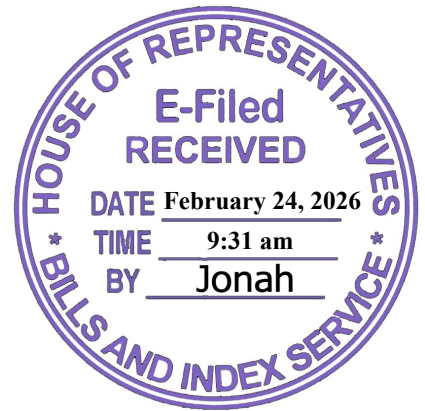


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session



HOUSE BILL NO. 8027

Introduced by **REPRESENTATIVE AUDREY KAY T. ZUBIRI**

AN ACT

**STRENGTHENING THE PHILIPPINE COASTGUARD BY INTRODUCING
POLICY AND ORGANIZATIONAL REFORMS, REVISING FOR THE PURPOSE
REPUBLIC ACT NO. 9993, OTHERWISE KNOWN AS THE "PHILIPPINE
COASTGUARD LAW OF 2009"**

EXPLANATORY NOTE

The importance and duty of the Philippine Coast Guard (PCG) have been in full display especially in the recent years being in the forefront facing acts of aggression from foreign entities in the West Philippine Sea.

Under Republic Act No. 9993 or the Philippine Coast Guard Law of 2009, among the responsibilities of the PCG is to enforce regulations in accordance with all relevant maritime international conventions, national laws, and promote safety of life and property at sea within the maritime jurisdiction of the Philippines. However, the PCG only has more than 30,000 active personnel¹ currently. These personnel, tasked with a wide range of responsibilities, often face adversities at sea, lack of manpower, lack of modern equipment, and limited resources.

Given the vital role of the PCG and the increasing threats faced by its personnel, we seek to strengthen the organization by aligning the ranks, positions, and benefits of its members with those of other uniformed personnel, such as the Philippine National Police and the Armed Forces of the Philippines.

¹ [DBM Secretary Mina Pangandaman approves creation of 4,000 uniformed positions for the Philippine Coast Guard](#)

Moreover, the bill proposes to enhance the powers of the PCG in the performance of its duties related to maritime safety and security, as well as environmental protection. It also aims to bolster the force by increasing its manning level from the current ratio of one (1) uniformed personnel per kilometer of coastline to three (3) uniformed personnel per kilometer.

Strengthening the PCG's manpower and capabilities will better equip it to address emerging maritime challenges and enable it to more effectively fulfill its responsibilities in maritime security, safety, environmental protection, and search and rescue operations. Ultimately, the passage of this bill envisions a stronger, well-manned PCG that is fully prepared to safeguard Philippine waters.

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



AUDREY KAY T. ZUBIRI

Representative, 3rd District of Bukidnon

TWENTIETH CONGRESS
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COASTGUARD LAW OF 2009"**

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

SECTION 1. *Short Title.* - This Act shall be known as the "Revised Philippine Coast Guard Law."

SEC. 2. *Philippine Coast Guard.* - The Philippine Coast Guard (PCG), established under Republic Act No. 9993 as an armed and uniformed service attached to the Department of Transportation (DOTr) shall continue as such upon the effectivity of this Act; *Provided*, that in times of war, as declared by Congress, the PCG or parts thereof, shall be attached to the Department of National Defense.

ORGANIZATION

SEC. 3. *Organization.* - The PCG organizational structure shall be headed by a Commandant with the rank of Admiral assisted by the Deputy Commandant for Operations and Deputy Commandant for Administration both with the rank of Vice Admiral. It shall be organized into three (3) core functional commands, namely: the Maritime Safety Services Command, the Marine Environmental Protection Command and the Maritime Security Law

1 Enforcement Command. To enhance the core functions of the PCG, it shall be reinforced by
2 support commands and service units categorized as follows:

- 3
- 4 a. Administrative support commands shall consist of the Education and Training, Internal
5 Affairs Service, Surface Support Force, Financial Management, Human Resource
6 Management Service and Logistics;
- 7 b. The operational support commands shall consist of the Weapons, Communications,
8 Electronics and Information System Service, Special Operations Force, Aviation
9 Force, Community Relations Command and Canine Enforcement Force;
- 10 c. The technical services shall consist of the Coast Guard Legal Service, Medical Service,
11 Ecumenical Service, Dental Service, Veterinary Service, Medical Administrative
12 Corps, Nurse Corps, and other technical services that may or hereinafter be created as
13 needed;
- 14 d. Operating commands shall consist of fourteen (14) districts located nationwide to cover
15 specific areas of responsibilities and to act as implementing units. Each district shall
16 have stations, field offices or sub-stations, and detachments or posts. They shall be
17 located in the following areas: National Capital Region-Central Luzon (CGD NCR-
18 CL), Central Visayas (CGD CV), Southwestern Mindanao (CGD SWM), Southeastern
19 Mindanao (CGD SEM), Palawan (CGD PAL), Western Visayas (CGD WV), Southern
20 Tagalog (CGD STL), Northern Mindanao (CGD NM), Bicol (CGD BCL),
21 Northwestern Luzon (CGD NWL), Eastern Visayas (CGD EV), Northeastern Luzon
22 (CGD NEL), Southern Mindanao (CGD SM), and Northeastern Mindanao (CGD
23 NEM): Provided, That the PCG may create other new districts subject to existing laws,
- 24 e. The Special Services shall consist of the Legislative Liaison Affairs, Community
25 Relations Service, Finance Service, Internal Audit, and Center for Strategic Studies. In
26 addition to the basic structure of the PCG mentioned above, the Commandant may, in
27 the interest of public service and expediency of service, recommend to reorganize
28 districts, commands, services or units under the PCG which shall be forwarded to the
29 Secretary of Transportation for adoption and submission to the Secretary of Budget
30 and Management for approval: *Provided*, That the minimum manning level of the PCG
31 shall be computed based on the total coastline of the Philippines with three (3)
32 uniformed personnel per (1) kilometer of coastline, which shall be filled in accordance
33 with the enlistment schedule approved by the DBM: *Provided, finally*, that the
34 functional commands, administrative support units, operational support units,

operating units, technical services and special services shall be authorized and designated to perform all duties and functions of the PCG within their individual area of responsibility, including but not limited to, finance and procurement. To enhance the capability and field expertise of uniformed personnel, the PCG shall implement functional service specialization on its three (3) core functional areas.

