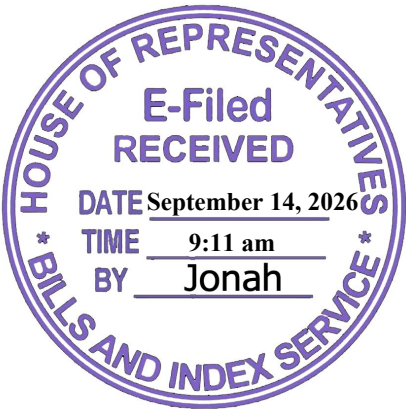


1 TWENTIETH CONGRESS)
2 OF THE REPUBLIC OF THE PHILIPPINES)
3 *Second Regular Session*)
4
5



6 HOUSE OF REPRESENTATIVES
7

8 House Bill No. 11266
9

10
11 Introduced by Representative KARL FERNANDEZ LEGAZPI
12

13
14
15 EXPLANATORY NOTE
16

17 Article II, Section 3 of the 1987 Constitution declares that civilian authority is, at all times,
18 supreme over the military. Article XVI, Section 6 thereof mandates the State to establish and
19 maintain one police force, national in scope and civilian in character, to be administered and
20 controlled by a national police commission. Both provisions proceed from a common
21 constitutional premise: that an armed and uniformed service of the Republic must remain
22 accountable to an institutional authority beyond its own chain of command.

23
24 The Philippine Coast Guard (PCG), notwithstanding its character as an armed and
25 uniformed service, has never been accorded such an institutional mechanism.
26

27 Originally constituted as a major unit of the Philippine Navy under Republic Act No. 5173
28 in 1967, transferred to the then Department of Transportation and Communications in 1998, and
29 subsequently established as an armed and uniformed service under Republic Act No. 9993 in 2010,
30 the PCG has expanded from a force of approximately three thousand (3,000) personnel into one of
31 the largest maritime law enforcement agencies in the region. It now comprises tens of thousands
32 of officers and non-officers, maintains a fleet of ocean-going vessels and aircraft, and performs a
33 frontline role in the assertion of the country's sovereign rights and jurisdiction in the West
34 Philippine Sea. Its personnel bear arms, exercise powers of arrest, search, and seizure, board and
35 detain vessels, and operate in contested waters where the decision of a single officer may carry
36 consequences of national significance.

37
38 The institutional governance of the PCG, however, has not kept pace with the growth of its
39 organization and mandate. Under existing law, the command of the service and the administration
40 of its personnel are vested in a single office. The Commandant directs operations and, at the same
41 time, determines matters of promotion, assignment to major commands, and discipline. Unlike the
42 Philippine National Police, whose administration and control are vested in the National Police
43 Commission (NAPOLCOM) under Republic Act No. 6975, as amended by Republic Act No.
44 8551, the PCG has no specialized statutory body that reviews these matters independently of the
45 chain of command.

46
47 This deficiency is most pronounced at the highest ranks. Under Article VII, Section 16 of
48 the Constitution, as construed by the Supreme Court in *Manalo v. Sistoza* (G.R. No. 107369, 11
49 August 1999), only officers of the armed forces from the rank of colonel or naval captain require

1 confirmation by the Commission on Appointments. Flag officers of the Armed Forces of the
2 Philippines are thus subject to legislative scrutiny, while senior officers of the Philippine National
3 Police are subject to the screening and endorsement of the NAPOLCOM. Flag officers of the PCG
4 are subject to neither. No professional body evaluates their qualifications prior to appointment, nor
5 reviews the exercise of their authority thereafter.

6
7 This measure is introduced while Congress undertakes a comprehensive revision of the
8 statutory framework of the PCG. On 11 August 2026, the Senate approved on third and final
9 reading Senate Bill No. 2116, or the proposed Revised Philippine Coast Guard Law, which
10 reorganizes the PCG into functional, support, and technical commands, prescribes clearer rules on
11 ranks, appointments, and promotions, and strengthens internal accountability through a Coast
12 Guard Internal Affairs Service. In the House of Representatives, the Committee on Transportation
13 is deliberating on a Substitute Bill to House Bills Nos. 426, 1120, 3390, 4693, 4758, 5127, 5131,
14 5471, 5552, 5758, 6104, 6173, 6244, 6386, 8027, and 9204, which seeks to strengthen the PCG
15 through policy and organizational reforms.

