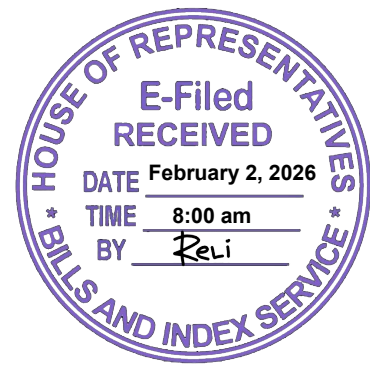


TWENTIETH CONGRESS )  
REPUBLIC OF THE PHILIPPINES )  
First Regular Session )



HOUSE OF REPRESENTATIVES

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*Introduced by Representative Rufus B. Rodriguez and  
Representative Maximo B. Rodriguez, Jr.*

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House Bill No. 7518

**EXPLANATORY NOTE**

Republic Act No. 5487 or The Private Security Agency Law was enacted into law on June 21, 1969 and was last amended by Presidential Decree No. 11 in October 3, 1972.

At present, there have been many developments, improvements and advancements in the private security industry, many of which are not covered by the existing law.

This bill proposes amendments to RA 5487 for the law to be applicable, and adapt, to the current situation after more than forty years since the law was first passed.

This bill seeks to professionalize the industry by intensifying the requirements for training and professional certification of security practitioners. It also seeks to improve the plight and status of security guards who are the cornerstones of the private security industry.

Another proposal is to increase the efficiency of the security industry by introducing amendments to lessen bureaucracy with respect to licensing, operation and regulation of private security agencies. It also gives the agency players a greater role in the drafting of regulations and issuances related to and affecting private security agencies and private security personnel.

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

  
RUFUS B. RODRIGUEZ

  
MAXIMO B. RODRIGUEZ, JR.

TWENTIETH CONGRESS )  
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*Introduced by Representative Rufus B. Rodriguez and  
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House Bill No. 7518

**AN ACT**

**FURTHER AMENDING REPUBLIC ACT NO. 5487, AS AMENDED, OTHERWISE KNOWN AS THE PRIVATE SECURITY AGENCY LAW, TO REGULATE THE ORGANIZATION AND OPERATION OF PRIVATE DETECTIVE, WATCHMEN OR SECURITY GUARD AGENCIES.**

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

**Section 1. Short Title of Act.** – This Act shall be known as "The Amended Private Security Agency Law".

**Section 2. Scope of this Act.** – The organization, operation, business, training, and other activities of private detectives, K9 dogs and K9 handlers, watchmen or security guard agencies, private protective agencies, armored vehicle security service providers, private security canine services, and their respective training institutions shall be governed by the provisions of this act.

**Section 3. Definition of Terms.** –

- (a) Person - As used in this Act, person shall include not only natural persons but also juridical persons such as corporation, partnership, company or association duly organized registered with the Securities and Exchange Commission and with the Department of Trade and Industry.
- (b) Private Detective Agency - A private detective agency is any person, who, for hire or reward or on commission, conducts or carries on or holds himself or itself out as conducting or carrying on a detective agency, or detective service.
- (c) Private Detective - A private detective is any person who is not a member of a regular police agency of the Armed Forces of the Philippines who does detective work for hire, reward, or commission.
- (d) Watchman or Security Guard, Watchman or Security Guard Agency – Any natural person who offers or renders personal service to watch or secure either residential or business establishment, or both, or any building, compound, or area including but not limited to logging concessions, agricultural, mining or pasture lands for hire or compensation, or as an employee thereof whether air, sea or land based deployment, as the case may be, including any employee of the national or local governments or any agency or instrumentality thereof and of government-owned or controlled firms or corporations, who is employed to watch or secure government buildings, compounds, premises and other properties, other than members of the Armed Forces of the Philippines, guards of the Bureau of Corrections, provincial and city jail guards, and members of city and municipal police forces, shall be known as watchman or security guard; and any person, association, partnership, firm or private corporation, who/which recruits, trains, furnishes, or employs any watchman or security guard, or solicits individual, business firms, private, public or government-owned or controlled corporations to engage his/its service or those of his/its watchmen or security guards, shall be known as Watchman or Security.