SEC. 4. *The PCG Commandant* - The PCG shall be headed by a Commandant who shall have the rank of Admiral which shall be equivalent to the rank and pay of the Chief of Staff of the Armed Forces of the Philippines and the Chief of the Philippine National Police. The Commandant shall be appointed by the President from among the Flag Officers in the Coast Guard service. He shall have earned the command-at-sea badge and must have served as District Commander. The Commandant shall have a maximum term of (3) three years or upon reaching the age of fifty-seven (57) years old whichever comes earlier. *Provided*, however, that if the maximum term is served before reaching the age of fifty-seven (57), the Commandant shall be compulsorily retired with all the benefits appertaining thereto.

SEC. 5. *Powers and Functions of the Commandant* - The Commandant shall exercise the following powers and functions:

- a) Under the authority and direction of the President, shall be responsible for the implementation and execution of national maritime laws relating to the functions of the PCG;
- b) Direct and control tactical as well as strategic movements, deployment, placement, utilization of the PCG or any of its units and personnel, including its equipment, facilities and other resources: *Provided*, that the Commandant may delegate this power to subordinate officials with respect to the units under the latter's command, subject to the guidelines as the Commandant may prescribe in accordance with existing laws, rules and regulations.
- c) Prescribe the organization or re-organization of powers, functions and duties of various staff, services, installation and other units of the PCG, in accordance with existing laws;
- d) Issue policies and instructions regarding personnel, funds, properties, records, correspondence and such other matters as may be necessary to effectively carry out the

1 functions, powers and duties of the PCG, in accordance with existing laws, rules and
2 regulations.

- 3 e) Approve the recommendation of the different promotion and/or assignment boards and
4 ensure observance of merit and fitness in the process of promotion and assignment;
- 5 f) Exercise disciplinary authority over all uniformed personnel and non-uniformed
6 personnel of the PCG;
- 7 g) Perform any task or directive issued by the President; Further, such command and
8 direction of the Commandant may be delegated to subordinate officials with respect to
9 the units under the latter's respective commands, subject to the guidelines as the
10 Commandant may prescribe in accordance with the rules and regulations under
11 existing laws.

12 13 **POWERS AND FUNCTIONS**

14
15 **SEC. 6. *Powers and Functions of the PCG.*** - The PCG shall have the following
16 powers and functions:

- 17 a) To enforce regulations in accordance with all relevant maritime international
18 conventions, treaties or instruments and national laws for the promotion of safety of
19 life and property at sea within the maritime jurisdiction of the Philippines and conduct
20 port state control implementation;
- 21 b) To conduct random inspections on all merchant ships and vessels, including but not be
22 limited to inspections prior to departure, to ensure and enforce compliance with safety
23 standards, rules and regulations;
- 24 c) To detain, stop or prevent a ship or vessel which does not comply with safety standards,
25 rules and regulations from sailing or leaving port;
- 26 d) To conduct emergency readiness evaluation on merchant marine vessels;
- 27 e) Subject to the approval of the Secretary of the DOTr, to issue and enforce rules and
28 regulations for the promotion of safety of life and property at sea on all maritime-
29 related activities; Subject to the approval of the Secretary of the DOTr, to determine,
30 fix or prescribe charges, rates, and penalties, as may be necessary, to implement this
31 Act, as well as the provisions of laws, issuances, decrees and orders related to the
32 implementation of PCG functions;

- 1 f) To coordinate, develop, establish, maintain and operate aids to navigation, vessel
2 traffic system, maritime communications and search and rescue facilities within the
3 maritime jurisdiction of the Philippines;
- 4 g) To remove, destroy, or tow to port sunken or floating hazards to navigation, including
5 illegal fish traps and vessels, at or close to sea lanes which may cause hazards to the
6 marine environment;
- 7 h) To issue permits for the salvage of vessels and to supervise all marine salvage
8 operations and wreck removal, and to auction the abandoned vessels or wrecks to
9 defray the expenses of such removal, as well as prescribe and enforce rules and
10 regulations governing the same;
- 11 i) To render aid to persons and vessels in distress and conduct search and rescue during
12 maritime accidents within the maritime jurisdiction of the Philippines, including the
13 high seas, in accordance with applicable international conventions. In the performance
14 of this function, the PCG may enlist the services of other government agencies and the
15 merchant marine fleet;
- 16 j) To investigate and inquire into the causes of all maritime accidents involving death,
17 casualties and damage to properties;
- 18 k) In coordination with other relevant government agencies, to enforce and maintain
19 maritime security, prevent or suppress terrorism at sea, and perform law enforcement
20 functions in accordance with pertinent laws, rules and regulations;
- 21 l) To assist in the enforcement of laws on fisheries, immigration, tariff and customs,
22 forestry, firearms and explosives, human trafficking, dangerous drugs and controlled
23 chemicals, transnational crimes and other applicable laws within the maritime
24 jurisdiction of the Philippines;
- 25 m) To board and inspect all types of merchant ships and watercrafts in the performance of
26 its functions;
- 27 n) To promulgate, administer and enforce laws, rules and regulations for the protection
28 of marine environment and resources from offshore sources of pollution within the
29 maritime jurisdiction of the Philippines;
- 30 o) To develop oil spill response, containment and recovery capabilities against ship-based
31 pollution;
- 32 p) To grant, within the capabilities and consistent with its mandate, requests for assistance
33 of other government agencies in the performance of their functions;

- 1 q) To organize, train and supervise the PCG Auxiliary (PCGA) for the purpose of
2 assisting the PCG in carrying out its mandated functions;
- 3 r) To recommend to the President the issuance of rules and regulations pertaining to the
4 assistance and support that the Armed Forces of the Philippines (AFP) should extend
5 to the PCG to enhance the latter's capability during emergencies;
- 6 s) To conclude international agreements, specifically, for the purpose of procuring its
7 own materials and equipment through competitive bidding or alternative modes of
8 procurement; and u) To perform such other functions that may be necessary in the
9 attainment of the objectives of this Act;