16
17 Mindful of these parallel efforts, this bill is crafted to complement, and not to duplicate,
18 the Revised Philippine Coast Guard Law. It does not establish a separate organizational, personnel,
19 promotion, disciplinary, or career-management system. It contains an express harmonization
20 clause and rule of construction; it requires that professional standards and career progression
21 criteria conform to the functional organization adopted under the Revised Philippine Coast Guard
22 Law; it relies upon the Internal Affairs Service for investigation and fact-finding, in lieu of creating
23 a competing investigative body; and it limits any transfer of functions to those expressly vested in
24 the Commission by law.

25
26 Neither does this bill place the Commission within, or above, the chain of command of the
27 PCG. The Commission is constituted as an independent personnel governance and oversight body,
28 not as an administrative superior of the Commandant, and is expressly denied any authority over
29 the operations, budget, finances, procurement, and assets of the service. Its powers are confined to
30 those enumerated by law, namely: the promulgation of governance standards and the review of
31 compliance therewith; the validation of the promotion of senior officers; the validation of the
32 assignment of flag officers to major unit commands; the professional screening of nominees for
33 Commandant for the consideration of the President; and the exercise of appellate and review
34 authority in administrative disciplinary cases.

35
36 The distinction between command and governance is deliberate. Command, being the
37 direction of personnel, vessels, aircraft, and resources in the accomplishment of the mission, is
38 vested in, and shall remain with, the Commandant. The PCG shall continue to administer its
39 personnel system, including recruitment, training, assignment, career management, and personnel
40 records, while the Commission shall safeguard the integrity of that system. The Commandant
41 recommends; the Commission independently validates; and the President appoints or promotes
42 where so required by the Constitution or by law. In no instance may the Commission substitute its
43 own choice for the recommendation of the Commandant or for the appointing power of the
44 President.

45
46 The NAPOLCOM serves as a precedent, not as a template. The PCG is not a police force
47 and is not organized as one. The Commission proposed herein is accordingly adapted to a maritime
48 service whose functions encompass maritime safety, marine environmental protection, and
49 maritime security, and whose officers are trained for duty at sea. The measure preserves the
50 operational command of the Commandant and the constitutional appointing power of the

1 President, while providing the service with an institutional safeguard for merit, professionalism,
2 accountability, and continuity.

3
4 Commandants, Secretaries, and administrations succeed one another; the institution,
5 however, must endure beyond any single tenure. Sound command is indispensable to the Coast
6 Guard, and sound governance renders such command sustainable. This measure does not seek to
7 diminish the authority of the Commandant, but to ensure that such authority is exercised within a
8 professional institutional framework that strengthens the service for succeeding generations.

9
10 In view of the foregoing, the immediate approval of this bill is earnestly sought.

11
12
13
14

KARL FERNANDEZ LEGAZPI
Pinoy Workers Party List

HOUSE OF REPRESENTATIVES

House Bill No. 11266

Introduced by Representative KARL FERNANDEZ LEGAZPI

AN ACT CREATING THE PHILIPPINE COAST GUARD COMMISSION AS AN INDEPENDENT PERSONNEL GOVERNANCE AND OVERSIGHT BODY FOR THE PHILIPPINE COAST GUARD, DEFINING ITS POWERS AND FUNCTIONS, PROVIDING FOR ITS HARMONIZATION WITH THE REVISED PHILIPPINE COAST GUARD LAW, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 9993, OTHERWISE KNOWN AS THE "PHILIPPINE COAST GUARD LAW OF 2009," APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES

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

CHAPTER I
GENERAL PROVISIONS

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

SECTION. 2. *Declaration of Policy.* It is hereby declared the policy of the State to maintain the Philippine Coast Guard as a professional, competent, and accountable armed and uniformed service dedicated to maritime safety, marine environmental protection, and maritime security.

Toward this end, the State shall preserve the command authority of the Commandant of the Philippine Coast Guard, while establishing an independent governance framework that safeguards merit, professionalism, accountability, institutional continuity, and continuous improvement in the administration of the service.

The State shall further ensure that such governance framework complements, and does not duplicate or conflict with, the organizational, personnel, career, promotion, and accountability systems established under the Revised Philippine Coast Guard Law, and that it is exercised in a manner that is merit-based, transparent, and insulated from undue political or personal influence.

