (5) years.

The Assistant Commissioner for Crime Prevention, Monitoring, Planning and Research Bureau must have a masteral degree in Public Administration or Criminology.

The Assistant Commissioner for Legal Affairs Bureau must be a lawyer and has been in practice for at least ten (10) years.

The Assistant Commissioner for Personnel and Administrative Bureau must have a masteral degree in Public Administration and ten (10) years practice in human resource.

The Assistant Commissioner for Installations, Logistics, Information and Technology Bureau must be a licensed engineer or IT professional for at least ten (10) years.

SEC. 12. *Retirement Benefits.* – The Assistant Commissioners shall, upon retirement, immediately receive a five (5) year lump sum of their basic pay and a monthly annuity for life equivalent to their last basic pay. If they die or are incapacitated or get sick in line of or related to the performance of duty, the surviving legitimate spouse, or in default, the legitimate minor heirs shall receive the same lump sum benefit and fifty percent (50%) of the monthly annuity for life.

SEC. 13. *Prohibitions.* – The Commissioners and Assistant Commissioners shall not be allowed to engage in private practice of their profession.

SEC. 14. *Meetings of the Commission.* – The Commission shall be convened by the Chairman. It shall neither be convened nor shall it make any decisions unless the Chairman, and not less than four (4) members, of the Commission are present.

The proceedings of the Commission shall be decided by the majority of all members who are present. In case of a tie, it shall be broken by the vote of the Chairman. In case the Chairman is unable to perform his duties, the acting Chairman provided for in paragraph 2, Section 6, shall perform the duties of the Chairman.

SEC. 15. *Expiration of the Term of Office of the Current Commissioners upon Effectivity of this Act.* – The present Commissioners whose term of office has not expired may be allowed to continue serving the Commission until the expiration of their term of Office and may be re-appointed.

SEC. 16. *Participation of Ex Officio Members.* – The Chief of the Philippine National Police and the Undersecretary of the DILG, as ex officio members of the National Police Commission, shall participate with voting rights in all proceedings and deliberations of the Commission. They shall receive no compensation but shall be entitled to reimbursement of actual expenses incurred in the performance of their duties.

SEC. 17. *Organizational Restructuring.* – The PNP Internal Affairs under R.A. 8551 shall be transferred to and its mandate subsumed by the Adjudication, Prosecution, and IIMI Bureau of the Commission.

All personnel of the current PNP IAS may be absorbed by the Adjudication, Prosecution, Intelligence, Inspection, and Monitoring and Investigation Bureau (IIMAIB) of the Commission. The PNP IAS directors shall revert to PNP Command or may opt to be absorbed in the Commission without demotion or diminution of rank and salary.

The Commission shall consist of the following:

- a) Commission Proper - This is composed of the offices of the Chairman and seven (7) Commissioners;
- b) Appellate Bodies - the National Appellate Board (NAB), as constituted under R.A. 6975, as amended by R.A. 8551, shall retain its functions and shall perform such other functions as herein provided. The Regional Appellate Board (RAB) is reconstituted as provided under Section 16 hereof. Decisions of the appellate board shall be appealable to the Chairman in the manner provided under the rules;
- c) The Adjudication Offices;
- d) The Prosecution General and the Regional Prosecutors;
- e) Regional, Provincial, District, and City Directors;
- f) Regional Legal/Claims Office; and
- g) National, Regional, and Provincial Intelligence, Investigation, Monitoring, Audit and Inspection (IIMAIB).

SEC. 18. *Regional, Provincial and District Directors and Other Offices.* – The Commission shall establish, operate and maintain regional, provincial and district offices to be headed by regional, provincial and district directors, respectively, who

shall implement the policies and programs of the Commission in their respective areas.

As an extension office of the Commission, the Regional Office, headed by a Director, shall have the following divisions:

1. Crime Prevention, Monitoring, Planning, and Research;
2. Administrative/Personnel Division;
3. Finance/Claims;
4. Installations, Logistics, and IT Division; and
5. Legal Division/Claims.

The Regional Divisions shall perform the duties and functions of the Commission's Bureaus on a regional level. They shall collaborate and complement the Commission's national outputs. Similarly, the Provincial, District, and City Offices shall collaborate and complement the Commission's regional outputs.

The Provincial, District, or City Directors shall be under the control and supervision of the Regional Director. The Assistant Regional Director shall assist the Regional Director in the management and operation of the office and shall supervise the Provincial, District, or City Directors. It shall perform such other duties as the Chairman may impose.

Subject to the rules, the legal officer shall assist the regional office, finance division, in the processing and investigation of claims and benefits, and may seek assistance from the IIMAIB for such purpose. Denials of claims by the Regional Director may be appealed to the Regional Appellate Board.

Independent from the Regional Director's Office are the following Offices:

1. Adjudication;
2. Prosecution;
3. Intelligence, Investigation, Monitoring, Audit and Inspection (IIMAIB) Division; and
4. The Regional Appellate Board.

The Office of the Regional Director shall receive, manage, and disburse the PS and MOE funds of said independent offices. It shall assist in managing said offices, including the acquisition of office supplies and equipment, as well as the hiring of its staff and personnel whose appointments, supervision, and discipline shall remain under the head or chairperson. It shall also receive payments of appeal fees, clearance and certification fees, and other fees relating to the issuance of documents.

For practical purposes, said offices shall be located in the same regional office of the Commission where the Regional Director holds office.

SEC. 19. *Qualifications of the Regional Appellate Board Chairman and the Members and Terms of Office.* – The Regional Appellate Board shall be composed of three lawyers. The Chairperson shall be appointed by the President, and two (2) members shall be appointed by the Commission.

The Chairperson shall have been in legal practice for at least ten (10) years, and the two members shall have been in legal practice for at least five (5) years.