10 11 **ADMINISTRATION AND PERSONNEL**

12
13 **SEC. 7. *Personnel.*** - The PCG shall consist of the following categories of personnel:

- 14
15 a) *Officers* - refers to uniformed members of the PCG who are commissioned as officers
16 by the President and belong to the officers' corps;
- 17 b) *Non-officers* - general term for uniformed members of the PCG with ranks below
18 commissioned officers and performs jobs specific to their occupational specialty.
19 There are three (3) classifications of non-officers, namely, strikers for those in grades
20 E-1 to E-3, junior non-commissioned officers for those in grades E-4 to E-6 and senior
21 non-commissioned officers for ranks with equivalent grades of E-7 to E-10.
- 22 c) *Non-uniformed personnel* - refers to the non-uniformed members of the PCG who are
23 appointed and employed under the Civil Service laws, rules and regulations;
- 24 d) *Probationary Ensign* - refers to a person who is called to active duty but awaiting
25 commissionship into the PCG or awaiting training;
- 26 e) *Draftee* - refers to a person who has completed basic training and is awaiting enlistment
27 into the PCG active service;
- 28 f) *Cadet* - refers to a person who is enrolled in service academies under the sponsorship
29 of the PCG;
- 30 g) *Candidate* - refers to a person who is undergoing training for commissionship;
- 31 h) *Trainee* - refers to a person who is undergoing training to qualify as member of non-
32 officers' corps of the PCG; Provided, That the ranks and grades of all uniformed
33 personnel in the PCG, whether officers or non-officers, shall be the same and equal as
34 that used and observed in the AFP and PNP.

SEC. 8. Ranks and Grades of PCG Officers. — The ranks and grades of PCG 8
Officers shall be as follows:

<u>RANK</u>	<u>ACRONYM</u>	<u>PAY GRADE</u>
Admiral	ADM	0-10
Vice Admiral	VADM	0-9
Rear Admiral	RADM	0-8
Commodore	COMMO	0-7
Captain	CAPT	0-6
Commander	CDR	0-5
Lieutenant Commander	LCDR	0-4
Lieutenant Senior Grade	LTSG	0-3
Lieutenant Junior Grade	LTJG	0-2
Ensign	ENS	0-1

SEC. 9. Technical Officers. - The following are the professionals that the PCG service
as technical officers:

- a) Lawyers
- b) Doctors
- c) Priests, Pastors, Imam, and other certified clerics
- d) Dentists
- e) Veterinarians
- f) Nurses

Any applicant holding the degree of any of the abovementioned professions shall have
qualified and passed the licensure examination, as applicable, of the respective professions to

be qualified for entry into the Coast Guard service. Other board professions not listed may still be recruited as the need arise as part of the technical stream upon verification of the PCG.

SEC. 10. Officer Rank Distribution. - The officer rank distribution of the PCG shall be as follows: two per centum (2%) in the Flag Officer rank; six per centum (6%) in the rank of Coast Guard Captain; twelve per centum (12%) in the rank of Coast Guard Commander; eighteen per centum (18%) in the rank of Coast Guard Lieutenant Commander; Twenty per centum (20%) in the rank of Coast Guard Lieutenant Senior Grade; and forty-two per centum (42%) in the ranks of Coast Guard Lieutenant Junior Grade and Coast Guard Ensign; *Provided*, That such distribution is based on the ratio between officers and non-officers which is one (1) officer for every seven (7) non officers: *Provided*, further. That if the actual number in a rank is less than the number prescribed in a lower rank, the difference may be applied as an increase to the number prescribed in the lower rank.

SEC. 11. Distribution of Flag Officers. - Other than the Commandant who occupies the rank of Admiral, the total number of flag ranks shall not exceed two (2) percent of the total population of officers distributed observing the pyramidal structure as hereunder prescribed:

Vice Admiral	0.15%
Rear Admiral	0.35%
Commodore	1.50%
Total	2.00%

Provided, that if the actual number in a rank, except in the case of Coast Guard Admiral and Coast Guard Vice Admiral, is less than the number herein prescribed, the difference may be applied as an increase to the number prescribed in the lower rank: *Provided*, further. That no officer shall be promoted to the rank of Coast Guard Commodore or higher unless there is an existing vacancy, and the officer is occupying a position in the table of organization that requires the rank of which he is being considered for promotion.

SEC. 12. Maximum Tenure in Rank. - The maximum tenure of officers in the ranks of Captain and Flag Officer in the PCG are hereby prescribed as follows:

RANK	MAXIMUM TENURE IN RANK
Admiral	Three (3) Years
Vice Admiral	Three (3) Years
Rear Admiral	Three (3) Years
Commodore	Five (5) Years
Captain	Ten (10) Years

Unless earlier separated, retired or promoted to the next higher rank or occupying a position calling for the higher rank in the PCG Table of Organization, Captains and Flag Officers shall be retired upon the attainment of the maximum tenure in rank herein prescribed, or upon reaching the age of compulsory retirement whichever comes earlier:

Provided, that Captains or flag officers who have not reached the age of retirement shall be retired by attrition if they have served at least twenty (20) years in service, otherwise, it shall be by separation from service.

SEC. 13. Maximum Tenure in Position. - Officers holding the following key positions are hereby limited to a maximum tenure of three (3) years, unless otherwise earlier relieved by competent authority or compulsorily retired under existing laws:

Provided, that except for the Commandant, no other officer shall be assigned/designated to the aforementioned key positions or promoted to the rank of Commodore or higher if said officer has less than (1) year of active service remaining prior to compulsory retirement.