SECTION. 3. *Definition of Terms.* For purposes of this Act, the following terms shall be defined as follows:

1 (a) *Command* – refers to the authority and responsibility of the Commandant and
2 subordinate commanders to direct, control, deploy, and employ the personnel, vessels, aircraft,
3 facilities, and resources of the PCG, and to maintain its operational readiness, in the performance
4 of its mission and functions;

5 (b) *Commandant* – refers to the Commandant of the Philippine Coast Guard;

6 (c) *Commission* – refers to the Philippine Coast Guard Commission created under this Act;

7 (d) *Department* – refers to the Department of Transportation;

8 (e) *Flag Officer* – refers to an officer of the PCG holding the rank of Commodore or higher;

9 (f) *Internal Affairs Service* – refers to the Coast Guard Internal Affairs Service, or its
10 equivalent, established under the Revised Philippine Coast Guard Law;

11 (g) *Major Unit Command* – refers to a functional command, Coast Guard District, or other
12 command or office of the PCG which, under the Revised Philippine Coast Guard Law, or as
13 determined by the Commission upon the recommendation of the Commandant, requires an officer
14 holding the rank of Commodore or higher;

15 (h) *PCG or Coast Guard* – refers to the Philippine Coast Guard established under Republic
16 Act No. 9993, as amended or revised;

17 (i) *Personnel Governance* – refers to the promulgation of governance standards for the
18 personnel systems of the PCG, the review of compliance therewith, the validation of the promotion
19 of senior officers and of assignments to major unit commands, the professional screening of
20 nominees for Commandant, and the exercise of appellate and review authority in administrative
21 cases, as expressly provided in this Act. The term shall not include recruitment, training,
22 assignment, career management, personnel records management, and other day-to-day human
23 resource functions, which shall remain with the PCG;

24 (j) *Revised Philippine Coast Guard Law* – refers to the law enacted by Congress revising
25 or replacing Republic Act No. 9993, and, pending the effectivity thereof, Republic Act No. 9993,
26 as amended;

27 (k) *Secretary* – refers to the Secretary of Transportation; and

28 (l) *Senior Officer* – refers to an officer of the PCG holding, or being considered for
29 promotion to, the rank of Captain or higher.

30 CHAPTER II

31 THE PHILIPPINE COAST GUARD COMMISSION

32

33 **SECTION. 4. *Creation and Nature of the Commission.*** There is hereby created a
34 Philippine Coast Guard Commission, hereinafter referred to as the "Commission," which shall
35 exercise independent personnel governance, oversight, review, validation, and appellate authority
36 over such personnel matters as are expressly provided under this Act. The Commission shall be
37 attached to the Department for purposes of policy and program coordination.

38
39 The Commission shall not form part of the chain of command of the PCG. Nothing in this
40 Act shall be construed as placing the Commission in a position of hierarchical or operational
41 superiority over the Commandant.

42
43 **SECTION. 5. *Composition.*** The Commission shall be a collegial body composed of a
44 Chairperson and four (4) Commissioners, as follows:

45 (a) A Chairperson, who shall serve on a full-time basis and shall act as the chief executive
46 officer of the Commission;

47 (b) One (1) Commissioner who is a retired flag officer of the PCG and who has been retired
48 from the service for at least two (2) years at the time of appointment;

1 (c) One (1) Commissioner who is a member of the Philippine Bar, has been engaged in the
2 practice of law for at least ten (10) years, and possesses demonstrated competence in
3 administrative, constitutional, maritime, or international law;

4 (d) One (1) Commissioner who comes from the academe or the private sector and possesses
5 recognized expertise in maritime governance, public administration, public-sector accountability,
6 or human resource and organizational management; and

7 (e) The Undersecretary of the Department in charge of maritime affairs, as an *ex officio*
8 Commissioner.

9
10 The Commandant shall sit with the Commission as an *ex officio* member without the right
11 to vote: *Provided*, That the Commandant shall not participate in the deliberations of the
12 Commission on any matter concerning the promotion of senior officers, the assignment of flag
13 officers to major unit commands, the screening of nominees for Commandant, or any
14 administrative case in which the Commandant is a party or is the deciding authority whose decision
15 is on appeal.