SEC. 20. *Retirement Benefits.* – The RAB Chairperson and members shall, upon retirement from government with a minimum accumulated service of fifteen (15) years, receive a five (5) year lump sum of their basic pay and a monthly annuity for life equivalent to their last basic pay. If they die or are incapacitated or get sick in line of or related to the performance of duty, the surviving legitimate spouse or, in default, the legitimate minor heirs shall receive the same lump sum benefit and fifty percent (50%) of the monthly annuity for life.

SEC. 21. *Prohibitions.* – The three (3) members of the board shall not be allowed to engage in private legal practice and shall suffer the same disqualification and prohibitions as those of the commissioners.

SEC. 22. *Quorum.* – Proceedings of the board as a collegial body shall be decided by the majority of all members who are present.

SEC. 23. *Appellate Board per Regional Office of the Commission.* – Except for the National Capital Region and other metropolitan regions that may be created by law, there shall be one RAB for every administrative region of the Commission.

The Commission shall have the authority to increase the number of appellate boards per region, depending on the need or increase in cases.

SEC. 24. *Qualifications of the Adjudicators, Prosecutor General and Regional Prosecutors, Heads of IMAIB, Regional, Provincial and District Directors.* – The qualifications of the Adjudicators, Prosecutor General and Regional Prosecutors, Head of IMAIB, regional, assistant regional, provincial, and district directors shall be defined in the Implementing Rules and regulations of this Act, consistent with the Civil Service Rules.

MANDATE OF THE COMMISSION

SEC. 25. *Duties and Authority.* – The National Police Commission shall have direct supervision of police operations and administrative control over all PNP affairs, specifically but not limited to:

1. Examination, recruitment;
2. Appointment, promotions, attrition;
3. Education, training;
4. Assignment, reassignment, detail, reorganization;
5. Utilization, deployment;
6. Crime reporting, prevention, investigation, and prosecution;
7. Crime data and information gathering, storage, and analysis;
8. Criminal Identification, criminal statistics, and analysis;
9. Administration, management, and procurement;
10. Discipline, investigation, intelligence gathering, audit, and inspection;
11. Processing, approval, and adjudication of retirement benefits and other claims; and
12. Safekeeping and managing of PNP retirement funds or contributions thereto as provided by law.

For effective exercise of its direct administrative control and operational supervision over the PNP's affairs, the Commission shall, among others, perform the following:

- a) Prepare and submit to the President a peace and order plan, crime prevention, and community-based programs;
- b) Planning and research on various systems relating to the police;
- c) Prepare the national budget and expenditure plan of the police;
- d) Inspection and audit relating to the management, performance, use, disposition, and utilization of funds, equipment, and facilities;
- e) Prepare and approve the PNP's staffing pattern and organizational plan;
- f) Prepare, approve, supervise, and control PNP re-organizational structure plans and re-staffing patterns;
- g) Provide a system for all personnel movements of the PNP;
- h) Attest, approve, confirm or recommend appointments, assignments, reassignments, details, promotions, and attrition;
- i) Issue standards of performance of duties and activities of police personnel;
- j) Conduct police examinations, both entrance and promotional;
- k) Supervise maintenance and operation of police educational facilities and other affairs relating to police education;
- l) Supervise, manage, control, and intervene in police operations affecting national public safety, such as:
 - 1. Large-scale disaster, which may cause general unrest; and
 - 2. Disturbances that may impair provincial tranquility.
- m) Prepare and execute plans to cope with a state of national emergency;
- n) Define traffic control on national highways;
- o) Define international criminal investigation assistance;
- p) Define and manage international disaster relief activities;
- q) Supervise maintenance and management of police communication and IT facilities, and other affairs relating to police communication and data management;
- r) Supervise maintenance and management of criminal identification facilities, laboratories, and other affairs relating to criminal identification and detection;
- s) Supervise and control gathering, maintenance, storage, and analysis of crime and criminal data and statistics;
- t) Supervise and audit police equipment and facilities;
- u) Issue standards of firearms, uniforms, communication equipment, and vehicles;
- v) Conduct inspections and audits relating to the police performance;
- w) Conduct intelligence operations and monitor the operations, activities, and lifestyles of the police;
- x) Participate, control, monitor, and audit PNP's procurement activities;
- y) Conduct intelligence operations and monitor the operations, activities, and lifestyles of the police; and
- z) Take over the functions of the LES as deputies when the latter's authority is withdrawn or suspended.

SEC. 26. *Additional Powers.* – The National Police Commission shall exercise such other powers as directed by the President and as provided by other laws, including ordinances.

EXAMINATIONS AND RECRUITMENT

SEC. 27. *Examination.* – The Commission, through the Personnel and Administrative Service Bureau (PASB), shall conduct biannually police eligibility and promotional examinations in such centers duly established with the DEPED and the local executives.

SEC. 28. *Recruitment.* – The Commission, through the Personnel and Administrative Service Bureau, shall prepare jointly with the PNP the required quota to be recruited or promoted in accordance with the policy and guidelines, manpower and organizational plans and programs of the Commission, and taking into account actual demand, peace and order conditions of every locality.

APPOINTMENT

SEC. 29. *Appointments of Policemen.* – Subject to residency and other guidelines of the Commission, the power to appoint *first-level* officers shall be vested in the local government units through their *peace and order council*, subject to *confirmation* by the Commission's Regional Director.

Second-level officers shall be appointed by the Chief PNP, subject to subsequent *confirmation* of the Chairman and subject to the Commission's policies and guidelines.

Third-level officers shall be appointed by the President upon *recommendation* of the Commission en banc, subject to vacancy and policies of the Commission.

The Chief PNP and the Deputies for Operations, Personnel and Administration shall be *appointed* by the President upon *submission* by the Chairman of a list of five (5) qualified officers pursuant to the policy guidelines of the Commission.