SEC. 14. Ranks and Grades of Non-officers. - The ranks and pay grades of PCG non-officers shall be as follows:

RANK	ACRONYM	PAY GRADE
First Master Chief Petty Officer	FMCPPO	E-10
Master Chief Petty Officer	MCPO	E-9
Senior Chief Petty Officer	SCPO	E-8
Chief Petty Officer	CPO	E-7
Petty Officer First Class	PO1	E-6
Petty Officer Second Class	PO2	E-5
Petty Officer Third Class	PO3	E-4
Seaman/Seawoman First Class	SN1/SW1	E-3
Seaman/Seawoman Second Class	SN2/SW2	E-2
Apprentice Seaman/Seawoman	ASN/ASW	E-1

SEC. 15. Maximum Tenure in Rank for Non-officers. - The maximum tenure of senior non-officers in the ranks of Chief Petty Officer to First Master Chief Petty Officer in the PCG are as follows:

Rank	Maximum Tenure in Rank
First Master Chief Petty Officer	Three (3) years
Master Chief Petty Officer	Three (3) years
Senior Chief Petty Officer	Five (5) years

1 Chief Petty Officer Eight (8) years

2

3 Any non-officer holding lower ranks than the above who stays in a rank for 10 years
4 without being promoted to the next higher rank shall be evaluated by the Reenlistment Fitness
5 Board to verify suitability to continue in service and submit a recommendation for the approval
6 of the Commandant:

7

8 *Provided*, That the original enlistment term in the PCG shall be three (3) years and
9 subsequent re-enlistment shall be for the term of six (6) years, with the application for re-
10 enlistment to be reviewed by the Re-enlistment Fitness Board for recommendation to the
11 Commandant for approval: *Provided*, further. That the uniform allowance shall be payable
12 every three (3) years after complying with the physical fitness test.

13

14 **SEC. 16. *Non-uniformed Personnel.*** - There shall be non-uniformed personnel
15 positions in the PCG. The head of the non-uniformed personnel shall occupy a rank of Director
16 III and shall be appointed by the President upon recommendation of the Commandant. The
17 non-uniformed personnel shall establish their own *plantilla* positions to complement the
18 strength of the PCG uniformed personnel.

19

20 **SEC. 17. *Appointments.*** - The appointment of the PCG Commandant and Flag
21 Officers shall be approved by the President upon the recommendation of the Secretary of the
22 DOTr. Appointments of all PCG non-officers shall be made by the PCG Commandant.
23 Appointments of PCG officers, which shall be in the initial rank of Coast Guard Ensign shall
24 be through commissioning into service by the DOTr Secretary upon the recommendation of
25 the Commandant. The initial entry ranks for technical officers like lawyers, medical doctors
26 and ecumenical clerics shall be in the rank of Lieutenant Senior Grade, dentists and
27 veterinarians shall be Lieutenant Junior Grade, while nurses and chemists shall be
28 commissioned in the rank of Ensign. Appointment of other technical professions that may be
29 required as needed shall be based on the academic attainment or ranking of licensure
30 examinations results issued by competent authority. Appointments as well as the promotion of
31 all non-uniformed personnel shall be in accordance with the CSC laws, rules and regulations.

32

33 **SEC. 18. *Basic Qualification for Uniformed Personnel.*** - To qualify as officer or non-
34 officer of the PCG, the applicant shall possess the following at the time of application:

- a) Natural born citizen of the Philippines;
- b) A person of good moral conduct;
- c) Must have passed the psychiatric/ psychological, drug and physical tests to be administered by the PCG Medical Service or by any PCG accredited government hospital for the purpose of determining physical and mental health;
- d) Must possess a formal baccalaureate degree, with appropriate license when applicable or professional civil service eligibility for appointment as officer, and must have finished at least non-repetitive units of college education or senior high school graduate with six (6) months TESDA skills course related to the functions of PCG for appointment as non-officers upon effectivity of this Act; and
- e) Must not have been dishonorably discharged from military employment or dismissed for cause from any non-uniformed personnel position in the government.

SEC. 19. *Promotions of Officers and Non-officers.* - The promotion of PCG officers and non-officers shall be based on merit and fitness in accordance with the following procedures:

- a) Officers shall only be promoted after undergoing deliberation before the promotion boards.

Provided, that promotion boards shall submit the results of their deliberation to the Commandant for approval and corresponding endorsement to the Secretary of Transportation for transmittal to the President for approval;

- b) There shall also be appropriate promotion boards for non-officers whose recommendation shall be submitted to the Commandant for approval.

Provided, further. That at the time of promotion, the officer or non-officers concerned shall possess all the qualifications and none of the disqualifications provided under pertinent laws, rules and regulations, specifically on the completion of required career course, training, examination and minimum time-in-grade as applicable for specific ranks.

1 **SEC. 20. Gender Sensitivity Program.** - Gender concerns shall be addressed in all
2 stages of planning, programming, prioritization and allocation of resources by the PCG. It
3 should also incorporate a gender sensitive perspective in the implementation of such plans and
4 programs. Gender sensitivity shall also be mainstreamed in all its internal policies, strategies,
5 budget, projects, structures and mechanisms, including but not limited to hiring, promotions,
6 assignment, training opportunities, pay and benefits. A gender perspective shall likewise be
7 integrated in all its training programs, especially for maritime search and rescue.

8
9 **SEC. 21. PCG Insignia, Decorations and Awards.** - The PCG shall have its own
10 insignia and badges to denote rank, specialty and assignment including uniforms, decorations
11 and awards, all of which shall be submitted to the National Historical Institute for registration
12 in the flags and heraldic list: *Provided*, That there shall be an established awards system which
13 shall be administered by the PCG under such rules and regulations as may be promulgated
14 with the approval of the Secretary of Transportation.

15
16 **SEC. 22. Legal Assistance.** - The Secretary of Transportation or the Commandant of
17 the PCG may authorize lawyers of their respective agencies to provide legal assistance to any
18 member of the PCG charged with an offense or crime resulting from the performance or on
19 occasion of official duty. The government lawyers so authorized shall have the power to
20 administer oaths.

21
22 **SEC. 23. Power to Administer Oath.** - Officers of the PCG in the active service with
23 the grade of 0-5 or when designated with appropriate orders as administrative officer of a unit,
24 shall have the power to administer oaths on matters which are connected with the performance
25 of their official duties. Senior non-commissioned officers grades E-7 to E10 unit master chief
26 are also empowered to administer oaths.

27
28 **SEC. 24. Maritime and Coast Guard Attache.** - The PCG shall have maritime and
29 coast guard attaché in the International Maritime Organization, other international institutions
30 or as member of diplomatic missions or embassies. The assignment or deployment of maritime
31 or coast guard attaché shall be with prior approval of the Secretary of Foreign Affairs.