16
17 **SECTION. 6. *Qualifications; Conflict of Interest.*** The Chairperson and the regular
18 Commissioners shall be natural-born citizens of the Philippines, at least thirty-five (35) years of
19 age at the time of appointment, of proven integrity and independence, and shall not have been
20 candidates for any elective position in the election immediately preceding their appointment. The
21 appointments to the Commission shall, as far as practicable, ensure that its members collectively
22 possess demonstrated competence in maritime governance, personnel and organizational
23 management, administrative and constitutional law, public-sector accountability, institutional
24 development, and maritime security, safety, or environmental protection.

25
26 Except as provided in Section 5(b) hereof, no person who is a member of the PCG at the
27 time of appointment, or who has been retired from the PCG for less than two (2) years, shall be
28 appointed to the Commission.

29
30 A member of the Commission shall inhibit from any deliberation, validation, screening, or
31 case in which such member has a personal or financial interest, or is related to any party within
32 the fourth civil degree of consanguinity or affinity, or has participated in an official capacity prior
33 to appointment.

34
35 **SECTION. 7. *Appointment and Term of Office.*** The Chairperson and the regular
36 Commissioners shall be appointed by the President for a term of six (6) years without
37 reappointment: *Provided*, That of the first appointees, the Chairperson shall serve for six (6) years,
38 the Commissioner under Section 5(b) hereof for five (5) years, the Commissioner under Section
39 5(c) hereof for four (4) years, and the Commissioner under Section 5(d) hereof for three (3) years:
40 *Provided, further*, That any person appointed to fill a vacancy shall serve only for the unexpired
41 term of the predecessor.

42
43 **SECTION. 8. *Removal from Office.*** The Chairperson and the regular Commissioners may
44 be removed from office by the President only for cause, after due notice and hearing, on any of
45 the following grounds: serious misconduct, gross neglect of duty, physical or mental incapacity,
46 or conviction by final judgment of a crime involving moral turpitude.

47
48 **SECTION. 9. *Rank, Compensation, and Privileges.*** The Chairperson shall have the rank,
49 salary, and privileges of a Department Undersecretary, and the regular Commissioners shall have

1 the rank, salary, and privileges of a Department Assistant Secretary. They shall be subject to the
2 prohibitions and disqualifications applicable to public officers and employees under existing laws.

3
4 **SECTION. 10. Powers and Functions.** The Commission shall have the following powers
5 and functions:

6 (a) Promulgate governance standards for the personnel systems of the PCG, consistent with
7 the Revised Philippine Coast Guard Law and other applicable laws;

8 (b) Review the compliance of the personnel systems, policies, and practices of the PCG
9 with such standards and applicable laws, and issue its findings and recommendations to the
10 Commandant and the Secretary;

11 (c) Establish and oversee professional standards and career progression criteria in
12 accordance with Section 14 hereof;

13 (d) Ensure that career progression in the PCG is merit-based, transparent, and insulated
14 from undue political or personal influence;

15 (e) Validate the promotion of senior officers recommended by the Commandant, in
16 accordance with Section 15 hereof;

17 (f) Validate the assignment of flag officers to major unit commands, in accordance with
18 Section 16 hereof;

19 (g) Conduct the professional screening and evaluation of qualified flag officers for
20 appointment as Commandant, in accordance with Section 17 hereof;

21 (h) Exercise appellate and review authority over decisions of the Commandant in
22 administrative disciplinary cases involving officers of the PCG, and original jurisdiction over
23 administrative cases against flag officers, in accordance with Section 18 hereof;

24 (i) Monitor institutional professionalism in the PCG through periodic governance reviews
25 of its units and offices on matters of personnel administration, discipline, and professional
26 standards;

27 (j) Access such personnel records, reports, and information of the PCG as may be
28 reasonably necessary for the performance of its functions under this Act;

29 (k) In cases within its jurisdiction, administer oaths, issue subpoena *ad testificandum* and
30 subpoena *duces tecum*, and refer to the Internal Affairs Service for investigation any matter
31 affecting the integrity, professionalism, or discipline of PCG personnel;

32 (l) Submit an annual report to the President and to both Houses of Congress on the state of
33 the officer and non-officer corps of the PCG, the activities of the Commission, and any systemic
34 deficiency in the personnel systems of the PCG; and

35 (m) Perform such other functions as may be expressly provided by law.

36
37 Recruitment, training, personnel administration, assignment, career management,
38 personnel records management, and other day-to-day human resource functions shall remain with
39 the PCG in accordance with the Revised Philippine Coast Guard Law. The Commission shall not
40 establish or maintain a parallel personnel, career-management, or investigative system.