For purposes of appointments and promotions under this Section and Section 22, rank classifications as provided under R.A. 6975 in relation to R.A. 11200 are adopted.

SEC. 30. *Tour of Duty.* – The Chief PNP shall have a tour of duty of three (3) years, which may be extended only for one (1) year. The Chief can be relieved or removed at the discretion of the President, which has the effect of retirement if no recall is made within ten (10) days or when a new Chief PNP or deputies have been duly appointed.

The two (2) deputies shall have a similar period of tour of duty. They can be relieved, removed, or re-assigned at the sole discretion of the President.

EMERGENCY POWER OF THE CHIEF PNP

SEC. 31. *Emergency Power of the Chief PNP.* – In times of national emergency, as declared by the President, the Chief PNP shall have the tactical power to reassign, assign, deploy all police officers, with the power to conscript new police personnel, with the duty to report directly to the President and to the Chairman. This power is without prejudice to the Commission's supervisory, monitoring, and control power. The Chairman may recommend to the President the suspension of such power or removal of the Chief PNP in case of abuse.

Unless sooner revoked by the President or upon recommendation of the Chairman, such power is coterminous with the declared exigencies. All personnel movement pursuant to such power shall revert to their former positions, *provided that* promotions and demotions during said period shall be valid, subject to the guidelines of the Commission.

PROMOTIONS

SEC. 32. *Promotions and Attrition.* – The Commission shall create a system and a policy of promotion, including lateral promotions, spot promotion, and removal through attrition, consistent with the approved staffing pattern and organization plan and the General Appropriation Act. No officer shall be placed on a floating status except when charged with an offense. Sections 31, 32, and 33 of R.A. 8551 are hereby incorporated.

Promotion in the *first-level* shall be vested in the local executives through their *Peace and Order Council* as Promotion Board, subject to the *confirmation* of the Commission's Regional Director.

SEC. 33. *Promotion and Attrition Boards.* – The Commission shall create promotions and attrition boards for *second-level up to third-level officers*, which shall receive, screen promotion applications, conduct interviews and submit recommendations to the appointing and confirming authorities as hereinafter provided. The attrition board shall conduct such activities to assess the fitness, competence, efficiency, and professionalism of the police force and shall recommend either retirement, separation, demotion, or such other actions as provided by the rules.

Promotion and attrition of the *second-level*, as recommended by the Board, shall be *approved* by the Chief PNP, subject to subsequent confirmation of the Chairman.

Promotions and attrition of *third-level* shall be approved by the President upon *recommendation* of the Commission en banc sitting as Promotion or Attrition Board.

Promotion to the Chief PNP and the Deputies for Operation and Personnel and Administration shall be done by the President upon *submission* by the Chairman of a list of five (5) qualified officers as recommended by the Commission en banc, sitting as Promotion Board.

The Chief PNP, upon completion of his tour of duty without being extended, shall be deemed retired by attrition. The Deputies for Operation and Personnel and Administration shall, upon completion of their tour of duties without being promoted or extended, or re-assigned to a post requiring equivalent rank within thirty (30) days, be deemed retired by attrition.

ASSIGNMENTS

SEC. 34. *Assignment, Reassignment, Transfer, Detail, and Reorganization.* – Assignments, reassignment, detail, or transfer to any of the support commands or regional offices, including reorganization or shuffling thereof maybe be done by the Chief PNP subject to *prior* confirmation, attestation and strictly in compliance with the Commission's policy guidelines and approved staffing and organizational pattern and budget, *provided that* movements in an acting capacity shall be valid only for one (1)

year or sooner upon order, *provided further* that such movements may be done solely by the Chief PNP in the exercise of its emergency power.

The President has the sole power to reassign, transfer, or detail the Chief PNP and the Deputies for Operations and Personnel.

DISCIPLINARY AND CONTEMPT POWER

SEC. 35. *The Adjudication, Prosecution, Intelligence, Investigation, Monitoring, Audit and Inspection (IIMAIB) Bureau.* – The Bureau under the Chairman shall exercise the disciplinary and non-disciplinary, intelligence, oversight, investigative, and audit powers of the Commission over the PNP. It shall also be the Internal Affairs Unit of the Commission over its officers and personnel. The Bureau shall have the power to:

1. Conduct a proprio investigation or, upon request, in aid of pending proceedings either in the Commission, in court, the Department of Justice (DOJ), and other agencies;
2. Immediately file a verified complaint with a formal charge upon verified investigation or verified complaint under exceptional and serious cases hereunder provided under Section 37;
3. Investigate upon complaint;
4. Conduct a pre-charge investigation and file a formal charge in cases other than those under Section 37;
5. Conduct a summary hearing;
6. To adjudicate and decide within the period provided in the rules; and
7. File and prosecute the appropriate criminal and civil cases.

SEC. 36. *Jurisdiction of the Commission.* – The Commission shall hear and decide administrative cases involving *less grave to grave offenses*, including complaints filed by citizens. It may impose the maximum penalty of *dismissal* from the service, one rank demotion, *sixty (60) days to more than one hundred ninety (190) days suspension* as may be warranted and defined by the rules.

The Commission en banc shall have *primary and exclusive jurisdiction* when any of the respondents are on Directorate level, such as the Chief PNP, Deputy Directors, the PNP Regional Directors, Directors of Service Support and Area Command.

SEC. 37. *No Injunction.* – Proceedings before the Commission en banc can not be enjoined except upon order of the Court of Appeal or Supreme Court on the ground of patent nullity for violation of due process amounting to lack of jurisdiction or grave abuse of authority amounting to lack of jurisdiction.

SEC. 38. *Presidential Clearance Not Required.* – The Commission en banc, the adjudicators and prosecutors shall investigate, formally charge, hear and decide administrative case involving *third-level officers* and Directorate or higher officers including the Chief PNP and his deputies without need of prior clearance from the President, *provided however* that execution of any decision against the Chief PNP or any of its Deputies shall be an exclusive prerogative of the President.