PAYS, ALLOWANCES AND BENEFITS

SEC. 25. *Salaries and Other Benefits.* - The uniformed personnel of the PCG shall receive the same base pay, hazard pay and other benefits and allowances as are now or hereafter may be authorized for corresponding salary grades and ranks in the AFP. The salaries and allowances of non-uniformed personnel of the PCG shall be in accordance with existing Civil Service laws, rules and regulations.

SEC. 26. *Longevity Pay and Allowances.* - Uniformed personnel of the PCG shall be entitled to a longevity pay of ten percent (10%) of their basic monthly salaries for every five (5) years of continuous active service, which shall be reckoned from the date of actual service in the PCG: *Provided*, That the totality of such longevity pay shall not exceed fifty percent (50%) of the basic pay. They shall also continue to enjoy the subsistence allowance, quarters allowance, clothing allowance, cost of living allowance, hazardous duty pay and other collateral allowances such as but not limited to sea duty pay, flying pay, special counsel allowance, occupational specialty pay, instructors duty pay, combat pay for officers and non-officers of the PCG performing combat duties/activities or engaged in actual performance of duties as defined in regulations to be issued by the Commandant and all other applicable allowances as provided by existing laws.

Provided, further, That the PCG shall, subject to the approval of the President, issue a specific policy pertaining to collateral allowances for specific duties actually performed. All collateral allowances shall be reflected in the pay slip of qualified personnel.

SEC. 27. *Uniformed Personnel Missing in Action.* - The survivors of any officer or non-officer who, while in the performance of duty, is officially confirmed missing in action, kidnapped or captured by lawless elements shall be entitled to receive the same pay and allowances to which such officer or non-officer is entitled from the time of the latter's disappearance: *Provided*, That the compulsory retirement of an absentee, in applicable cases, shall be processed to allow his or her survivors to enjoy the retirement benefits:

Provided, further, That should the Commandant, upon the recommendation of the proper authority or immediate supervisor, subsequently rule that the officer or nonofficer concerned has been absent from duty without authority, such member or the latter's survivors

1 shall reimburse the PCG all such amount and allowances that have been received in accordance
2 with this section and other pertinent sections of this Act.

3
4 **SEC. 28. *Emergency and Medical Assistance.*** - The PCG shall have an emergency
5 medical assistance fund, sourced from the PCG's Annual Budget Plan as reflected in the
6 General Appropriations Act (GAA) for hospitalization, operation, medication and
7 rehabilitation of personnel arising from injuries suffered on occasion of or in the performance
8 of official functions until such time that a PCG hospital is fully operational.

9 10 **ACTIVE SERVICE AND SEPARATION**

11
12 **SEC. 29. *Active Service.*** - For purposes of this Act, active service of the uniformed
13 personnel shall refer to services rendered as an officer and non-officer, cadet, trainee or draftee
14 in the PCG and services rendered as a non-uniformed personnel in the Philippine Government
15 prior to the date of separation or retirement from the PCG: Provided, That, for purposes of
16 retirement, the personnel shall have rendered at least ten (10) years of active service as officer
17 or non-officer in the PCG: *Provided, further.* That no period of such non-uniformed personnel
18 government service be longer than the active coast guard service shall be credited for purposes
19 of retirement. Service rendered as cadet in any service academy in the Philippines or abroad
20 under sponsorship of the PCG such as the Philippine Merchant Marine Academy, probationary
21 officer, draftee or trainee shall be included in computing the years in active service for
22 retirement purposes if such personnel joins the service right after graduation.

23
24 **SEC. 30. *Retirement.*** - Upon attaining fifty-seven (57) years of age or accumulation
25 of thirty (30) years of continuous satisfactory active service, whichever comes later, a PCG
26 uniformed personnel shall be compulsorily retired: *Provided, That* technical officers may
27 extend their tenure of service up to sixty (60) years or until having accumulated twenty (20)
28 years of satisfactory active service, whichever comes later. Any officer or non-officer may
29 choose to retire on their own option upon accumulating at least twenty (20) years in active
30 service.

31
32 **SEC. 31. *Separation.*** - Separation from the Coast Guard service may be done through
33 compulsory retirement, optional retirement upon reaching years in service, disability
34 discharge, expiration of enlistment term, voluntary resignation, attrition, dismissal for cause,

1 or death. The separation of non-uniformed personnel of the PCG shall be governed by the Civil
2 Service law, rules and regulations.

3
4 **SEC. 32. Attrition.** - There shall be established a system of attrition within the
5 uniformed members of the PCG within one (1) year from the effectivity of this Act to be
6 submitted by the PCG to the President for approval.

7
8 **SEC. 33. Retirement Benefits.** - An officer or uniformed personnel who is retired
9 under Section 30 of this Act, or his or her qualified survivors, are entitled to receive, and may
10 choose from, any of the following benefits:

- 11
12 a. *Gratuity Pay.* - A lump sum payment of gratuity pay equivalent to one (1) month of
13 base and longevity pay computed based on one grade higher than the permanent salary
14 grade last held for every year of service; or
15 b. *Retirement Pay* - A monthly retirement pay equivalent to fifty percent (50%) of
16 monthly base and longevity pay computed based on one grade higher than the
17 permanent salary grade last held by the personnel in case of twenty (20) years of active
18 service, increasing by two and one-half percent (2 1/2%) for every year of service
19 rendered beyond twenty (20) years up to a maximum of ninety percent (90%) for thirty-
20 six (36) years of active service and over. *Provided*, That non-officers who attain the
21 rank of Chief Petty Officer, Senior Chief Petty Officer and of Master Chief Petty
22 Officer shall, upon retirement, be entitled to the retirement pay and benefits of an
23 Ensign: *Provided*, further. That a Master Chief Petty Officer shall receive a gratuity
24 equivalent to that of an Ensign, plus one-half (1/2) of the difference between the
25 gratuity of an Ensign and a Chief Petty Officer, and a Senior Chief Petty Officer shall
26 receive a gratuity equivalent to that of an Ensign, plus one-half (1/2) of the difference
27 between the gratuity of a Master Chief Petty Officer and a Chief Petty Officer, while a
28 First Master Chief Petty Officer shall be retired with the rank of Ensign but with the
29 retirement pay and benefits of a Lieutenant Junior Grade (0-2), as provided for in
30 existing laws: *Provided*, furthermore. That officers and non-officers who availed of
31 optional retirement are entitled to receive monthly retirement pay upon retirement:
32 *Provided*, finally, That upon retirement, an officer or non-officer is entitled to receive
33 a lump sum equal to thirty-six (36) months of the monthly retirement pay. The
34 retirement pay of officers and non-officers who are killed in action or wounded in

1 action resulting in total permanent disability shall be computed at the rate of ninety
2 percent (90%) of the monthly base and longevity pay based on one grade higher than
3 the permanent salary grade last held by the personnel regardless of years in active
4 service. The retirement pay of all PCG uniformed personnel retirees shall be subject to
5 adjustment on the prevailing scale of base pay of uniformed personnel in the active
6 service. The retirement benefits of non-uniformed personnel shall be governed by
7 applicable Civil Service laws and regulations and the Government Service Insurance
8 System Law.