41
42 **SECTION. 11. Limitation of Authority.** The Commission shall exercise no power over
43 the budget, appropriations, funds, procurement, or financial management of the PCG, nor over the
44 acquisition, disposition, or employment of its vessels, aircraft, facilities, and other assets, which
45 matters shall continue to be governed by the Revised Philippine Coast Guard Law and other
46 existing laws, rules, and regulations.

47
48 Nothing in this Act shall be construed as vesting in the Commission any operational,
49 tactical, deployment, employment, or command authority over the personnel, vessels, aircraft,

1 facilities, or other assets of the PCG, or as authorizing the Commission to direct, review, or
2 interfere with the operations of the PCG.

3
4 **SECTION. 12. *Meetings, Quorum, Secretariat, and Staff.*** The Commission shall meet
5 regularly at least twice every month, and as often as may be necessary. Three (3) voting members
6 shall constitute a quorum, and the concurrence of a majority of the voting members present, there
7 being a quorum, shall be necessary for the adoption of any resolution or decision.

8
9 The Commission shall be assisted by a Secretariat headed by an Executive Director, who
10 shall be appointed by the Commission and shall have the rank of Director IV. The Commission
11 shall determine its staffing pattern, subject to the approval of the Department of Budget and
12 Management, and may avail itself of the services of personnel detailed from the PCG, the
13 Department, and other government agencies: *Provided*, That personnel detailed from the PCG
14 shall not be assigned to any function involving the validation of promotions or the adjudication of
15 administrative cases.

16 **CHAPTER III**
17 **PERSONNEL GOVERNANCE AND DISCIPLINE**
18

19 **SECTION. 13. *Command of the Coast Guard.*** The Commandant shall continue to
20 exercise command and control over the PCG and shall be responsible for the direction,
21 deployment, employment, and operational readiness of its personnel, vessels, aircraft, facilities,
22 and resources. Nothing in this Act shall be construed as vesting in the Commission, or as
23 diminishing, transferring, or impairing in the Commandant, the authority to command the PCG or
24 to direct its operations.

25
26 **SECTION. 14. *Professional Standards and Career Progression.*** The Commission shall
27 establish and oversee professional standards and career progression criteria consistent with the
28 functional organization, career structure, and personnel classification established under the
29 Revised Philippine Coast Guard Law. Such standards and criteria shall recognize the core
30 functions of the PCG in maritime safety, marine environmental protection, and maritime security,
31 and shall promote technical specialization, competence, and continuity of service within each
32 function. The Commission shall promulgate such standards and criteria within one (1) year from
33 its organization.

34
35 **SECTION. 15. *Validation of the Promotion of Senior Officers.*** The Commandant shall
36 submit to the Commission the list of officers recommended for promotion to the rank of Captain
37 and to all higher ranks, together with the complete records, performance evaluations, and
38 supporting documents of each officer so recommended.

39
40 The Commission shall independently determine whether each officer recommended
41 possesses the merits and qualifications prescribed for the rank, on the basis of competence,
42 integrity, performance, completion of the required schooling and training, compliance with tour-
43 of-duty and functional requirements, and fitness for higher responsibility. For this purpose, the
44 Commission may require the appearance of any officer recommended and may require the
45 Commandant to explain the basis of any recommendation.

46
47 The Commission shall act upon the list within sixty (60) days from receipt thereof. Where
48 the Commission finds an officer qualified, it shall so certify. Where the Commission finds an
49 officer not qualified, it shall return the name of such officer to the Commandant with a written

1 statement of the grounds therefor, and no such officer shall be promoted unless the grounds are
2 subsequently cured and the name of the officer is resubmitted and certified.

3
4 Promotion to the rank of Captain shall be made by the Commandant only upon certification
5 by the Commission. Promotion to flag rank shall be made by the President, where so required by
6 the Constitution or by law, upon the recommendation of the Commandant, as certified and
7 endorsed by the Commission through the Secretary.

8
9 The Commission shall not substitute its own nominees for those recommended by the
10 Commandant. The results of every validation, including the criteria applied, shall be made
11 available to the officers concerned.

12
13 **SECTION. 16. *Validation of the Assignment of Flag Officers to Major Unit Commands.***
14 The selection and designation of flag officers as commanders of major unit commands shall be the
15 prerogative of the Commandant: *Provided*, That every such assignment or designation shall be
16 submitted to the Commission for validation prior to its effectivity.

17
18 The Commission shall determine whether the officer so designated satisfies the established
19 professional, career, functional, and qualification standards, taking into account the training,
20 experience, and service record of the officer and the mission and requirements of the command
21 concerned. The Commission shall act within thirty (30) days from submission. Failure of the
22 Commission to act within the said period shall be deemed a validation of the assignment.

23
24 Where the Commission finds that the assignment does not conform to such standards, it
25 shall return the same to the Commandant with a written statement of the grounds therefor,
26 whereupon the Commandant shall designate another officer for the position. In no case shall the
27 Commission select or designate the commander of any major unit command.

28
29 In case of emergency, or where the exigencies of the service require the immediate filling
30 of a vacancy in a major unit command, the Commandant may make a temporary designation
31 effective immediately: *Provided*, That such designation shall be submitted to the Commission for
32 validation within fifteen (15) days therefrom: *Provided, further*, that no such temporary
33 designation shall exceed ninety (90) days unless validated.

34
35 **SECTION. 17. *Selection of the Commandant.*** The President shall appoint the
36 Commandant in accordance with the Constitution and the Revised Philippine Coast Guard Law.
37 The Commission shall conduct the professional screening and evaluation of qualified flag officers
38 and shall submit to the President, through the Secretary, a list of not less than three (3) qualified
39 nominees, together with its evaluation of each, for the consideration of the President. Nothing in
40 this Section shall be construed as a limitation upon the appointing power of the President.

41
42 In addition to the qualifications prescribed under the Revised Philippine Coast Guard Law,
43 a nominee for Commandant shall have completed a minimum of three (3) years of cumulative sea
44 duty aboard a PCG vessel in a junior officer billet: *Provided*, That no requirement of prior
45 command of a PCG vessel shall be imposed as a condition for eligibility, it being the intent of this
46 Act that fitness for command of the service be assessed on the breadth of competence across the
47 functions of the PCG and not on any single operational specialization.

48
49 **SECTION. 18. *Administrative Discipline.*** The investigation, fact-finding, and integrity
50 functions pertaining to the discipline of PCG personnel shall be performed by the Internal Affairs

1 Service in accordance with the Revised Philippine Coast Guard Law. The Commission shall not
2 establish a separate investigative body.

3
4 The Commandant shall retain original disciplinary authority over officers and non-officers
5 of the PCG as provided by law. Any decision of the Commandant in an administrative case
6 involving an officer, where the penalty imposed is suspension for more than thirty (30) days,
7 demotion in rank, forfeiture of pay, or dismissal from the service, may be appealed to the
8 Commission within fifteen (15) days from receipt of a copy thereof.

9
10 The Commission shall have original jurisdiction over administrative cases against flag
11 officers, and may require the Internal Affairs Service to conduct the investigation thereof and to
12 submit its report and recommendations to the Commission. Decisions of the Commission shall be
13 final and executory, subject to appeal to the Court of Appeals under Rule 43 of the Rules of Court.

14
15 The Commission shall promulgate rules of procedure for the expeditious disposition of
16 cases, which shall guarantee due process and shall not be bound by the technical rules of evidence.
17 The pendency of an administrative case before the Commission shall be a ground for the deferment
18 of the promotion of, or of the validation of the assignment of, the officer concerned until the final
19 resolution of the case.

20
21 **SECTION. 19. *Institutional Coordination.*** The Commandant shall furnish the
22 Commission with such personnel records, reports, and information as may be reasonably necessary
23 for the performance of its functions under this Act. The Commission shall coordinate with the
24 Commandant in the formulation of governance standards affecting the personnel of the PCG, and
25 shall consult the Commandant prior to the adoption of any standard affecting the operational
26 readiness of the service.

27
28 The relationship between the Commission and the Commandant under this Act shall be
29 one of institutional coordination, and shall not be construed as placing the Commandant in a
30 relationship of operational or hierarchical subordination to the Commission.