SEC. 39. *Adjudication Officers: Jurisdiction.* – The Adjudication Officer shall have *primary jurisdiction* where any of the respondents are *second- or third-level officers*, *excluding* those holding temporary lateral entry appointments, the Chief PNP, Deputy Directors, Regional Directors, and Director-level officers. It shall have *concurrent*

jurisdiction with other Disciplinary Authorities involving *first-level officers*, excluding newly recruited probationary Patrolman/Patrolwoman.

Offenses committed by probationary patrolman/patrolwoman, second- and third-level officers holding *temporary probationary lateral entry appointment* and not *promotional lateral entry*, shall fall under the primary jurisdiction of the Termination Board.

Upon the effectivity of this Act, administrative cases pending before other disciplinary authorities involving *second- or third-level officers*, the Chief PNP, Deputy Directors, Regional Directors, and Director-level officers where summons are yet to be issued shall be transferred either to the Adjudicators or to the Commission en banc.

Decisions of the Adjudication Officers may be appealed to the Regional Appellate Board in the manner provided by the rules.

SEC. 40 *Prosecutor General: Authority.* – The Prosecutor General (PG) shall have control and supervision of all investigations and all prosecutors, both in the Commission and the PNP, including appearances of private prosecutors. It shall have the power of review of all resolutions of the prosecutors, including findings of no probable cause and withdrawal of complaints, in the manner provided in the rules.

The PG and its regional prosecutors shall represent the Commission:

1. In receiving complaints, the investigation and evaluation thereof;
2. Initiating investigation and eventual filing of complaints;
3. To supervise and control the pre-charge investigation in all disciplinary authorities;
4. To approve or disapprove the filing of a formal charge;
5. Prosecute or supervise and control prosecution in all disciplinary authorities, including cases filed in Courts, the Ombudsman, the Sandiganbayan, and Congressional hearings;
6. It shall also represent the commission in the application in courts for the issuance of warrants of arrest and seizure, other warrants, and freeze orders; and
7. It shall strictly supervise the conduct of custodial investigation and entrapment proceedings and the filing of criminal cases in the DOJ.

The PG with the authority of the Solicitor General may also represent the Commission before the Court of Appeals and the Supreme Court with the authority to file petitions and other pleadings.

SEC. 41. *Intelligence, Investigation, Monitoring, Audit, and Inspection Unit (IIMAIB).* – The IIMAIB shall conduct regular intelligence operations and monitoring of all activities and lifestyles of police officers and directly submit its report to the Chairman.

As the *integrity monitoring unit* (IMU), it shall conduct motu proprio or scheduled regular investigation, monitoring, audit, inspection, and examination of the PNP's and the Commission's:

1. Operation, management, and financial capabilities;
2. Expenditures, books, records, and accounts;

3. Procurement, use, utilization, deployment, and disposition of assets, personnel, facilities, and equipment;
4. Behavioral, psychological, and physical fitness of officers and personnel; and
5. Random drug testing.

It shall also conduct motu proprio investigation in the following cases involving police officers:

1. Discharge of firearms;
2. Illegal arrest and seizure;
3. Human rights violations;
4. Violations or lapses of operational protocols;
5. Incidents of death, physical injuries, or wanton destruction of properties;
6. Incidents where pieces of evidence are compromised, mishandled, or tampered with;
7. Violence against women and their children (VAWC) incidents/complaints;
8. Road rage;
9. Sexual harassment;
10. Human trafficking;
11. Offenses under Section 37; and
12. Other offenses where the evidence of guilt is overwhelming, clear, and strong.

It shall also conduct motu proprio or regular investigation, audit, review, or monitoring on the performance of the local executives as deputized offices of the Commission.

It shall file complaints as may be warranted and recommend remedial measures or actions that must be acted upon by the Commission through the Chairman within the period provided by the ARTA Law.

In accordance with the rules of court, the commission's manual of operation, revised penal code, human rights laws, other related laws, and the bill of rights, the IIMAIB or its agents, in coordination with the PG or Regional Prosecutors, shall have the authority:

1. To arrest and file a criminal case directly to the DOJ for inquest;
2. To arrest and file within 48 hours a verified administrative complaint with a formal charge as provided under Section 37;
3. To conduct entrapment proceedings, arrest, and file within forty-eight (48) hours a verified administrative complaint with a formal charge as provided under Section 42;
4. May apply for the issuance of warrants and execute them;
5. May conduct a custodial investigation and shall file the necessary cases.

SEC. 42. Confidential Intel-Asset. – The Chairman may employ confidential intel-agents to gather relevant and material information and data on the operations, conduct, behavior, and all activities of police officers and personnel of the Commission. They shall also perform other relevant acts as directed by the President through the Chairman.

The confidential assets may be placed under the direct supervision and control of the IIMAIB regional or provincial heads.

Real identities shall be kept in the roster of agents, which only the President, jointly with the COA Chairman, Ombudsman, and Commission's Chairman, can disclose when national interest requires it.

Unauthorized disclosure shall be a ground for impeachment or immediate and *motu proprio* dismissal from the service. No investigators or investigative bodies, including Congress, shall compel the disclosure of the agent's identities, code names, papers, and effects. Any attempt to extract information shall, upon complaint before the Ombudsman and without prejudice to criminal liability provided under Section 91, be a ground for immediate and executory dismissal or removal from the office with disqualification to hold public or elective office.

SEC. 43. *Subpoena Power and Administration of Oath.* – The Chairman, Adjudicators, Prosecutors, and Investigator shall have authority to issue summons, subpoena, and other processes for the production of documents or testimony with the power to cite in contempt and impose penalties and sanctions in the manner provided in the rules. They shall also have the power to administer an oath on matters pertaining to their duties.