9
10 **SEC. 34. Separation Pay.** - Officers and non-officers separated from the PCG without
11 having accumulated at least twenty (20) years of satisfactory active service, or their qualified
12 survivors, shall receive a separation pay equivalent to one-month base plus longevity pay
13 based on the permanent salary grade the officer and non-officer holds at the time of separation
14 for every year of active service: *Provided*, That in the case of an officer in the grade of Captain
15 or higher, who incurs physical disability in the line of duty, the basis of separation pay shall
16 be one grade higher than the salary grade held by such officer at the time of separation:
17 *Provided*, further, That cadets, candidates, trainees and draftees who voluntarily resign from
18 service shall not be entitled to any separation pay. The separation benefits of non-uniformed
19 personnel shall be governed by applicable Civil Service laws and regulations and the
20 Government Service Insurance System Law.

21
22 **SEC. 35. Benefits for Death and Total Permanent Disability in the Line of Duty or**
23 ***During Training.*** - Qualified survivors of officers and non-officers, including cadets,
24 candidates, trainees and draftees, who died in the line of duty without having accumulated at
25 least twenty (20) years of satisfactory active service are entitled to a monthly life annuity,
26 equivalent to fifty percent (50%) of the base and longevity pay computed based on one grade
27 higher than the permanent salary grade last held by the deceased officer and non-officer at the
28 time of death: *Provided*, That, survivors of cadets, candidates, trainees and draftees who died
29 during training through their own fault or negligence shall not be entitled to this benefit.
30 Officers or non-officers, including cadets, candidates, trainees and draftees, who suffer total
31 permanent physical disability in the line of duty or during training without having accumulated
32 at least twenty (20) years of satisfactory active service shall be entitled to a monthly life
33 annuity, equivalent to fifty percent (50%) of the base and longevity pay computed based on
34 one grade higher than the permanent salary grade last held by the officer or non-officer when

1 the disability occurred; *Provided*, That the extent of the disability or sickness which renders
2 such member unfit or unable to further perform the duties of the position held shall be certified
3 by the appropriate Government hospital like the Philippine General Hospital: *Provided*,
4 further. That cadets, candidates, trainees and draftees who suffer total permanent physical
5 disability during training through their own fault or negligence shall not be entitled to this
6 benefit. The death and disability benefits of non-uniformed personnel shall be governed by
7 applicable Civil Service laws and regulations and the Government Service Insurance System
8 Law.

9
10 **SEC. 36. *Survivors*.** - The family of deceased officers or non-officers who are alive
11 and may claim benefits after such uniformed personnel dies in line of duty or the pensioner
12 dies. The following criteria shall apply:

- 13
14 a) Surviving spouse if married to the deceased prior to the latter's retirement/separation
15 and not legally separated by judicial decree from the deceased issued on grounds not
16 attributable to said spouse: *Provided*, That the spouse's entitlement of benefits shall
17 terminate when the spouse dies, remarries, cohabits or engages in a common-law
18 relationship;
- 19 b) Surviving children of officers or non-officers born of marriage contracted prior to
20 retirement/separation from the service, surviving children adopted legally prior to
21 retirement/separation, illegitimate children born while the deceased parent was still on
22 active service: *Provided*, That entitlement to benefits shall terminate when such
23 children attain twenty-one (21) years of age or upon marriage: *Provided*, further. That
24 those who have reached the age of twenty-one (21) years but are incapacitated and
25 incapable of self-support due to a mental or physical defect acquired prior to age of
26 majority shall remain entitled to the benefits.
- 27 c) In default of those mentioned in paragraph (a) and (b), the surviving parent or parents.
28 As regards question of filiation involving survivor-claimants, the same shall be
29 submitted first by the claimants to competent court for determination before benefits
30 can be given.

31
32 **SEC. 37. *Survivorship Benefits*.** - The qualified survivors are entitled to a monthly
33 annuity equivalent to seventy-five percent (75%) of the officer or non-officer's retirement or

1 separation benefits, to be divided among them in equal shares and with the right of accretion.
2 Survivorship benefits for non-uniformed personnel shall be governed by the GSIS Law.
3

4 **SEC. 38. Disability Pension.** - In addition to the other benefits under this Act, an
5 officer or non-officer who is retired or separated by reason of disability, which is the proximate
6 result of wounds or injuries sustained or sickness or disease acquired in the line of duty shall
7 receive a monthly disability pension as follows:
8

- 9 a) If and while the disability is rated twenty-five percent (25%) - Five thousand pesos
10 (P5,000.00);
11 b) If and while the disability is rated fifty percent (50%) - Ten thousand pesos
12 (P10,000.00);
13 c) If and while the disability is rated seventy-five percent (75%) - Fifteen 32 thousand
14 pesos (P15,000.00);
15 d) If and while the disability is rated one hundred percent (100%) - Twenty 34 thousand
16 pesos (P20,000.00)
17

18 The officer or non-officer receiving the benefits under this Section may be required to
19 undergo periodic physical and medical examination to determine the extent of disability for
20 purposes of adjusting the disability pension.
21

22 **SEC. 39. Old-Age Pension.** - A retired PCG uniformed personnel who is at least sixty-
23 five (65) years of age shall be entitled to old-age pension amounting to Five Thousand Pesos
24 (P5,000.00) monthly and an additional amount of One Thousand Seven Hundred Pesos
25 (P1,700.00) monthly upon reaching the age of seventy (70): *Provided*, That only retired PCG
26 uniformed personnel who shall have been honorably discharged or retired after at least twenty
27 (20) years of total PCG active service or sooner separated while in the active service in the
28 PCG due to disability arising or incurred in actual operations or performance of duties are
29 entitled to receive this monthly benefit.
30

31 **SEC. 40. Application of Related Laws on Retirement and Separation of 14**
32 **Uniformed Personnel.** - The retirement system under Presidential Decree No. 1638, as
33 amended, and the provisions of Republic Act No. 8220, Republic Act No. 9365, and other

1 similar applicable laws, insofar as not inconsistent with applicable provisions of this Act, shall
2 be given suppletory effect.