- (e) Private Protective Agency - any person, natural or juridical, who, for hire or reward or on commission, conducts or carries on or holds himself or itself out as conducting or carrying on a protective agency, or protective service.
- (f) Protection Agent - Refers to PNP-licensed private security personnel provided by an accredited Private Security Agency or a Private Detective Agency, qualified and selected to perform security protection to individuals entitled for protection.
- (g) Private Security Canine Service Provider - A business entity that is Certified and Registered with the Bureau of Animal Industry purposely to provide private canine services, establish, maintain and operate a facility and other form of confinement of kennel/canine/dog where they are bred, treated, maintained or kept either for sale/trade or for training.
- (h) Armored Vehicle – Refers to an armored van or truck that undertakes the transportation of cash, funds, checks, or any other valuable items. It is a versatile vehicle designed to ensure that transported contents as well as individuals are well protected against attempts of robbery and other crimes. It is an extraordinary vehicle that can withstand the firepower of high-powered firearms and extreme degrees of heat.
- (i) Armored Vehicle Security Service Provider – refers to any natural or juridical person engaged in services of providing armored vehicle transportation to banks, financial institutions and other entities transporting valuable items or goods.
- (j) armed private security guard or watchman – any natural person for hire or compensation, or as an employee thereof, at least 21 years of age, who offers and renders personal service to: (1) to protect lives of individuals within his posting area; (2) watch or secure either residences, business establishments, buildings, compounds and areas or properties; and (2) inspect, monitor, conduct bodily checks or searches of individuals or baggage or perform other forms of security inspection, whether physically, manually, electronically or with the aid of canine. nothing in this provision shall be construed as prohibiting the armed private security guard or watchman from performing the functions of unarmed security guard;
- (k) Unarmed Private Security Guard or watchman – Any natural person hired or employed, at least 18 years of age, who renders or offers personal service to secure and monitor events, buildings, establishments, properties, perform bodily checks, inspect baggage, CCTV footages which include among others event security, electronic security device operator, and other security engaging services. Nothing in this provision shall be construed as prohibiting the electronic security device operator and to work as a freelancer.

**Section 4.** *Who May Organize a Security or Watchman Agency, Private Protective Agency, Armored Vehicle Security Service Provider, Private Security Canine Service Provider and its respective Training Institutions.* – Any Filipino citizen or a corporation, partnership, or association, with a minimum capital of Five Hundred Thousand Pesos (Php 500,000.00), one hundred per cent (100%) of which is owned and controlled by Filipino citizens may organize a security or watchman agency, private protective agency, armored vehicle security service provider, private security canine service provider and its respective training institution: *Provided*, That no person shall organize or have an interest in, more than one such agency or service provider except those which are already existing at the promulgation of this Decree: *Provided, further*, That the operator or manager of said agency or provider must be at least 25 years of age, a college graduate and/or a commissioned officer in the inactive service of the Armed Forces of the Philippines; of good moral character; having no previous record of any conviction of any crime or offense involving moral turpitude and not suffering from any of the following disqualifications:

- (1) Having been dishonorably discharged or separated from the Armed Forces of the Philippines;
- (2) Being a mental incompetent;
- (3) Being addicted to the use of narcotic drug or drugs; and

(4) Being a habitual drunkard.

For purposes of this Act, elective or appointive government employees who may be called upon on account of the functions of their respective offices in the implementation and enforcement of the provisions of this Act and any person related to such government employees by affinity or consanguinity in the third civil degree shall not hold any interest, directly or indirectly in any security guard or watchman agency, private protective agency, armored vehicle security service providers, private security canine service providers and its respective training institutions.

**Section 5. *Qualifications Required.*** – No person shall be employed as security guard or watchman or private detective unless he/she is:

- (a) a Filipino citizen;
- (b) at least high school graduate or completed Grade 10 (under the K to 12 Education Program);
- (c) physically and mentally fit;
- (d) not less than 18 nor more than 60 years of age;
- (e) at least 5 feet in height;
- (f) must have taken a security course and/or must have adequate training;
- (g) of good moral character and must not have been convicted of any crime or offense involving moral turpitude;
- (h) has passed the neuro-psychiatric and drug test administered by the Philippine National Police or other PNP accredited diagnostic centers.
- (i) suffering none of the disqualifications provided for in the preceding section: *Provided*, that all retired personnel from the PNP, AFP, NBI, those who attended police training school or detective training in any authorized/recognized training center as well as those who are advance ROTC/CMT graduates or its equivalent, and finally those who have finished the 2<sup>nd</sup> class cadet training of PMA, PNPA OR PMMA are exempt on the minimum educational qualification standard of a security officer.

**Section 6. *License Necessary.*** – No person shall engage in the business of, or act either as a private detective, or detective agency; and either engage in the occupation, calling or employment of watchman or in the business of watchman's agency, private protective agency, armored vehicle security service provider and private security canine service provider without first having obtained the necessary permits and licenses from the Chief, Philippine National Police which permit as approved is prerequisite in obtaining a license or license certificate: *Provided*, That all existing private detective or watchman or security guard agencies, private protective agencies, armored vehicle security service providers, private security canine service providers, and K9 Training Agencies, and its respective training institutions shall have a period of one (1) year from the approval of this Act to secure the said license: *Provided, further*, That existing agencies, service providers and any new agency or service provider which may hereafter apply for a license, certify under oath that their private detectives, watchmen or security guards, private protective agencies, armored vehicle security service providers, private security canine service providers and its respective training institutions have received the appropriate training from the Philippine National Police or any other private institution duly accredited by the PNP to conduct security training.

*Provided, finally*, That the national or local governments, or the agencies or instrumentalities thereof, as well as government-owned or controlled corporations which shall utilize any of their employees as watchman or security guard are exempted from securing the license herein prescribed.

**Section 7. *Application for License.*** – The application shall be made in writing and shall be filed with the Chief, Philippine National Police. It shall contain the full name of the applicant, his age, civil status, his residence, and location of business. If the applicant is a corporation, association or partnership, a copy of the certificate of registration with the Securities and

Exchange Commission together with its by-laws and articles of incorporation, with the Department of Trade and Industry.”

**Section 8. *Fees to be paid and Bonds.*** – When all requisites for the issuance of the license have been complied with, the Chief of the Philippine National Police or his duly authorized representative shall issue a permit for the issuance of such license and register the same in prerequisite in obtaining a license or license certificate: *Provided*, That all existing private detective or watchman or security guard agencies, private protective agencies, armored vehicle security service providers, private security canine service providers and its respective training institutions shall have a period of one (1) year from his\her\its office, upon payment by the applicant of the fee in accordance with the existing Schedule of Fees approved by the Chief, Philippine National Police.

The application shall further be accompanied by a bond issued by any competent or reputable surety or fidelity or insurance company duly accredited by the office of the Insurance Commissioner which bond shall answer for any valid and legal claim against the agency by its clients or employees: *Provided*, That license issued in the province of an authorized representative of the Chief of Philippine National Police is subject to review by the Chief of Philippine National Police.

Any provision of this or other law to the contrary notwithstanding, the Chief of Philippine National Police may, at any time suspend or cancel the licenses of private watchman or security guard agency, private protective agency, armored vehicle security service provider and private security canine service provider found violating any of the provisions of this Act or of the rules and regulations promulgated by the Chief of Philippine National Police pursuant thereto.

National government agencies or instrumentalities thereof, as well as government-owned or controlled corporations which shall utilize any of their employees as watchman or security guard are exempted from securing the license herein prescribed: *Provided*, That employees of national government agencies or instrumentalities thereof, as well as of government-owned or controlled corporations, who are employed or utilized as watchman or security guards as herein defined, shall not pay the fees nor file the bonds herein prescribed

**Section 9. *Employees Need Not be Licensed.*** – Any person operating, training, managing, directing or conducting a licensed private detective or watchmen agency, private protective agency, armored vehicle security service provider and private security canine service provider, as well as any person having any participation in the management or operation thereto except those employed solely for clerical or manual work shall secure the license prescribed by Section of this Act, as amended.

**Section 10. *Display of License.*** – The license shall be displayed at all times in a conspicuous and suitable place in the agency office or headquarters of the agency or service provider and shall be exhibited at the request of any person whose jurisdiction is in relation with the business of the agency or service provider or the employees thereof, or of the Chief of Philippine National Police or his duly authorized representative or any peace officer.

**Section 11. *Supervision of the Philippine National Police.*** – Upon approval of this Act, the Philippine National Police shall exercise general supervision over the operation of all private detective and watchman or security guard agencies, protection agents, armored vehicle security service providers, private security canine service providers and its training institutions.

In case of emergency or in times of disasters or calamities, the Chief, Philippine National Police may deputize any private detective, watchman or security guard as herein defined to assist the Philippine National Police in the performance of Police duties for the duration of such emergency, disaster or calamity.

**Section 12. *Powers of City or Municipal Mayors in Cases of Emergency.*** – In case of emergency or in times of disaster or calamities where the services of such agencies arise, the

City or Municipal Mayor, as Chairperson of Municipal Disaster Risk Reduction and Management Council (MDRRMC), may muster or incorporate the services of the agency nearest the area where such emergency, disaster or calamity arises and its duly licensed personnel to help maintain peace and order; and/or the prevention or apprehension of law violators and in the preservation of life and property. Deputized private detectives, watchmen or security guards shall take direct orders from the Chief of Police for the duration of the fire, inundation, earthquakes, riots or other emergencies.”