REVIEW POWER

SEC. 44. *Review Power.* – The National Appellate Board shall review decisions of the Chief PNP where the penalty imposed is more than one hundred ninety (190) days suspension, demotion, or dismissal from the service. All other decisions of the Chief PNP may be appealed to the Court of Appeals.

The Regional Appellate Board shall review decisions of all Disciplinary Authorities, excluding the Chief PNP, but including the PLEB, Regional Adjudicators, and the Regional Directors on Claims and Benefits.

Decisions of the NAB and RAB where the penalty imposed is dismissal, demotion, or one hundred (190) days suspension, and denials of claims may be appealed to the Chairman. Other decisions of the appellate boards may be appealed to the Court of Appeals.

Dismissal decisions of the Adjudicators shall be immediately executory.

Decisions of the Chairman shall be immediately executory despite appeal to the Court of Appeals.

Decisions of the Commission en banc shall be immediately executory notwithstanding appeal to the Court of Appeals.

EXPEDITED PROCEEDINGS

SEC. 45. *Expedited Proceedings.* – Section 53 of R.A. 8551, Summary Dismissal Cases, is hereby amended as follows:

The Commission en banc, the Adjudicators, the Chief PNP, and the Regional Directors shall, upon the filing of a verified complaint or investigation report, sufficient in form and substance and without the need of a pre-charge investigation but with a formal charge, immediately proceed to a *summary hearing* in the following cases and instances:

1. When the respondent was arrested without a warrant under Section 5 of Rule 113 of the Revised Rules of Criminal Procedure.
2. When the commission of the offense was duly recorded by CCTV or other forms of recording devices.
3. When the commission of the offense was fully documented by public records, clearly establishing the respondent's identity and guilt.
4. When considering the totality of pieces of evidence, the respondent's guilt was overwhelming, clear, and strong, or beyond reasonable doubt.
5. When the respondent is a recidivist or a repeat offender.
6. When the acts or omissions complained of constitute multiple offenses.
7. When a respondent committed dishonesty or fraud in the promotional eligibility examinations of the Commission.
8. When the respondent openly defies to execute the Commission's order relative to its mandates.

PREVENTATIVE SUSPENSION

SEC. 46. *Preventive Suspension.* – In the preceding section, preventive suspension and relief orders shall be issued as a matter of course and may be lifted on meritorious grounds provided in the rules. In all other instances, preventive suspension and relief order shall be issued in the manner provided in the rules and shall be valid only for a period of ninety (90) days. Preventive suspension or relief orders are not penalties.

Provided, that when the respondent is charged with a serious criminal offense before the Department of Justice, in courts, or in any investigative bodies, a preventive suspension and relief order shall issue sua sponte by the disciplinary authorities

BREACH OF INTERNAL DISCIPLINE

SEC. 47. *Breach of Internal Discipline (BOI).* – Breach of Internal Discipline refers to acts or omissions which are minor or simple in nature and relating to the police function or duty and not punishable by laws by imprisonment or suspension and where no injury or damage is sustained by a third party and do not involve moral turpitude.

They include, but are not limited to, simple neglect, oversight, simple irregularity, and harmless misconduct where there is lack of malice, intent, or deliberateness.

Simple offense not falling as breach of internal discipline and those falling as less serious and serious offenses shall also be under the jurisdiction of the PNP disciplinary authorities under R.A. 6975 and R.A. 8551 and they may impose the penalties as provided by the foregoing laws subject to the exclusive and primary jurisdiction of the Commission and its Adjudicator, as provided under Sections 36 and 39 of this Act.

FREEZE OF ACCOUNTS AND ASSETS AND ANCILLARY REMEDIES

SEC. 48. *Issuance of Freeze Order.* – In the exercise of its disciplinary power, the Commission through the Prosecutor General may file petition to the Court of Appeals through the AMLAC for issuance of freeze order of bank accounts and other related assets and to examine financial records when during an investigation or summary hearing, pieces of evidence clearly establish respondent to have amassed illicit funds and assets arising from the crimes of bribery, extortion, robbery, kidnapping, carnapping, human trafficking, illegal recruitment, illegal gambling, illegal drug activities, gun for hire, gun running and other offenses.

SEC. 49. *Disposal of Illicit Assets.* – Relative to the foregoing, the Commission, through the Prosecutor General and in coordination with AMLAC, may initiate forfeiture proceedings in court.

SEC. 50. *Ancillary Remedies.* – The Commission shall have the power to issue ancillary measures upon filing of a formal charge, to include, but not limited to, a protective order, preliminary attachment of assets, injunction, and prohibition, which may be lifted in the manner provided in the rules.

RULE-MAKING POWER

SEC. 51 *Implementing Rules and Regulations.* – In furtherance of its mandates, functions, and jurisdiction, the Commission shall exercise quasi- legislative power to adopt and enact rules and regulations, policy guidelines, manuals, circulars, codes, resolution or orders with the power to impose sanctions and penalties for non-compliance or for violations thereon.

Proceedings before the disciplinary authorities shall be summary in nature, where technical rules on evidence are liberally construed. Simplified and expedited proceedings for serious offenses other than those under Section 37 shall be provided consistent with due process.

It shall issue rules, guidelines, or manuals for police operations, including the custody, preservation, and disposal of pieces of evidence, code of conduct, protocols, and such other guidelines for the effective discharge of police duties and functions with due regard to human rights and the Bill of Rights.

Rules or manuals, including Implementing Rules of this Act, shall be published within fifteen (15) days in the Official Gazette, any of the newspapers of general circulation, NAPOLCOM OFFICIAL WEBSITE, and shall also be enrolled at the Office of National Administrative Register (ONAR).

Upon completion of its publication as provided above and certified as such by the Commission, the rules shall immediately take effect.

CLEMENCY AND ACQUITTAL

SEC. 52. *Clemency.* – The Commission en banc may grant petitions for clemency on meritorious cases provided in the rules and subject to approval by or conditions imposed by the President.

SEC. 53. *Acquittal.* – Acquittal in a criminal case, finding the accused not the author of the crime shall automatically cause the dismissal of an administrative case and exoneration of the respondent, provided that both proceedings involved the same

acts or omission and shall entitle the respondent-accused the right to reinstatement without loss of seniority rights and backwages as defined by the Civil Service Rules and rules of the Commission.

DEPUTATION

SEC. 54. *Automatic Deputation.* – Governors and mayors, upon having been elected and having qualified as such, are automatically deputized as representatives of the Commission in their respective jurisdiction.

SEC. 55. *Power to Appoint, Promote, Assign, Reassign.* – The local executives shall have the power to appoint the Chief of Police or Provincial Director of their respective jurisdictions, subject to confirmation by the Commission's Regional Director and subject to further policies and guidelines of the Commission.

The Commission's Regional Director shall submit to the local government executives at least five (5) recommendees previously screened and processed in accordance with the Commission's guidelines.

The local government executives, through their Peace and Order Council, shall also have the power to hire, appoint, promote, assign, and reassign first-level officers subject to the Commission's guidelines and policies.

No first-level officers can be transferred to areas outside of the region of the local government unit except when so ordered by the Chief PNP in the exercise of its emergency power.

SEC. 56. *Disciplinary Power.* – The local executives and the PLEB, as part of the Disciplinary Mechanism, shall exercise disciplinary power as provided under R.A. 6975 and R.A. 8551.

SEC. 57. *Operational Control.* – The Governor and Mayor, as deputies of the Commission, shall have direct authority to order their respective Provincial Director or Chief of Police, or any of the Station Commanders or Units, to ensure peace and order in the locality. As defined in this Act, they shall have operational control to include the power to employ, deploy, command, and direct.

SEC. 58. *Transfer of Authority during Election and during Declared Emergency.* – During the thirty (30) days following any national, local, and barangay elections, the local police forces shall be under the supervision and control of the Commission on Elections.

In times of national emergency, as declared by the President, the Chief PNP shall have direct control and supervision of all police officers, including local police forces, without prejudice to the power of the Commission to supervise, monitor, and control and to recommend to the President to terminate such power of the Chief PNP.

When deputation is suspended or withdrawn as hereinafter provided, authority over the police is likewise transferred to the Commission as provided under Sections 54 to 55.

SEC. 59. *Duty of the Provincial Director, Chief of Police, and other Police Officers.* – The Provincial Director (PD) and Chief of Police (COP) shall obey the legitimate

orders of the local executives. In case of abuse of authority or any attempt thereof, or when there are grounds to suspend or withdraw such authority, upon written report of the PD or COP or verified complaint, the Commission shall upon due notice to the concerned local executives, automatically withdraw or suspend the deputation and forthwith place the municipality or city concerned under the control of the Commission's Regional Director or Provincial, District or City Director as the case maybe and shall exercise, perform and execute the deputized duties in coordination with the local council.

Failure of the PD or COP, or any station commanders or police officers to report any abuse of authority or grounds to suspend or withdraw deputation shall constitute gross neglect of duty, which shall be a ground for dismissal from the service.

SEC. 60. *Additional Powers.* – Governors and Mayors, as deputies of the Commission, shall exercise the following functions and duties:

1. To provide support for the administrative and operational needs and requirements of the police, including but not limited to training, seminars, schooling, provide police precincts or headquarters, patrol vehicles, ambulance and communication equipment, and firearms in accordance with the Commission's standards. It shall support the schooling and training of its police force in the Commission's Academy and that of the PNP;
2. It shall conduct regular orientation and education of the local police force on local ordinances, relevant laws, and rules;
3. To constitute and convene the PLEB and provide support for its administrative and operational needs and requirements, including a monthly allowance and insurance for the members.

The mayors, as deputized representatives of the Commission, shall have administrative control and supervision over the PLEB with the power to discipline, suspend, and remove any members for cause.

The governor shall organize the provincial association of PLEB members in his jurisdiction and shall sponsor activities for their collective benefits and mutual interest, and conduct community-based activities.

The governor shall organize the provincial association of police officers in his jurisdiction and shall sponsor activities for their collective benefits and mutual interest, and conduct community-based activities;

4. The governor, as chairman of the provincial peace and order council, shall oversee the implementation of the provincial public safety plan, which is a consolidation of the city or municipal councils' integrated community safety plans.

The Commission's Provincial Director and the PNP are members of the provincial peace and order council and shall actively take part therein.

The governor, as chairman of the provincial peace and order council, shall oversee the implementation of the provincial public safety and order plan,

which is prepared taking into consideration the integrated community safety plans, as prepared by the city or municipal councils;

5. The mayor, as chairman of the city or municipal peace and order council, shall convene the same as a recruitment, promotion, and attrition board for first-level police officers. The Chief of Police and the Commission's City, District, or Provincial Director are members of the promotion and attrition board;
6. Formulate and adopt effective mechanisms for the coordination, cooperation, and consultation involving the local executives, citizenry, and law enforcement agencies for the conduct of community-based peace and order programs and activities;
7. Formulate and pursue a three (3) year, term-based, Peace and Order and Public Safety Plan (POPS Plan), pursuant to the guidelines and policies of the DILG, and within the period prescribed by the latter, which shall be incorporated in the Comprehensive Development Plan of the local government unit;
8. Convene the Peace and Order Council (POC) quarterly, or as often as the need arises, and submit a semestral POC Accomplishment report;
9. Participate in the Regional Peace and Order Council;
10. The local government units shall assist in identifying and establishing permanent PNP examination and promotion examination centers in their province or city, and may provide support funds for the pre-examination and examination activities; and
11. Perform or exercise such other additional functions and duties as may be duly authorized by the Commission.