3
4 **SEC. 41. Incentives and Awards.** - There shall be established an awards system with
5 corresponding incentives and benefits similar to other uniformed services which shall be
6 administered by a board under such rules, regulations and standards as may be promulgated
7 by the PCG; *Provided*, That equivalent awards shall be given by the PCG for every award duly
8 given by respectable civic organizations in a nationwide selection for outstanding achievement
9 and/or performance of any member. *Provided, further*, that in the case of non-uniformed
10 personnel, the system of incentives and awards shall be approved and in accordance with the
11 CSC laws, rules and regulations.

12 13 **DISCIPLINARY SYSTEM**

14
15 **SEC. 42. Disciplinary System.** - The PCG shall adopt the PCG Code of Conduct
16 which shall be applicable to all its uniformed personnel. Non-uniformed personnel shall be
17 covered under existing Civil Service laws, rules and regulations. The Commandant shall be
18 assisted by the Coast Guard Internal Affairs in enforcing discipline and order within its ranks;
19 *Provided*, That for disciplinary issues, depending on gravity, unit commanders shall exercise
20 disciplinary powers over personnel under their command. The PCG shall within six (6) months
21 from the effectivity of this Act, issue policies, rules and procedures applying the PCG Code of
22 Conduct based on the provisions of Commonwealth Act No. 408, as amended by RA No. 516,
23 RA No. 242, PD No. 1968 and PD No. 1166. *Provided, further*, That for non-uniformed
24 personnel, the PCG shall issue rules and procedures implementing Book VII of EO No. 292
25 and the Civil Service laws, and applicable CSC administrative rules and issuances: *Provided*,
26 finally, That in times of war, during which the PCG or any of its offices is attached to the
27 DND, the military justice system of the AFP shall apply.

28
29 **SEC. 43. Disciplinary Authority.** - The Commandant shall exercise disciplinary
30 authority at any time over all personnel of the PCG. The authority to discipline shall also be
31 exercised by unit commanders and Commanding Officers including Station Commanders,
32 Sub-Station Commanders, head of Morning Report Carrying Units.

1 **SEC. 44. Jurisdiction.** - A complaint or a charge filed against a PCG member shall be
2 heard and decided exclusively by the disciplining authority who has acquired original
3 jurisdiction over the case notwithstanding the existence of concurrent jurisdiction as regards
4 the offense.

5
6 **SEC. 45. Dismissal of PCG Personnel.** - The Commandant, after due notice and
7 summary hearing, may immediately remove or dismiss any respondent PCG personnel and
8 major unit commanders may recommend such in any of the following cases:

- 9
10 a) In cases of drug abuse where subsequent confirmation test confirms the use of
11 prohibited drugs;
12 b) When the charge is serious and the evidence of guilt is strong;
13 c) When the respondent is a recidivist or has been repeatedly charged and there are
14 reasonable grounds to believe that he is guilty of the charges; and
15 d) When the respondent is guilty of a serious offense involving conduct unbecoming a
16 PCG personnel. An officer or non-officer who is continuously absent without approved
17 leave for at least thirty (30) calendar days shall be considered on absence without
18 official leave (AWOL) and shall be presumed voluntarily resigned: *Provided*, That the
19 officer or non-officer shall be informed of the separation from service by registered
20 mail at the address provided in the 201 file not later than five (5) calendar days from
21 the effectivity thereof. The dismissal of PCG non-uniformed personnel shall be
22 governed by Civil Service laws, rules and regulations.

23
24 **SEC. 46. Coast Guard Internal Affairs Service.** - To maintain accountability in
25 government service through discipline and efficiency, there shall be an Internal Affairs Service
26 (IAS) in the PCG. The CGIAS shall foster and promote accountability in government service
27 within the PCG and follow the basic principles of integrity, objectivity, independence,
28 confidentiality, professionalism, competence, courage, trust, honesty, fairness, forthrightness,
29 public accountability and respect for others and themselves. It shall have the power to
30 investigate and inquire into any and all activities of the PCG units and personnel, review
31 processes, procedures and operations to determine if such were conducted effectively and
32 efficiently. The personnel of the CGIAS whether officer or non-officer, who are performing
33 actual investigative duties, including PCG personnel who provide legal assistance or perform
34 criminal investigative duties, shall be granted occupational specialty pay which shall not

1 exceed fifty percent (50%) of their basic pay and shall be reflected in their pay slip for the
2 work performed: Provided, That such personnel shall not be entitled to the occupational
3 specialty pay under Section 26 hereof.

4 5 MISCELLANEOUS PROVISIONS 6

7 **SEC. 47. *Organization of a PCG Auxiliary (PCGA).*** - The PCG shall continue to
8 maintain, supervise, develop and train the PCGA as a non-uniformed personnel volunteer
9 organization under the direct control and supervision of the PCG Commandant. The PCGA
10 shall assist the PCG in the promotion of safety of life and property at sea, the preservation of
11 the marine environment and its resources, the conduct of maritime search and rescue, the
12 maintenance of aids to navigation and such other activities that enhance maritime community
13 relations which include civic action, participation under the National Service Training
14 Program, youth development, recreational safety and other related activities.