31 **CHAPTER IV**
32 **TRANSITORY AND FINAL PROVISIONS**
33

34 **SECTION. 20. *Interim Personnel and Professionalization Board.*** Within sixty (60) days
35 from the effectivity of this Act, and pending the organization of the Commission, the Secretary
36 shall constitute an Interim Personnel and Professionalization Board within the Department, to be
37 chaired by the Undersecretary in charge of maritime affairs. The Board shall prepare the
38 organizational and procedural requirements for the establishment of the Commission and shall
39 exercise, on an interim basis, the functions provided in Section 10(a) and (b) hereof. The Board
40 shall cease to exist upon the appointment of a majority of the members of the Commission.

41
42 **SECTION. 21. *Organization of the Commission.*** The President shall appoint the
43 Chairperson and the regular Commissioners within one hundred eighty (180) days from the
44 effectivity of this Act. The Commission shall be deemed organized upon the appointment and
45 qualification of a majority of its voting members.

46
47 **SECTION. 22. *Transfer of Functions and Records.*** Only such functions and records of
48 the PCG as pertain to matters expressly vested in the Commission under this Act shall be
49 transferred to the Commission within six (6) months from its organization, in accordance with a

1 transition plan to be approved by the Commission upon the recommendation of the Commandant.
2 Nothing in this Act shall be construed as authorizing the Commission to absorb or duplicate any
3 function assigned to the PCG under the Revised Philippine Coast Guard Law. No personnel of the
4 PCG shall suffer any diminution in rank, salary, or benefits by reason of such transfer.
5

6 **SECTION. 23. *Pending Cases, Promotions, and Assignments.*** Administrative cases
7 pending before the Commandant upon the organization of the Commission shall continue to be
8 heard and decided by the Commandant, and the decisions thereon shall be appealable to the
9 Commission in accordance with Section 18 hereof. Promotions and assignments to major unit
10 commands effected prior to the organization of the Commission shall remain valid and shall not
11 require validation under this Act.
12

13 **SECTION. 24. *Harmonization with the Revised Philippine Coast Guard Law; Rule of***
14 ***Construction.*** The provisions of this Act shall be construed and implemented in harmony with the
15 Revised Philippine Coast Guard Law and other laws governing the PCG. The Commission shall
16 exercise independent personnel governance, oversight, review, validation, and appellate functions
17 only to the extent expressly provided by law.
18

19 Nothing in this Act shall be construed as diminishing, transferring, or impairing the
20 command authority of the Commandant over the PCG, including operational command,
21 deployment, employment, readiness, and direction of its personnel and assets.
22

23 Where the provisions of this Act concern personnel standards, career development,
24 promotion, discipline, organizational classification, or other matters governed by the Revised
25 Philippine Coast Guard Law, the provisions of both laws shall, insofar as legally possible, be
26 interpreted in a manner that gives effect to both and avoids duplication, inconsistency, or
27 conflicting lines of authority.
28

29 **SECTION. 25. *Implementing Rules and Regulations.*** Within ninety (90) days from the
30 effectivity of this Act, the Secretary, in consultation with the Commandant, the Civil Service
31 Commission, and the Department of Budget and Management, shall promulgate the rules and
32 regulations necessary for the effective implementation of this Act. Upon its organization, the
33 Commission may amend, supplement, or supersede such rules and regulations insofar as they
34 pertain to matters within its competence.
35

36 **SECTION. 26. *Appropriations.*** The amount necessary for the initial implementation of
37 this Act shall be charged against the current year's appropriations of the Department. Thereafter,
38 such sums as may be necessary for the continued operation of the Commission shall be included
39 in the annual General Appropriations Act as a separate line item, and shall not be charged against
40 the appropriations of the PCG.
41

42 **SECTION. 27. *Amendatory Clause.*** The provisions of Republic Act No. 9993, as
43 amended or revised, relating to the appointment of the Commandant, the promotion of officers,
44 the assignment of flag officers, and the administrative discipline of PCG personnel are hereby
45 amended insofar as they are inconsistent with this Act.
46

47 **SECTION. 28. *Repealing Clause.*** All laws, decrees, executive orders, rules and
48 regulations, or parts thereof inconsistent with the provisions of this Act are hereby repealed,
49 amended, or modified accordingly.
50

1 **SECTION. 29. *Separability Clause.*** If any provision of this Act is declared invalid or
2 unconstitutional, the remaining provisions not affected thereby shall continue to be in full force
3 and effect.

4
5 **SECTION. 30. *Effectivity.*** This Act shall take effect fifteen (15) days after its publication
6 in the *Official Gazette* or in a newspaper of general circulation.

7
8 *Approved,*