GROUND FORS SUSPENSION OR WITHDRAWAL OF DEPUTATION

SEC. 61. *Suspension or Withdrawal of Deputation.* – In coordination with and without prejudice to the President and the DILG's supervisory and disciplinary authority over local executives, the Commission en banc may suspend or withdraw the deputation on any of the following grounds:

- a) Frequent unauthorized absences;
- b) Abuse of authority;
- c) Providing material support to criminal elements;
- d) Engaging in acts inimical to national security or which negate the effectiveness of the peace and order campaign, including attempts to make the police his private army, or issuance of illegal orders contrary to the police manual of operation;
- e) Fails to maintain peace and order in his locality;
- f) Defy or neglect to implement the commission's policies and programs, directive or decisions; or
- g) Gross neglect of duties as deputized officers of the Commission.

SEC. 62. *Take Over by the Provincial, City, or District Director.* – Upon suspension or withdrawal of deputation, the Commission's Regional Director or Provincial, District or City Director shall take over, perform, implement and exercise the deputized duties and functions, in coordination with the provincial, city or municipal council, as the case may be.

SEC. 63. *Power to Relieve and Replace Police Forces.* – Subject to the Commission's policy guidelines, the power to suspend deputation includes the power to relieve all local police officers and personnel, including the Chief of Police or Provincial Director, and replace them from police forces from the PNP Regional Command or other commands or headquarters.

REINSTATEMENT OF DEPUTATION

SEC. 64. *Reinstatement of Deputation.* – Upon good cause shown, the President may, directly or through the Chairman, *motu proprio*, restore withdrawn or suspended deputation.

ADVISORY, REPORTORIAL

SEC. 65. *Advisory Function.* – The Commission, through the Chairman, shall advise the President on police and peace and order matters and crime prevention. It shall submit peace and order plans and programs at the end of the year or as often as the President may direct.

NON-DISCIPLINARY POWERS

SEC. 66. *Absence Without Authorized Leave.* – Upon recommendation of the PNP Central, Regional, or Provincial Personnel Administrative Heads, the Commission or its Regional or Provincial Directors shall *motu proprio* and summarily, drop from the rolls (DFR) PNP officers who have been absent without authorized leave (AWOL) for a *continuous* period *exceeding* fifteen (15) days without prejudice to investigation of their activities while being absent.

DFR may be initiated in the manner provided by the rules against PNP Officers when the AWOL is less than fifteen (15) days, whether continuous or cumulative *provided* that when the AWOL is three (3) days or less, it may also be considered as a minor offense involving breach of internal discipline under the exclusive jurisdiction of the PNP Disciplinary Authority, having supervision of the erring police officer.

No administrative proceedings shall be initiated when the respondent is dropped from the rolls. Exoneration from DFR restores the officer to his former position. Absolute exoneration, as defined by the rules, entitles the officer the right to back wages without loss of seniority rights.

SEC. 67. *Issues on Appointments, Reassignments, and Other Personnel Movements.* – Issues pertaining to appointments, assignments, reassignments, details, and other movements of first-level PNP officers shall be filed with and resolved by the Commission's Provincial Director, whereas those of the second-level shall be resolved by Regional Directors, and those of the third- and Director-level officers shall be under the Chairman's jurisdiction.

SEC. 68. *Performance Audit.* – The officers and personnel of the Commission and the PNP, including non-uniformed personnel who have incurred unsatisfactory performance, unhealthy lifestyle, physical fitness issues, integrity and moral issues, or who were found positive for using prohibited drugs, shall be dealt with in the manner provided in the rules consistent with the Civil Service Law or rules.

SEC. 69. *Awards, Commendations, and Incentives.* – The Commission shall adopt policies and programs for awards and commendations for its officers and personnel on account of excellent service, dedication, and other meritorious grounds, and similar policies and programs for the police including spot-promotion, on account of excellent performance, bravery, gallantry, dedication, tireless and selfless community service during calamity and other perilous conditions and as community role model.

MISCELLANEOUS

SEC. 70. *Career Development, Incentives, Qualification Standards, and Security and Retirement Benefits.* – Except for the Chairman and the Commissioner, the officers and personnel shall, in addition to other allowances and remuneration authorized under existing laws, be granted occupational specialty pay equivalent to fifty percent (50%) of their basic pay, subject to policy guidelines.

Scientists, engineers, IT specialists, Statisticians, Data Analysts, Actuarial Researchers, and other technical professionals of the Commission shall receive such other benefits provided by other laws.

The Assistant Commissioners, Prosecutor General, Regional Prosecutors, Regional Directors, Assistant Regional Directors, and Adjudicators shall have the same retirement benefits as those of the Commissioners and Regional Appellate Board Members.

SEC. 71. *Other Allowances.* – The Commission shall provide a comprehensive structure of allowances covering subsistence, quarters, clothing, hazard pay, combat duty and incentive pay, sea and flying allowances, hardship allowances, and other operational benefits to both the PNP and the Commission's officers and personnel.

SEC. 72. *Qualification Standard.* – The Commission, through the Staff and Personnel Bureau, shall adopt and publish qualification standards for all officers and employees of the Commission and the PNP, uniformed and non-uniformed personnel.

SEC. 73. *Salary Grades.* – The following officers shall have the corresponding salary grades:

Chairman	SG 31
Regular Member of the Commission	SG 30
Assistant Commissioner	SG 29
Regional Director	SG 29
Chairperson, RAB	SG 29
RAB Member	SG 27
Prosecutor General	SG 29
IIMID Regional Director	SG 29
IT Heads	SG 29
Asst. Regional Director	SG 28

Provincial/City/District Directors	SG 28
Adjudicator, Regional Prosecutor	SG 28
Intelligence Head	SG 28
Audit/Monitoring Head/Integrity Head	SG 28
Regional Legal and Division Heads	SG 27
Regional IT Heads	SG 27
Asst. Prosecutor	SG 27
Investigator	SG 27
Inspector, Law Enforcer	SG 26

SEC. 74. *Authority to Possess and Carry Service Firearms.* – The Commission shall have the authority to issue service firearms to all its Officers and agents who shall have the authority to use, possess, discreetly carry, and transport them while performing their duties or for their personal security.

SEC. 75. *Witness Protection Program.* – The Commission, through the PG, shall ensure the safety of all key witnesses in serious administrative and criminal cases. It shall establish policy guidelines for their admission, custody, protection programs, and benefits, including their discharge. It may coordinate with the Department of Justice for a possible joint program and facility.

SEC. 76. *Training Academy.* – The Commission shall establish a Training Academy under the direct control and supervision of the Personnel and Staff Bureau. It shall formulate and adopt curriculum, academic scholarship, professorship, and other activities and programs.

SEC. 77. *Examination Centers.* – The Commission shall, in coordination with the DEPED or its District Office and the local government units, identify and establish permanent PNP examination and promotion examination centers for every province.

The Commission's annual budget and expenditure shall include specific allocation and expenditure items for its regular PNP entry and promotional examination programs per province. The local government units shall provide additional support funds.

SEC. 78. *Provident Fund.* – There shall be a provident fund with a start-up capital provided under Section 84. Separate from the GSIS, SSS, and other retirement programs, the fund shall augment the retirement benefits of the employees and personnel of the Commission and the PNP, inclusive of non-uniformed personnel. with the program on survivorship right of the legal spouse or, in the absence thereof, the surviving minor or incapacitated heir. Fifty percent (50%) of any monthly pension benefits shall be paid to the survivor.

The Commission, through the Finance Bureau and the duly organized and registered management entity, through its board and executive officers, shall jointly manage and oversee the provident fund. They shall provide policy programs for membership, payment of monthly contributions, investment, prudent use, actuarial, accounting, reportorial, payments, and dividend distribution or cash surrender of contributions and other benefits, including a monthly pension with survivorship right of fifty percent (50%) thereof to the legal spouse or, in the absence thereof, the surviving minor or incapacitated heir.

Income generated by the Commission's assets, examination, promotion, filing fees, and other fees collected by it shall be used to augment the provident fund or may be distributed to the members as additional benefits.

SEC. 79. *Right to Self-Organization.* – The Commission recognizes and supports the constitutional right of the rank and file employees to self-organization and collective negotiation and the right to participate in policy, programs, and plans formulation on matters affecting their rights, welfare, benefits, and interest

INCORPORATION

SEC. 80. *Adoption by Incorporation.* – Section 14 of R.A. 6975, Powers and Functions of the Commission as amended by Section 5 of R.A. 8551, insofar as it is not inconsistent with any of the provisions of this Act, shall remain in full force and effect.

The following sections of R.A. 8551 are incorporated insofar as they are not inconsistent, to wit:

1. A. REORGANIZATION: Section 13;
2. B. QUALIFICATIONS: Sections 14, 15, 16, 17, 18, 19, 20, 21, 22, and 23;
3. C. ATTRITION SYSTEM FOR UNIFORMED PERSONNEL: Sections 24, 25, 26, 27, 28, 29, and 30;
4. D. PROMOTIONS: Sections 31, 32, and 33;
5. E. UPGRADING OF SALARIES AND BENEFITS: Sections 34, 35, 36, 37, and 38;
6. DISCIPLINARY MECHANISM: Sections 52, 54, and 56;
7. WOMEN'S DESK: Sections 57, 58, 59, 60, and 61; and
8. PLEB: Sections 66, 67, 68, 69, 70, and 71.

SPECIFIC REPEAL

SEC. 81. *Express Repeal.* – The following provisions of R.A. 8551 are expressly repealed:

1. Sections 3 to Section 22;
2. Sections 39 to Section 51;
3. Section 53; and
4. Sections 62 to 65.

GENERAL REPEAL

SEC. 82. *General Repealing Clause.* – The provisions of Republic Act Number Six Thousand, Nine Hundred Seventy Five (R.A. 6975) and Republic Act Number Eight Thousand, Five Hundred Fifty One (R.A. 8551) and of executive orders, rules and regulations, inconsistent with this Act are hereby repealed or modified accordingly.

SEC. 83. *Suppletory Application.* – The Civil Service Law, Administrative Code, Rules issued by the Civil Service Commission and the Rules of Court may be applied in or be suppletory in case of absence, silence or ambiguity of this law and the rules issued by the Commission.

SEC. 84. *Appropriations.* – For purposes of underwriting the operation of the reorganized National Police Commission the sum of Two Billion and Five Hundred Million Pesos (P2,500,000,000.00) inclusive of the start-up provident fund of P500,000,000.00 or so much thereof as may be necessary is hereby appropriated out of any funds in the National Treasury not otherwise appropriated, to include the present appropriations of the National Police Commission. Thereafter, such amount as is necessary to carry out the provisions of this Act shall be included in the annual General Appropriations Act.

SECTION 85. *Penal Clause.* – Any person who, in violation of the provisions of this Act and/or Civil Service rules and regulations, unduly interferes in the execution thereof shall be punished with imprisonment of not less than six (6) months but not more than six (6) years.

Violation of Section 39 shall be punished with imprisonment of twenty (20) years with perpetual disqualification to hold elective or appointive office including government owned and controlled corporations.

SEC. 86. *Separability Clause.* – If any part, section or provision of this Act be held invalid or unconstitutional, no other part, section or provision thereof shall be affected thereby.

SEC. 87. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its complete publication in at least three (3) newspapers of general circulation.

Approved,