**Section 13. *Issuance of Firearms.*** – A watchman or security agency shall be entitled to possess firearms after having satisfactorily passed the requirements prescribed by the Chief, Philippine National Police pertinent to the possession of firearm of any caliber not higher than Cal. 45 in a number not exceeding one firearm for every two watchmen or security guards in its employ: *Provided, however,* That a watchman or security agent shall be entitled to possess not more than one riot gun or shotgun in order to provide adequate security when circumstances so demand: *Provided, further,* that all the firearms mentioned herein shall be carried by the watchman or security guard only during his tour of duty in proper uniform within the compound of the establishment except when he escorts big amounts of cash or valuables in and out of said compound.

**Section 14. *Uniform.*** – The uniform of watchman or security guard, protection agent, armored vehicle security service personnel and private security canine personnel as well as those organized, maintained or under the employment of the government or any government-owned and/or controlled corporations, agencies or entities, shall be easily distinguishable from the uniform worn and prescribed for AFP, PNP and other members of the uniformed-services. The Chief, Philippine National Police, through his duly authorized representative shall prescribe the uniform or ornaments, equipment and paraphernalia to be worn by the security guards and watchmen, protection agents, armored vehicle security service personnel and private security canine personnel throughout the country.

**Section 15. *Compensation of Watchmen or Security Guards, Protection Agents, Armored Vehicle Security Service Personnel, Private Security Canine Service Personnel.*** – Watchmen or Security guards, Protection Agents, Armored Vehicle Security Service Personnel, and Private Security Canine Service Personnel shall receive a salary not lower than that prescribed in the Minimum Wage Law.

**Section 17. *Implementing Rules and Regulations*** – Within one hundred twenty (120) days from the effectivity of this Act, the Chief PNP, after consultation with the Private Security Service Federation, Professional Association and other concerned sectors of society shall formulate the necessary rules and regulations for the effective implementation of this Act to be published in at least two (2) newspapers of general circulation.

**Section 18. *Penal Provisions.*** – Any violation of this Act or the Rules or Regulations issued hereunder shall be punished by suspension, or fine not exceeding One Hundred Thousand Pesos Php 100,000.00 or cancellation of his or its licenses to operate, conduct, direct or manage a private detective, watchman or security guard agency, protection agents, armored vehicle security service provider, private security canine service provider and all its members in the discretion of the court together with the forfeiture of its bond filed with the Philippine National Police.

If the violation is committed by those persons mentioned under paragraph two, section four of this Act the penalty shall be imprisonment ranging from one to four years and fine ranging from one to four thousand pesos in the discretion of the court.

Any provision of this or other law to the contrary notwithstanding, the Chief, Philippine National Police or his authorized representative may impose, after confirming any violation of this law and its amendatory Decrees and implementing rules and regulations, the penalty of suspension, or cancellation of the license of a private watchman or security guard: *Provided,*

That in cases of violations committed by any private security agency or company guard force the administrative penalty which may be imposed shall only be administrative fine or cancellation of license without prejudice to any criminal action against the violator.

**Section 18. *Other Penal Provisions.*** – The following acts which shall also constitute violations of this Act to wit:

a) Failure to Assist Law Enforcers and Obstruction in the Investigation and Prosecution of Criminal Cases – Any private security personnel who fail to assist or obstruct in the investigative and law enforcement operations shall be punished by fine not exceeding one hundred thousand pesos or imprisonment for 1 month or 1 day to 6 months at the discretion of the court. Provided, that if the person violating this provision is a single proprietorship or juridical person as the case may be, the penalty herein provided shall be imposed on its owner or president or secretary and/or members of the board of directors or any of its officer and employees who may have directly participated in the violation.

b) Employment and Deployment of Protection Agents without Authority to Deploy and Special Duty Detail Order from the PNP – Any person who render service as protection agent to any person without an Authority to Deploy and Employ Protection Agent approved by the Chief, PNP shall be punished by fine not exceeding one hundred thousand pesos or imprisonment for 6 months and 1 day to 6 years at the discretion of the court.

**Section 19. *Repealing Clause.*** – All laws, presidential decrees, rules, resolutions, executive orders, regulations and administrative orders contrary or inconsistent with the provisions hereof are hereby repealed.

**Section 20. *Separability Clause.*** – If any part or provision of this Act is declared unconstitutional, the remaining parts or provision not affected shall remain in full force and effect.

**Section 21. *Effectivity.*** – This Act shall take effect fifteen (15) days after its complete publication in the Official Gazette or in at least two (2) national newspapers of general circulation, whichever comes first.

Approved,