15
16 **SEC. 48. *Lateral Entry.*** - Active members of other uniformed services under the
17 Armed Forces of the Philippines (AFP), Philippine National Police (PNP), Bureau of Fire
18 Protection (BFP) and Bureau of Jail Management and Penology (BJMP) may join the PCG
19 through lateral entry. The rank for officers eligible for such entry must not be higher than
20 Lieutenant Commander and Petty Officer Second Class for non-officers. Notwithstanding the
21 corps they wish to join, all entrants shall only be accepted if, on or before time of entry, they:
22 a) are not under investigation, b) are not on absence without leave (AWOL) status, c) are not
23 serving sentence, whether administrative or criminal, d) have not been issued reprimand in the
24 last two (2) years, or e) have not received an unfavorable rating in the latest performance rating.
25 However, if an entrant possesses specific skills that may not be readily developed in new
26 recruits, lateral entry may be allowed for ranks higher than those mentioned

27
28 above: *Provided*, That the new entrant can serve at least ten (10) years in PCG active service
29 prior to reaching the mandatory retirement age.

30
31 **SEC. 49. *Exemption from Attachment, Taxes, Charges and Fees.*** - Retirement
32 benefits granted by this Act, including benefits received from a duly instituted provident fund
33 and mutual benefit association shall not be subject to attachment, levy, execution or any tax of
34 whatever nature. In the establishment and operation of radar and radio stations and other

1 communication facilities, the PCG shall not be subject to payment of charges and fees as
2 imposed by the National Telecommunications Commission (NTC): *Provided*, That the PCG
3 shall only use frequencies as may be allowed or assigned by the NTC consistent with
4 international regulations and guidelines. Except as provided in the preceding paragraph, the
5 PCG shall, in the performance of its functions, enjoy such rights and privileges enjoyed by
6 other governmental and law enforcement agencies, instrumentalities, and government owned
7 and controlled corporations such as but not limited to exemption from registration application
8 for license, and payment of fees as imposed by other governmental agencies or regulatory
9 bodies. Should the PCG be required to register or to file application, the fees to be charged
10 shall only be in such minimal amount corresponding to the actual administrative cost necessary
11 for the issuance of the permit, license or certificate.
12

13 **SEC. 50. *PCG Modernization Trust Fund.*** - There is hereby created a PCG
14 Modernization Trust Fund to be used exclusively for the PCG Modernization Program which
15 shall be sourced from the following:
16

- 17 a. Fees, dues, charges and fines collected relevant to the exercise of its various functions
18 as defined in Sec. 6 of this Act;
- 19 b. Proceeds from the disposal of excess and uneconomically repairable equipment and
20 other movable assets of the PCG; and
- 21 c. All interest income that accrues to the trust fund. The PCG Modernization Fund shall
22 be administered by the Commandant of the PCG in accordance with the existing
23 government budgeting, accounting and auditing rules and regulations.
24

25 **SEC. 51. *Loans, Grants, Bequests and Donations for the PCG Modernization***
26 ***Program.*** - The PCG may receive grants, bequests and donations whether from local or foreign
27 sources for the PCG Modernization Program. The Secretary of DOTr may enter into loan
28 agreement with foreign financial institutions, subject to the review of the Monetary Board of
29 the Bangko Sentral ng Pilipinas and the Department of Finance.
30

31 **SEC. 52. *PCG Properties and Lighthouse Reservations.*** - The PCG shall continue to
32 exercise exclusive ownership, possession, management, control and supervision over all
33 properties transferred to it by virtue of Executive Order No. 475 dated 30 March 1998 and
34 Executive Order No. 477 dated 15 April 1998, such as inter alia, vessels, watercrafts, firearms,

1 armaments, munitions, communications and 6 electronic equipment, vehicles, buildings, real
2 state, lighthouse stations and reservations.

3
4 **SEC. 53. *Establishment and Expansion of Coast Guard Bases, Equipment and***
5 ***Facilities.*** - In coordination with other appropriate government agencies, the PCG shall
6 develop and enhance its capabilities in the performance of its mandated functions and establish
7 its strategic presence. Towards this end, the PCG shall, through the guidance of Congress,
8 draft its development plan that shall reflect its asset, equipment and facility requirement
9 including but not limited to floating assets, laboratories, land- based support facilities, land
10 mobility, arms and ammunition, rescue and hospital ship, maritime monitoring surveillance
11 and communications system, port facilities, air assets and air stations.

12
13 **SEC. 54. *Implementing Rules and Regulations.*** - For submission to the Secretary of
14 Transportation for approval, the Philippine Coast Guard, not later than one hundred twenty
15 (120) days from the effectivity of this Act, shall issue rules and regulations, determine, fix
16 and/or prescribe charges, rates, and penalties, as may be necessary, to implement its
17 provisions, as well as the provisions of laws. Issuances, decrees and orders related to the
18 implementation of PCG functions.

19
20 **SEC. 55. *Appropriations.*** - The amount necessary for the initial implementation of this
21 Act shall be charged against the current year's appropriations of the PCG. Thereafter, such
22 amount shall be included in the General Appropriations Act. In addition, an amount of One
23 Billion Pesos (Php1,000,000,000.00) is hereby appropriated annually in the next five (5) years
24 for the PCG Modernization Program upon enactment of this Act out of any funds actually
25 available in the National Treasury of the Philippines not otherwise appropriated, as certified
26 by the National Treasurer.

27
28 **SEC. 56. *Transitory Provisions.*** - The provisions of this Act, as far as the computation
29 of rate is concerned, shall have retroactive effect on the retirement benefits of non-officers
30 whose retirement were affected by the implementation of Republic Act No. 9993, and the
31 discrepancy as a result of applying this Act and Republic Act No. 9993 shall be returned to the
32 retiree. The same shall also be retroactively applicable to indexation of pension to base pay
33 scale adjustments affected by Republic Act No. 9993: *Provided*, that the retirement benefits
34 of the ranks of Admiral and Vice Admiral adversely affected by OR No. 4 s. 2008 and OR No.

1 s. 2018 shall be adjusted in the same level as its contemporary ranks of General and Lieutenant General in the AFP and the PNP, respectively: *Provided*, further, that those affected by the above mentioned Joint Resolutions shall be paid the difference in pay and allowances by reason thereof.

SEC. 57. *Separability Clause.* - If for any reason, any provision of this Act is declared unconstitutional or invalid, such parts not affected thereby shall remain in full force and effect.

SEC. 58. *Repealing Clause.* - Republic Act No. 9993 is hereby repealed and all laws, decrees, executive orders, rules and regulations and other issuance's or parts thereof which are inconsistent with this Act are hereby repealed, amended or modified accordingly.

SEC. 59. *Effectivity Clause.* -This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved,