

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 4287



INTRODUCED BY HON. CHERYL P. DELOSO-MONTALLA

AN ACT
STRENGTHENING FURTHER THE PHILIPPINE COAST GUARD (PCG) AND FOR OTHER PURPOSES, AMENDING CERTAIN PROVISIONS OF REPUBLIC ACT NO. 9993 OTHERWISE KNOWN AS "THE PHILIPPINE COAST GUARD LAW OF 2009"

EXPLANATORY NOTE

The Philippine Coast Guard (PCG) is the oldest and only humanitarian armed service in the Philippines. Its beginnings could be traced back to the early 20th century when coast guarding was related to the protection of the customs service of the country and in patrolling the coastline and harbors.¹

Presently, the PCG is recognized as the 3rd uniformed armed service of the country following the Armed Forces of the Philippines (AFP) and the Philippine National Police (PNP). As a seagoing force, the coastguard boasts of its time-honored tradition of humanitarian service that is always ready to answer to the call of duty.²

With the enactment of the Coast Gurad Law of 2009 or the Republic Act No. 9993 and its implementing rules and regulations, the PCG has been vested with the necessary authority and responsibility to perform preventive measures to ensure the safety of merchant vessels. He said law also strengthened PCG's authority to meet new challenges and increasing demands for maritime resources, technological advancement and climate change. It defined PCG's rightful niche in the bureaucracy as the premier maritime agency and its vital role in nation-building.³

Being at the forefront in ensuring the safety and protection of the Philippine maritime waters against any illegal activity and with the advent of the wide array of maritime issues currently faced by the country, the PCG's role in maintaining and protecting our maritime domain must be given priority and high importance.

However, the law which revitalized PCG contains certain ambiguous provisions which deter the PCG from achieving its optimum potential. Moreover, recent developments in the maritime sector necessitates a re-visitation of the existing coast guard law to make it more responsive to the needs of the time.

Of the same importance is the need to enhance the administration and organization of the PCG through the required structure and management that are vital in the execution of its mandates on maritime safety, maritime security and marine environmental protection.

This bill, thus, proposes to define the powers of the key officers of PCG, categorize its personnel, appropriately classify their ranks, define their qualifications and tenure, provide a

¹ <http://www.coastguard.gov.ph/images/philcoastguard/history.png>

² Ibid.

³ Ibid.

framework for their disciplinary system through an internal affairs service, provision of legal assistance, and prescription of retirement benefits, among others.

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



CHERYL P. DELOSO-MONTALLA
Representative
2nd District, Zambales

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AN ACT

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

SECTION 1. SECTION 1 of Republic Act No. 9993 is hereby amended to read as follows:

“**SECTION 1. Title.** - This Act shall be known as the ‘Philippine Coast Guard [Law of 2009] ACT OF 2019.’”

SEC. 2. SEC. 2 of RA No. 9993 is hereby amended to read as follows:

“**SEC. 2. Establishment.** – The Philippine Coast Guard, hereinafter referred to as the PCG, is hereby established as an armed and uniformed service attached to the Department of Transportation [and Communications] (**DOTR**): *Provided*, That in times of war, as declared by Congress, the PCG or parts thereof, shall be attached to the Department of National Defense.”

SEC. 3. SEC. 5 of RA No. 9993 is hereby amended to read as follows:

“**SEC. 5. The PCG Commandant,** - The PCG shall be headed by a Commandant who shall [carry] **HAVE** the rank of [Coast Guard] Admiral **WHICH SHALL BE EQUIVALENT TO THE RANK AND PAY OF THE CHIEF OF STAFF, AFP AND THE POLICE DIRECTOR GENERAL, PNP**: *Provided*, That he shall be appointed by the President from among the Flag Officers in the Coast Guard service. He shall hold a command-at-sea badge and must have served as a District Commander of the PCG. The Commandant shall have a maximum term of three (3) years. A Commandant who has served for three (3) years prior to his compulsory retirement shall be considered as retired and entitled to all the benefits available to a Coast Guard officer as if he is compulsorily retired.”

SEC. 4. A new SEC. 6 is hereby provided to read as follows:

“**SEC. 6. POWERS AND FUNCTIONS OF THE COMMANDANT.** - THE COMMANDANT SHALL EXERCISE THE FOLLOWING POWERS AND FUNCTIONS:

a) IMPLEMENT THE COUNTRY’S MARITIME LAWS, THROUGH THE SECRETARY OF THE DEPARTMENT OF TRANSPORTATION, AND UNDER THE AUTHORITY AND DIRECTION OF THE PRESIDENT;

1 b) DIRECT AND CONTROL TACTICAL AS WELL AS STRATEGIC
2 MOVEMENTS, DEPLOYMENT, PLACEMENT, UTILIZATION OF THE
3 PCG OR ANY OF ITS UNITS AND PERSONNEL, INCLUDING ITS
4 EQUIPMENT, FACILITIES AND OTHER RESOURCES;

5 c) PRESCRIBE, IN ACCORDANCE WITH THE POLICIES OF THE
6 SECRETARY OF THE DEPARTMENT OF TRANSPORTATION, THE
7 ORGANIZATION, POWERS, FUNCTIONS AND DUTIES OF THE VARIOUS
8 STAFF, SERVICES, INSTALLATIONS AND OTHER UNITS OF THE PCG;

9
10 d) ISSUE POLICIES AND INSTRUCTIONS REGARDING
11 PERSONNEL, FUNDS, PROPERTIES, RECORDS, CORRESPONDENCE
12 AND SUCH OTHER MATTERS AS MAY BE NECESSARY TO
13 EFFECTIVELY CARRY OUT THE FUNCTIONS, POWERS AND DUTIES OF
14 THE PCG.

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16 SEC. 5. SEC. 6 of RA No. 9993 is hereby renumbered and amended to read as follows:

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19 “SEC. [6] 7. *Organization*. – TO EFFECTIVELY CARRY OUT ITS
20 MANDATE OF PROTECTING THE MARITIME DOMAIN OF THE
21 COUNTRY, [T]he PCG COMMANDANT shall BE ASSISTED BY TWO (2)
22 DEPUTY COMMANDANTS, ONE (1) FOR OPERATIONS AND ONE (1) FOR
23 ADMINISTRATION. THEY SHALL ALSO BE ABLY SUPPORTED BY THE
24 FOLLOWING COMMANDS/UNITS: FUNCTIONAL SERVICE
25 COMMANDS; ADMINISTRATIVE SUPPORT COMMANDS,
26 OPERATIONAL SUPPORT COMMANDS, OPERATING COMMANDS, AND
27 TECHNICAL AND SPECIAL SERVICES.”

28
29 SEC. 6. A new SEC. 8 is hereby provided to read as follows:

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31 “SEC. 8. *PERSONNEL*. – THE PCG SHALL CONSIST OF THE
32 FOLLOWING CATEGORIES OF PERSONNEL:

33
34 a) OFFICER – REFERS TO UNIFORMED MEMBER OF THE PCG
35 WHO IS APPOINTED AS OFFICER BY THE SECRETARY OR PRESIDENT AS
36 THE CASE MAY BE;

37
38 b) ENLISTED PERSONNEL – REFERS TO UNIFORMED MEMBER
39 OF THE PCG WHO IS NOT AN OFFICER BUT ENLISTED INTO THE SERVICE
40 BY THE COMMANDANT OF THE PCG;

41
42 c) CIVILIAN EMPLOYEE – REFERS TO THE PERMANENT NON-
43 UNIFORMED MEMBER OF THE PCG WITH PLANTILLA POSITION AND
44 SALARY GRADE AS ATTESTED BY THE CIVIL SERVICE COMMISSION;

45
46 d) PROBATIONARY ENSIGN –REFERS TO A PERSON WHO HAS
47 COMPLETED BASIC TRAINING AND IS AWAITING COMMISSIONSHIP IN
48 THE PCG;

49
50 e) DRAFTEE – REFERS TO A PERSON WHO HAS COMPLETED
51 BASIC TRAINING AND IS AWAITING ENLISTMENT INTO THE PCG ACTIVE
52 SERVICE;

53
54 f) CADET- REFERS TO A PERSON WHO IS UNDERGOING
55 TRAINING FOR COMMISSIONSHIP OR WHO IS ENROLLED IN SERVICE
56 ACADEMIES UNDER THE SPONSORSHIP OF THE PCG;

g) TRAINEE – REFERS TO A PERSON WHO IS UNDERGOING TRAINING TO QUALIFY AS MEMBER OF THE ENLISTED PERSONNEL'S CORPS OF THE PCG.”

SEC. 7. A new SEC. 9 is hereby provided to read as follows:

"SEC. 9. RANK CLASSIFICATION. – THE RANK/GRADE OF PCG OFFICERS SHALL BE AS FOLLOWS:

ADMIRAL	(ADM)
VICE ADMIRAL	(VADM)
REAR ADMIRAL	(RADM)
COMMODORE	(COMMO)
CAPTAIN	(CAPT)
COMMANDER	(CDR)
LIEUTENANT COMMANDER	(LCDR)
LIEUTENANT SENIOR GRADE	(LTSG)
LIEUTENANT JUNIOR GRADE	(LTJG)
ENSIGN	(ENS)
PROBATIONARY ENSIGN	(P/ENS)"

SEC. 8. A new SEC. 10 is hereby provided to read as follows:

"SEC. 10. TECHNICAL OFFICERS. - THE FOLLOWING PROFESSIONALS MAY JOIN THE PCG SERVICE AS TECHNICAL OFFICERS:

- (a) LAWYERS
 - (b) DOCTORS
 - (c) PRIESTS, PASTORS, IMAM, AND OTHER CERTIFIED CLERICS
 - (d) DENTISTS
 - (e) VETERINARIANS
 - (f) CLINICAL PSYCHOLOGISTS
 - (g) PHYSICAL THERAPISTS
 - (h) CHEMISTS
 - (i) MEDICAL TECHNOLOGISTS
 - (j) NURSES
 - (k) MARINE BIOLOGISTS

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 PROFESSIONS NOT LISTED MAY STILL BE RECRUITED AS PART OF THE TECHNICAL STREAM UPON VERIFICATION OF THE PCG OF ITS NEED THEREOF."

SEC. 9. SEC. 7 of RA No. 9993 is hereby renumbered and amended to read as follows:

“SEC. [7] 11. Officer Rank Distribution. - The officer rank distribution or 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

1 between officer and non-officer **ENLISTED PERSONNEL** which is one (1) officer to
2 every seven (7) non-officer **ENLISTED PERSONNEL**: *Provided, finally,* That if the
3 actual number in a rank is less than the number prescribed in a lower rank, the difference
4 may be applied as an increase to the number prescribed in the lower rank.”

5
6 **SEC. 10.** SEC. 8 of RA No. 9993 is hereby renumbered and amended to read as follows:

7
8 “**SEC. [8] 12. Distribution of Flag Officers.** – [The number of Flag Officers herein
9 authorized shall be distributed to the various Flag Officer ranks in accordance with the
10 schedule as hereunder prescribed:

Coast Guard Admiral	1
Coast Guard Vice Admiral	1
Coast Guard Rear Admiral	5
Coast Guard Commodore	15
Total	22

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18 *Provided,* That the herein prescribed Coast Guard ranks shall be distinct from those
19 prescribed in the Philippine Navy: *Provided, further,* That the total number of Flag Officers
20 prescribed under this section shall in no case be less than the number resulting from the
21 implementation of Section 7 hereof, otherwise the latter shall apply.

22
23 The number corresponding to the ranks of Coast Guard Admiral, Coast Guard Vice
24 Admiral, Coast Guard Rear Admiral, and Coast Guard Commodore, as provided for in this
25 section, shall be the maximum:]

26
27 **THERE SHALL BE A COMMANDANT WITH THE RANK OF ADMIRAL.**
28 **PROVIDED, THE TOTAL NUMBER OF FLAG RANKS SHALL NOT EXCEED 2**
29 **PER CENTUM OF THE TOTAL POPULATION OF OFFICERS AND EXCEPT**
30 **FOR THE PREVIOUSLY MENTIONED CONSTANT, SHALL BE DISTRIBUTED**
31 **OBSERVING THE PYRAMIDAL STRUCTURE.**

VICE ADMIRAL	0.15%
REAR ADMIRAL	0.35%
COMMODORE	1.50%
TOTAL	2.00%

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33
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38 **THE PERCENTAGE SHALL BE BASED ON THE TOTAL OFFICER**
39 **POPULATION OF THE PCG AFTER USING THE 1 OFFICER IS TO 7**
40 **ENLISTED PERSONNEL RATIO AND THE TOTAL NUMBER OF FLAG**
41 **OFFICERS IS TWO (2) PERCENT OF THE TOTAL OFFICERS' CORPS.**

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

48
49 **SEC. 11.** SEC. 9 of RA No. 9993 is hereby renumbered as SEC. 13.

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51 **SEC. 12.** SEC. 10 of RA No. 9993 is hereby renumbered and amended to read as follows:

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53
54 “**SEC. [10] 14. Maximum Tenure in Position.** - Officers holding the following key
55 positions are hereby limited a maximum tenure of three (3) years, unless otherwise earlier
56 relieved by competent authority or compulsorily retired under existing laws:

57 [Coast Guard] Commandant;
[Coast Guard] Deputy Commandant [; and].

1 [Coast Guard District Commander.]
2

3 *Provided*, That except for the Commandant, no other officer shall be
4 assigned/designated to the aforementioned key positions or promoted to the rank of
5 Commodore or higher if he has less than (1) year of active service remaining prior to
6 compulsory retirement.”
7

8 **SEC.13.** A new SEC. 15 is hereby provided to read as follows:
9

10 **“SEC. 15. THE RANK/GRADE OF PCG ENLISTED PERSONNEL SHALL
11 BE AS FOLLOWS:**

12 **FIRST MASTER CHIEF PETTY OFFICER (FMCPO)
13 MASTER CHIEF PETTY OFFICER (MCPO)
14 SENIOR CHIEF PETTY OFFICER (SCPO)
15 CHIEF PETTY OFFICER (CPO)
16 PETTY OFFICER FIRST CLASS (PO1)
17 PETTY OFFICER SECOND CLASS (PO2)
18 PETTY OFFICER THIRD CLASS (PO3)
19 SEAMAN/SEAWOMAN FIRST CLASS (SN1/SW1)
20 SEAMAN/SEAWOMAN SECOND CLASS (SN2/SW2)
21 APPRENTICE SEAMAN/SEAWOMAN (ASN/ASW)
22 DRAFTEE (DFT)”**

23 **SEC. 14.** A new SEC. 16 is hereby provided to read as follows:
24

25 **“SEC. 16. MAXIMUM TENURE IN RANK FOR ENLISTED PERSONNEL. -
26 THE MAXIMUM TENURE OF SENIOR ENLISTED PERSONNEL IN THE
27 RANKS OF CHIEF PETTY OFFICER TO FIRST MASTER CHIEF PETTY
28 OFFICER IN THE PCG ARE AS FOLLOWS:**

<u>RANK</u>	<u>MAXIMUM TENURE IN RANK</u>
FIRST MASTER CHIEF PETTY OFFICER	THREE (3) YEARS
MASTER CHIEF PETTY OFFICER	THREE (3) YEARS
SENIOR CHIEF PETTY OFFICER	FIVE (5) YEARS
CHIEF PETTY OFFICER	SEVEN (7) YEARS

32 **ANY PERSONNEL HOLDING LOWER RANKS THAN THE ABOVE
33 WHO STAYS IN A RANK FOR FIFTEEN (15) YEARS WITHOUT BEING
34 PROMOTED TO THE NEXT HIGHER RANK SHALL BE EVALUATED BY THE
35 RE-ENLISTMENT FITNESS BOARD WHO SHALL VERIFY SUITABILITY TO
36 CONTINUE IN SERVICE AND SUBMIT A RECOMMENDATION FOR THE
37 APPROVAL OF THE COMMANDANT. *PROVIDED*, THAT THE ENLISTMENT
38 TERM IN THE PCG SHALL BE SIX (6) YEARS WITH THE APPLICATION FOR
39 RE-ENLISTMENT TO BE REVIEWED BY THE RE-ENLISTMENT FITNESS
40 BOARD FOR RECOMMENDATION TO THE COMMANDANT FOR
41 APPROVAL.”**
42

43 **SEC. 15.** A new SEC. 17 is hereby provided to read as follows:
44

45 **“SEC. 17. CIVILIAN EMPLOYEE. - THERE SHALL BE CIVILIAN
46 POSITIONS WITHIN EVERY OFFICE OF THE PCG. THE HIGHEST RANK
47 AMONG THE CIVILIANS WHO SHALL BE THE HEAD IS DIRECTOR IV. THE
48 CIVILIAN EMPLOYEES SHALL ESTABLISH THEIR OWN PLANTILLA**

1 **POSITIONS TO COMPLEMENT THE STRENGTH OF THE PCG UNIFORMED**
2 **PERSONNEL.”**

4 **SEC. 16.** SEC. 11 of RA No.9993 is hereby renumbered as SEC. 18.

6 **SEC. 17.** SEC. 12 of RA No. 9993 is hereby renumbered and amended to read as follows:

8 “**SEC. [12]19. Appointments.** - Appointments of PCG officers, which shall be in
9 the initial rank of Coast Guard Ensign, shall be made by the Secretary of [the DOTC]
10 **TRANSPORTATION** upon the recommendation of the PCG Commandant. The initial
11 [appointment] entry ranks [of] **FOR TECHNICAL OFFICERS LIKE** [chaplains,
12 dentists] lawyers, medical doctors and **ECUMENICAL** shall be [Coast Guard Lieutenant]
13 **IN THE RANK OF LIEUTENANT SENIOR GRADE, DENTISTS AND**
14 **VETERINARIANS SHALL BE LIEUTENANT JUNIOR GRADE, WHILE**
15 **NURSES AND CHEMISTS SHALL BE COMMISSIONED IN THE RANK OF**
16 **ENSIGN. APPOINTMENTS OF OTHER TECHNICAL PROFESSIONS THAT**
17 **MAY BE REQUIRED LATER SHALL BE BASED ON THE RANKING OF**
18 **LICENSURE AND COURSES ISSUED BY COMPETENT AUTHORITY.”**

20 [No person shall be appointed as an officer of the PCG unless he is a natural born
21 citizen of the Philippines, at least twenty-one (21) years of age at the date of appointment,
22 physically fit and is a baccalaureate degree holder. The Appointment of the PCG
23 Commandant and Flag Officers shall be approved by the President upon the
24 recommendation of the Secretary of the DOTC. Appointments of all PCG non-officers
25 shall be made by the PCG Commandant. Appointments of all non-uniformed personnel
26 shall be in accordance with the Civil Service laws, rules and regulations.]

28 **SEC. 18.** A new SEC. 20 is hereby provided to read as follows:

30 **“SEC. 20. BASIC QUALIFICATION FOR UNIFORMED PERSONNEL. – TO**
31 **QUALIFY AS OFFICER OR ENLISTED PERSONNEL OF THE PCG,**
32 **APPLICANT SHALL POSSESS THE FOLLOWING AT THE TIME OF**
33 **APPLICATION:**

35 a) **CITIZEN OF THE PHILIPPINES;**

37 b) **PERSON OF GOOD MORAL CONDUCT;**

39 c) **MUST HAVE PASSED THE PSYCHIATRIC/ PSYCHOLOGICAL,**
40 **DRUG AND PHYSICAL TESTS TO BE ADMINISTERED BY THE PCG**
41 **MEDICAL SERVICE OR BY ANY PCG ACCREDITED GOVERNMENT**
42 **HOSPITAL FOR THE PURPOSE OF DETERMINING PHYSICAL AND**
43 **MENTAL HEALTH;**

45 d) **MUST POSSESS A FORMAL BACCALAUREATE DEGREE WITH**
46 **APPROPRIATE LICENSE WHEN APPLICABLE OR PROFESSIONAL CIVIL**
47 **SERVICE ELIGIBILITY FOR APPOINTMENT AS OFFICER AND MUST HAVE**
48 **FINISHED AT LEAST THIRD YEAR COLLEGE WITH SIX (6) MONTHS TESDA**
49 **SKILLS COURSE RELATED TO THE FUNCTIONS OF PCG FOR**
50 **APPOINTMENT AS ENLISTED PERSONNEL UPON EFFECTIVITY OF THIS**
51 **ACT; AND**

53 e) **MUST NOT HAVE BEEN DISHONORABLY DISCHARGED FROM**
54 **MILITARY EMPLOYMENT OR DISMISSED FOR CAUSE FROM ANY**
55 **CIVILIAN POSITION IN THE GOVERNMENT.**

1 **ENLISTED PERSONNEL SHALL BE APPOINTED INTO THE SERVICE BY**
2 **THE COMMANDANT. THE APPOINTMENTS OF ALL CIVILIAN EMPLOYEES**
3 **SHALL BE IN ACCORDANCE WITH THE CIVIL SERVICE LAWS, RULES AND**
4 **REGULATIONS.”**

5
6 **SEC. 19.** A new SEC. 21 is hereby provided to read as follows:
7

8 **“SEC. 21. *LATERAL ENTRY.* – ACTIVE MEMBERS OF OTHER**
9 **UNIFORMED SERVICES UNDER THE ARMED FORCES OF THE**
10 **PHILIPPINES, PHILIPPINE NATIONAL POLICE, BUREAU OF FIRE**
11 **PROTECTION AND BUREAU OF JAIL MANAGEMENT AND PENOLOGY**
12 **MAY JOIN THE PCG THROUGH LATERAL ENTRY. THE RANK FOR**
13 **OFFICERS ELIGIBLE FOR SUCH ENTRY MUST NOT BE HIGHER THAN**
14 **LIEUTENANT COMMANDER AND PETTY OFFICER SECOND CLASS FOR**
15 **ENLISTED PERSONNEL. NOTWITHSTANDING THE CORPS THEY WISH TO**
16 **JOIN, ALL ENTRANTS SHALL ONLY BE ACCEPTED IF ON OR BEFORE**
17 **TIME OF ENTRY THEY ARE NOT UNDER INVESTIGATION, ON AWOL**
18 **STATUS, SERVING SENTENCE, WHETHER ADMINISTRATIVE OR**
19 **CRIMINAL, BEEN ISSUED REPRIMAND IN THE LAST TWO (2) YEARS OR**
20 **HAS RECEIVED AN UNFAVOURABLE RATING IN THE LATEST**
21 **PERFORMANCE RATING. NO TRANSFERS MAY BE ACCEPTED WHEN**
22 **ALREADY HOLDING RANKS HIGHER THAN THOSE STATED ABOVE AND**
23 **IF NOT PROPERLY CLEARED FIRST BY THEIR RESPECTIVE SERVICES.**
24 **PROVIDED, THAT LATERAL ENTRY SHALL ONLY BE ALLOWED WHEN**
25 **ENTRANT HAVE VERY SPECIFIC SKILLS THAT MAY NOT BE READILY**
26 **DEVELOPED IN NEW RECRUITS. PROVIDED FURTHER, THAT THE NEW**
27 **ENTRANT HAS A REMAINING OF AT LEAST TEN (10) YEARS OF SERVICE**
28 **PRIOR OPTIONAL RETIREMENT.”**

29
30 **SEC. 20.** SEC. 13 of RA No. 9993 is hereby renumbered and amended to read as follows:
31

32 **“SEC. [13] 22. *Promotions FOR OFFICERS AND ENLISTED PERSONNEL.***
33 – The promotion [of PCG officers, as submitted by the PCG officers selection and
34 promotion board, shall be recommended by the PCG commandant for the approval of the
35 secretary of the DOTC: *provided*, that the promotion to the rank of flag officers in the PCG
36 be submitted by a board of senior officers to the PCG commandant for approval of the
37 president upon the recommendation of the Secretary of the DOTC:] **SHALL BE BASED**
38 **ON MERIT AND FITNESS AND OBSERVE THE FOLLOWING PROCEDURES:**

40 **(a) OFFICERS SHALL ONLY BE PROMOTED AFTER**
41 **UNDERGOING DELIBERATION BEFORE PROMOTION BOARDS.**
42 **PROVIDED, THAT PROMOTION BOARDS SHALL SUBMIT THE RESULTS OF**
43 **THEIR DELIBERATION TO THE COMMANDANT FOR CONSIDERATION**
44 **AND CORRESPONDING ENDORSEMENT TO THE SECRETARY OF**
45 **TRANSPORTATION FOR APPROVAL. EXCEPT FOR THE PROMOTION TO**
46 **THE FLAG RANKS WHICH SHALL BE SUBMITTED BY THE BOARD OF**
47 **SENIORS TO THE COMMANDANT'S CONSIDERATION, AND**
48 **CONSEQUENTLY SUBMIT THE SAME TO THE SECRETARY OF**
49 **TRANSPORTATION FOR RECOMMENDATION TO THE PRESIDENT FOR**
50 **APPROVAL;**

52 **(b) THERE SHALL ALSO BE AN APPROPRIATE PROMOTION BOARD**
53 **FOR ENLISTED PERSONNEL WHOSE RECOMMENDATION SHALL BE**
54 **SUBMITTED TO THE COMMANDANT FOR APPROVAL;**

56 *Provided, further,* that [said officers] **BOTH OFFICER AND ENLISTED**
57 **PERSONNEL** shall possess all the qualifications and none of the disqualification provided

1 under pertinent laws, rules and regulations, specifically on the completion of the required
2 schooling, training and minimum time and grade for said ranks.
3

4 [The PCG commandant shall approve the promotion of PCG non-officers to the
5 next higher rank based on the recommendation of the PCG selection and o promotion board
6 for non-officers: *Provided*, that special or meritorious promotion shall be extended to any
7 PCG non-officer for acts of inconspicuous courage or outstanding achievement in the coast
8 guard service as determined by the PCG selection and promotion board for non-officers.
9 The promotion of non-uniformed employees shall be governed by civil service laws, rules
10 and regulations.]”
11

12 **SEC. 21.** SEC. 14 of RA No. 9993 is hereby renumbered as SEC. 23.
13

14 **SEC. 22.** A new SEC. 24 is hereby provided to read as follows:
15

16 **“SEC. 24. DISCIPLINARY SYSTEM. THE INTERNAL DISCIPLINARY
17 SYSTEM SHALL COVER ALL PERSONNEL IN ACTIVE SERVICE AND FOR
18 INFRACTIONS COMMITTED INTERNALLY OR IN PUBLIC EXCEPT FOR
19 CRIMES WHICH SHALL FALL UNDER THE JURISDICTION OF
20 APPROPRIATE REGULAR COURTS.”**

21 **SEC. 23.** A new SEC. 25 is hereby provided to read as follows:
22

23 **“SEC. 25. DISCIPLINARY AUTHORITY. THE PCG COMMANDANT
24 EXERCISES DISCIPLINARY AUTHORITY AT ANY TIME. THE AUTHORITY
25 TO DISCIPLINE SHALL ALSO BE EXERCISED BY UNIT COMMANDERS
26 INCLUDING SUB-STATION COMMANDERS, STATION COMMANDERS,
27 MORNING REPORT CARRYING SUB-UNITS' COMMANDER, COMMANDING
28 OFFICERS, UNIT COMMANDERS AND THE COMMANDANT.**

29 **DISCIPLINARY AUTHORITY SHALL BE EXERCISED DULY
30 OBSERVING THE BASIC REQUIREMENTS OF DUE PROCESS. THE PCG
31 SHALL PROVIDE POLICY IDENTIFYING THE SCALE OF OFFENSES AND
32 PENALTIES WITH ITS COUNTERPART JURISDICTIONS PROVIDED ABOVE
33 FURTHER EXPLAINED, TO BE IMPOSED UPON ANY MEMBER OF THE PCG
34 UNDER THIS SECTION.”**

35 **SEC. 24.** A new SEC. 26 is hereby provided to read as follows:
36

37 **“SEC. 26. EXCLUSIVE JURISDICTION. – A COMPLAINT OR A CHARGE
38 FILED AGAINST A PCG MEMBER SHALL BE HEARD AND DECIDED
39 EXCLUSIVELY BY THE DISCIPLINING AUTHORITY WHO HAS ACQUIRED
40 ORIGINAL JURISDICTION OVER THE CASE AND NOTWITHSTANDING THE
41 EXISTENCE OF CONCURRENT JURISDICTION AS REGARDS THE
42 OFFENSE: PROVIDED, THAT OFFENSES WHICH CARRY HIGHER
43 PENALTIES REFERRED TO A DISCIPLINING AUTHORITY SHALL BE
44 REFERRED TO THE APPROPRIATE AUTHORITY WHICH HAS
45 JURISDICTION OVER THE OFFENSE.”**

46 **SEC. 25.** A new SEC. 27 is hereby provided to read as follows:
47

48 **“SEC. 27. LEGAL ASSISTANCE. – THE SECRETARY OF THE
49 DEPARTMENT OF JUSTICE, THE SECRETARY OF TRANSPORTATION, OR
50 THE COMMANDANT OF THE PCG MAY AUTHORIZE LAWYERS OF THEIR
51 RESPECTIVE AGENCIES TO PROVIDE LEGAL ASSISTANCE TO ANY
52 MEMBER OF THE PCG WHO IS FACING BEFORE THE PROSECUTOR'S
53 OFFICE, THE COURT OR ANY COMPETENT BODY, A CHARGE OR**

1 CHARGES ARISING FROM ANY INCIDENT WHICH IS RELATED TO THE
2 PERFORMANCE OF OFFICIAL DUTY: PROVIDED, THAT GOVERNMENT
3 LAWYERS SO AUTHORIZED SHALL HAVE THE POWER TO ADMINISTER
4 OATHS. THE SECRETARY OF JUSTICE, THE SECRETARY OF
5 TRANSPORTATION, AND THE COMMANDANT OF THE PCG SHALL
6 JOINTLY PROMULGATE RULES AND REGULATIONS TO IMPLEMENT THE
7 PROVISIONS OF THIS SECTION."

8
9 SEC. 26. A new SEC. 28 is hereby provided to read as follows:
10

11 "SEC. 28. **POWER TO ADMINISTER OATHS.** – OFFICERS OF THE PCG
12 IN THE ACTIVE SERVICE SHALL HAVE THE POWER TO ADMINISTER
13 OATHS ON MATTERS WHICH ARE CONNECTED WITH THE
14 PERFORMANCE OF THEIR OFFICIAL DUTIES."

15
16 SEC. 27. A new provision numbered SEC. 29 is hereby added to read as follows:
17

18 "SEC. 29. **COAST GUARD INTERNAL AFFAIRS SERVICE (CGIAS)**
19 **COMMAND.** - TO MAINTAIN ACCOUNTABILITY IN GOVERNMENT
20 SERVICE THROUGH DISCIPLINE AND EFFICIENCY, THERE SHALL BE AN
21 INTERNAL AFFAIRS SERVICE COMMAND. THIS SERVICE SHALL FOSTER
22 AND PROMOTE ACCOUNTABILITY IN GOVERNMENT SERVICE WITHIN
23 THE PCG AND FOLLOW THE BASIC PRINCIPLES OF INTEGRITY,
24 OBJECTIVITY, INDEPENDENCE, CONFIDENTIALITY, PROFESSIONALISM,
25 COMPETENCE, COURAGE, TRUST, HONESTY, FAIRNESS,
26 FORTHRIGHTNESS, PUBLIC ACCOUNTABILITY AND RESPECT FOR
27 OTHERS AND THEMSELVES. IT SHALL HAVE THE POWER TO
28 INVESTIGATE AND INQUIRE INTO ANY AND ALL ACTIVITIES OF THE PCG
29 UNITS AND PERSONNEL, REVIEW PROCESSES, PROCEDURES AND
30 OPERATIONS TO DETERMINE IF SUCH WERE CONDUCTED EFFECTIVELY
31 AND EFFICIENTLY.

32
33 **PERSONNEL OF THE INTERNAL AFFAIRS SERVICE IN ADDITION TO**
34 **OTHER ALLOWANCES AUTHORIZED UNDER EXISTING LAWS BE**
35 **GRANTED OCCUPATIONAL SPECIALTY PAY WHICH SHALL NOT EXCEED**
36 **FIFTY PERCENT (50%) OF THEIR BASIC PAY. THIS PAY SHALL NOT BE**
37 **CONSIDERED A FORFEITURE OF OTHER REMUNERATION AND**
38 **ALLOWANCES WHICH ARE ALLOWED UNDER EXISTING LAWS.”**

39
40 SEC. 28. A new provision numbered SEC. 30 is hereby added to read as follows:
41

42 "SEC. 30. FOR LESS SERIOUS AND SERIOUS ADMINISTRATIVE
43 OFFENSES, THE JURISDICTION SHALL BE WITH THE CGIAS AND THE
44 COMMANDANT. LESS SERIOUS AND SERIOUS OFFENSES ARE
45 INFRACTIONS THAT MERIT SUSPENSION OR DISCHARGE FROM
46 SERVICE. HOWEVER, THE COMMANDANT AND MAJOR UNIT
47 COMMANDERS AFTER DUE NOTICE AND SUMMARY HEARING MAY
48 IMMEDIATELY REMOVE OR DISMISS ANY RESPONDENT PCG
49 PERSONNEL IN ANY OF THE FOLLOWING CASES:

50
51 (a) IN CASES OF DRUG ABUSE WHERE SUBSEQUENT
52 CONFIRMATION TEST CONFIRMS THE USE OF PROHIBITED DRUGS BY A
53 COAST GUARD PERSONNEL, UNIFORMED OR CIVILIAN;

54
55 (b) WHEN THE CHARGE IS SERIOUS AND THE EVIDENCE OF
56 GUILT IS STRONG;

1 (c) WHEN THE RESPONDENT IS A RECIDIVIST OR HAS BEEN
2 REPEATEDLY CHARGED AND THERE ARE REASONABLE GROUNDS TO
3 BELIEVE THAT HE IS GUILTY OF THE CHARGES; AND

5 (d) WHEN THE RESPONDENT IS GUILTY OF A SERIOUS OFFENSE
6 INVOLVING CONDUCT UNBECOMING OF A COAST GUARD PERSONNEL.

8 AN OFFICER OR ENLISTED PERSONNEL WHO IS CONTINUOUSLY
9 ABSENT WITHOUT APPROVED LEAVE FOR AT LEAST THIRTY (30)
10 CALENDAR DAYS SHALL BE CONSIDERED ON ABSENCE WITHOUT
11 OFFICIAL LEAVE (AWOL) AND SHALL BE SEPARATED FROM THE
12 SERVICE OR DROPPED FROM THE ROLLS WITHOUT PRIOR NOTICE. HE
13 SHALL, HOWEVER, BE INFORMED, AT HIS ADDRESS APPEARING ON HIS
14 201 FILES OF HIS SEPARATION FROM THE SERVICE, NOT LATER THAN
15 FIVE (5) CALENDAR DAYS FROM ITS EFFECTIVITY. *PROVIDED*, THAT FOR
16 EVERY DISCIPLINARY AUTHORITY MENTIONED IN THE PRECEDING
17 SECTIONS, THERE SHALL BE A DISCIPLINARY ACTION COMMITTEE
18 WITHIN THEIR UNIT TO CONDUCT THE INVESTIGATION AND SUMMARY
19 HEARING FOR RECOMMENDATION TO THE DISCIPLINING AUTHORITY
20 FOR IMPLEMENTATION. *PROVIDED, FURTHER*, THAT FOR THE
21 COMMANDANT, THE CGIAS SHALL ACT AS ITS DISCIPLINARY ACTION
22 COMMITTEE.”

23
24 SEC. 29. SEC. 19 of RA No.9993 is hereby renumbered and amended to read as follows:

26 “SEC. [19] 31. *Separation [from Service]*. – [Officers and non-officers who
27 voluntary resign or otherwise fail to comply with the standards of competence and
28 proficiency of the PCG, shall be separated from the service under existing laws, rules and
29 regulations. The separation of non-uniformed personnel shall be in accordance with Civil
30 Service laws, rules and regulations.] **SEPARATION FROM THE COAST GUARD
31 SERVICE MAY BE DONE THROUGH COMPULSORY RETIREMENT,
32 OPTIONAL RETIREMENT UPON REACHING 20 YEARS IN SERVICE,
33 DISABILITY DISCHARGE, EXPIRATION OF ENLISTMENT TERM,
34 VOLUNTARY RESIGNATION, FOR CAUSE, DEATH OR IN THE INTEREST OF
35 THE GOVERNMENT.”**

36
37 SEC. 30. A new provision numbered SEC. 32 is hereby added to read as follows:

39 “SEC. 32. **ATTRITION**. - THERE SHALL BE ESTABLISHED A SYSTEM
40 OF ATTRITION WITHIN THE UNIFORMED MEMBERS OF THE PCG WITHIN
41 ONE (1) YEAR FROM THE EFFECTIVITY OF THIS ACT TO BE SUBMITTED
42 BY THE PCG TO THE SECRETARY OF TRANSPORTATION FOR
43 APPROVAL.”

44
45 SEC. 31. SEC. 17 of RA No.9993 is hereby renumbered and amended to read as follows:

47 “SEC. [17.] 33. *Retirement*. - Upon attaining fifty-six (56) years of age or [upon]
48 accumulation of thirty (30) years of continuous satisfactory active service, whichever
49 comes later, a PCG [officer or non-officer] **UNIFORMED PERSONNEL** shall be
50 compulsorily retired: *Provided*, That [said officer or non-officer shall have a minimum of
51 twenty (20) years of active service. The retirement of non-uniformed personnel shall be
52 governed by Civil Service laws, rules and regulations.] **IN CASE THE DISPARITY
53 BETWEEN LENGTH OF SERVICE AND AGE IS MORE THAN A YEAR, THEN
54 SERVICE MAY BE EXTENDED FOR A MAXIMUM OF FOUR (4) YEARS OR
55 NOT TO EXCEED 60 YEARS OF AGE. NEVERTHELESS, IF DISCREPANCY IN
56 YEARS OF SERVICE WILL CAUSE THE EXTENSION BEYOND THE AGE OF
57 60 BUT THE UNIFORMED PERSONNEL ALREADY ACCUMULATED 20**

1 YEARS IN SERVICE UPON REACHING THE AGE OF 56, THEN SUCH
2 UNIFORMED PERSONNEL SHALL BE RETIRED FROM SERVICE.
3 **PROVIDED, FURTHER, THAT ANY OFFICER OR ENLISTED PERSONNEL**
4 **MAY CHOOSE TO RETIRE ON THEIR OWN OPTION UPON REACHING 20**
5 **YEARS IN ACTIVE SERVICE. IN CASE QUESTIONS ARISE REGARDING**
6 **RETIREMENT, THE PROVISIONS OF PD NO. 1638, AS AMENDED SHALL BE**
7 **APPLICABLE TO ALL UNIFORMED PERSONNEL OF THE PCG.**

8
9 **CIVILIAN PERSONNEL ARE COVERED BY THE CIVIL SERVICE LAW,**
10 **RULES AND REGULATIONS ON RETIREMENT AND SEPARATION.”**

11
12 **SEC. 32.** SEC. 18 of RA No. 9993 is hereby renumbered and amended to read as follows:

13
14 “**SEC. [18.] 34. Retirement Benefits.** - Monthly retirement pay of officers and
15 [non-officers] **ENLISTED PERSONNEL** shall be fifty percent (50%) of base pay and
16 longevity pay of the next higher grade last held in case of twenty (20) years of active
17 service, increasing by two and one-half percent (2½%) for every year of service rendered
18 beyond twenty (20) years to a maximum of ninety percent (90%) for thirty-six (36) years
19 of active service and over. **PROVIDED, THAT ENLISTED PERSONNEL WITH THE**
20 **RANK OF CHIEF PETTY OFFICER, SENIOR CHIEF PETTY OFFICER, AND**
21 **MASTER CHIEF PETTY OFFICER SHALL RETIRE IN THE RANK OF ENSIGN**
22 **(0-1) AND CORRESPONDING PENSION RATE COMPUTED BASED ON**
23 **REPUBLIC ACT NO. 8220, EXCEPT FOR THE FIRST COMMAND MASTER**
24 **CHIEF WHO SHALL BE RETIRED WITH THE RANK OF ENSIGN BUT WITH**
25 **THE RETIREMENT PAY AND BENEFITS OF A LIEUTENANT JUNIOR GRADE**
26 **(0-2) AS PROVIDED FOR UNDER R.A. NO. 9365. THE RETIREMENT PAY OF**
27 **ALL PCG RETIREES SHALL BE SUBJECT TO ADJUSTMENT ON THE**
28 **PREVAILING SCALE OF BASE PAY OF PCG PERSONNEL IN THE ACTIVE**
29 **SERVICE. FOR ADDITIONAL MATTERS PERTAINING TO RETIREMENT**
30 **AND PENSION AS PROVIDED IN THE FOREGOING, THE UNIFORMED**
31 **PERSONNEL OF THE PCG SHALL CONTINUE TO BE COVERED BY P.D. NO.**
32 **1638 AS AMENDED UNTIL SUCH TIME THAT A NEW LAW IS ENACTED**
33 **SPECIFICALLY FOR THE PURPOSE.** The retirement benefits of non-uniformed
34 personnel shall be governed by Civil Service [/] **AND THE** Government Service Insurance
35 System Law.”

36
37 **SEC. 33.** A new provision numbered SEC. 35 is hereby added to read as follows:

38
39 **“SEC. 35. SURVIVORS. FAMILY OF THE OFFICER OR ENLISTED**
40 **PERSONNEL WHO ARE ALIVE AND MAY CLAIM BENEFITS AFTER SUCH**
41 **UNIFORMED PERSONNEL DIES IN LINE OF DUTY OR THE PENSIONER**
42 **DIES. THE FOLLOWING CRITERIA SHALL APPLY:**

43
44 (a) **SURVIVING SPOUSE IF MARRIED TO THE DECEASED PRIOR TO**
45 **THE LATTER’S RETIREMENT/SEPARATION AND NOT LEGALLY**
46 **SEPARATED BY JUDICIAL DECREE FROM THE DECEASED ISSUED ON**
47 **GROUNDS NOT ATTRIBUTABLE TO SAID SPOUSE: PROVIDED, THAT**
48 **ENTITLEMENT TO BENEFITS SHALL TERMINATE UPON THE RE-**
49 **MARRIAGE OF SAID SPOUSE;**

50
51 (b) **SURVIVING CHILDREN OF AN OFFICER OR ENLISTED**
52 **PERSONNEL BORN OF HIS MARRIAGE CONTRACTED PRIOR TO HIS**
53 **RETIREMENT/SEPARATION FROM THE SERVICE, LEGALLY ADOPTED ,**
54 **ACKNOWLEDGED OR RECOGNIZED, WHILE THE DECEASED PARENT**
55 **WAS STILL ON ACTIVE MILITARY SERVICE: PROVIDED, THAT**
56 **ENTITLEMENT TO BENEFITS SHALL TERMINATE WHEN SUCH**
57 **CHILDREN ATTAIN TWENTY-ONE (21) YEARS OF AGE OR UPON**

1 MARRIAGE; PROVIDED FURTHER, THAT UNMARRIED CHILDREN WHO
2 HAVE REACHED THE AGE OF MAJORITY AND IS PHYSICALLY OR
3 MENTALLY INCAPACITATED TO WORK FOR THEMSELVES SHALL STILL
4 BE ENTITLED TO CLAIM BENEFITS;

5 (c) IN DEFAULT OF THOSE MENTIONED IN PARAGRAPH (A) AND
6 (B), ABOVE, SURVIVING, LEGITIMATE, ADOPTED OR ACKNOWLEDGED
7 OR RECOGNIZED CHILDREN, WHO HAVE REACHED TWENTY ONE (21)
8 YEARS OF AGE, OR IN THEIR ABSENCE, HIS SURVIVING PARENT OR
9 PARENTS, OR IN DEFAULT THEREOF, HIS SURVIVING UNMARRIED
10 BROTHERS AND SISTERS.

11 (d) THE RULES ON SURVIVORSHIP SHALL USE THE APPLICABLE
12 LAWS RELATIVE TO THE RELIGION OR CULTURE OF THE PERSONNEL
13 OR THE RETIREE."

14 SEC. 34. A new provision numbered SEC. 36 is hereby added to read as follows:

15 "SEC. 36. **PERMANENT PHYSICAL DISABILITY**. – AN OFFICER OR
16 ENLISTED PERSONNEL WHO IS PERMANENTLY AND TOTALLY DISABLED
17 AS A RESULT OF INJURIES SUFFERED OR SICKNESS CONTRACTED IN THE
18 PERFORMANCE OF DUTY AS DULY CERTIFIED BY THE PCG, UPON
19 FINDING AND CERTIFICATION BY THE APPROPRIATE GOVERNMENT
20 HOSPITAL LIKE THE PHILIPPINE GENERAL HOSPITAL FOR THOSE
21 WITHIN METRO MANILA, THAT THE EXTENT OF THE DISABILITY OR
22 SICKNESS RENDERS SUCH MEMBER UNFIT OR UNABLE TO FURTHER
23 PERFORM THE DUTIES OF THE POSITION HELD, SHALL BE ENTITLED TO
24 ONE YEAR'S SALARY AND TO LIFETIME PENSION EQUIVALENT TO
25 FORTY PERCENT (40%) OF THEIR LAST SALARY, IN ADDITION TO OTHER
26 BENEFITS AS PROVIDED UNDER EXISTING LAWS.

27 SHOULD SUCH MEMBER WHO HAS BEEN RETIRED UNDER
28 PERMANENT TOTAL DISABILITY UNDER THIS SECTION DIE, WITHIN
29 THREE (3) YEARS FROM HIS RETIREMENT, HIS SURVIVING LEGAL
30 SPOUSE OR IF THERE BE NONE, THE SURVIVING DEPENDENT
31 LEGITIMATE CHILDREN SHALL BE ENTITLED TO THE PENSION FOR THE
32 REMAINDER OF THE THREE (3) YEARS GUARANTEED PERIOD."

33 SEC. 35. A new provision numbered SEC. 37 is hereby added to read as follows:

34 "SEC. 37. **DEATH AND DISABILITY BENEFITS**. – A UNIFORMED
35 PERSONNEL AND/OR HIS HEIRS SHALL BE ENTITLED TO ALL BENEFITS
36 RELATIVE TO THE DEATH OR PERMANENT INCAPACITY OF SAID
37 PERSONNEL, AS PROVIDED FOR UNDER THIS ACT, AND/OR OTHER
38 EXISTING LAWS."

39 SEC. 36. A new provision numbered SEC. 38 is hereby added to read as follows:

40 "SEC. 38. **OLD-AGE PENSION ELIGIBILITY**. A RETIRED PCG
41 UNIFORMED PERSONNEL WHO IS AT LEAST 65 YEARS OF AGE SHALL BE
42 ENTITLED TO AN OLD-AGE PENSION AMOUNTING TO FIVE THOUSAND
43 PESOS (PHP5,000.00) MONTHLY. THIS SHALL BE AVAILABLE TO ANY
44 RETIRED PCG UNIFORMED PERSONNEL WHO SHALL HAVE BEEN
45 HONORABLY DISCHARGED OR RETIRED AFTER AT LEAST TWENTY (20)
46 YEARS TOTAL PCG ACTIVE SERVICE OR SOONER SEPARATED WHILE IN
47 THE ACTIVE SERVICE IN THE PCG DUE TO DEATH OR DISABILITY

1 **ARISING OR INCURRED IN ACTUAL OPERATIONS OR PERFORMANCE OF**
2 **DUTIES.**

4 **THE SURVIVING SPOUSE OF A RETIREE WHO DIED AFTER HAVING**
5 **RECEIVED OLD-AGE PENSION SHALL BE PAID AN OLD-AGE PENSION OF**
6 **FIVE THOUSAND PESOS (PHP5,000.00) MONTHLY UNTIL SHE/HE**
7 **REMARRIES OR DIES.**

9 **SEC. 37.** A new provision numbered SEC. 39 is hereby added to read as follows:

11 **"SEC. 39. EXEMPTION FROM ATTACHMENT AND TAXES. – ALL**
12 **BENEFITS GRANTED BY THIS ACT, INCLUDING BENEFITS RECEIVED**
13 **FROM A DULY INSTITUTED PROVIDENT FUND, SHALL NOT BE SUBJECT**
14 **TO ATTACHMENT, LEVY, EXECUTION OR ANY TAX OF WHATEVER**
15 **NATURE."**

17 **SEC. 38.** A new provision numbered SEC. 40 is hereby added to read as follows:

19 **"SEC. 40. UNIFORMED PERSONNEL MISSING IN ACTION. – ANY**
20 **OFFICER OR ENLISTED PERSONNEL WHO WHILE IN THE PERFORMANCE**
21 **OF DUTY, IS OFFICIALLY CONFIRMED MISSING IN ACTION, KIDNAPPED**
22 **OR CAPTURED BY LAWLESS ELEMENTS SHALL, WHILE SO ABSENT, BE**
23 **ENTITLED TO RECEIVE OR TO HAVE CREDITED TO HIS ACCOUNT IN**
24 **FAVOR OF HIS LEGAL DEPENDENTS AS MAY BE DETERMINED, THE SAME**
25 **PAY AND ALLOWANCES TO WHICH SUCH OFFICER OR ENLISTED**
26 **PERSONNEL WAS ENTITLED AT THE TIME OF THE INCIDENT: PROVIDED,**
27 **THAT THE COMPULSORY RETIREMENT OF A PERSON MISSING IN**
28 **ACTION SHALL BE PROCESSED TO ALLOW THE MEMBERS OF THE NEXT**
29 **OF KIN TO ENJOY THE RETIREMENT BENEFITS: PROVIDED, FURTHER,**
30 **THAT SHOULD THE COMMANDANT OF THE PCG, AS THE SAME MAY BE,**
31 **UPON THE RECOMMENDATION OF THE PROPER AUTHORITY AND/OR**
32 **IMMEDIATE SUPERVISOR, SUBSEQUENTLY DETERMINE THAT THE**
33 **OFFICER OR ENLISTED PERSONNEL CONCERNED HAVE BEEN ABSENT**
34 **FROM DUTY WITHOUT AUTHORITY, SUCH MEMBER OR HIS HEIRS**
35 **SHALL REIMBURSE THE PCG ALL SUCH AMOUNT AND ALLOWANCES**
36 **RECEIVED IN ACCORDANCE WITH THIS SECTION AND THE FOLLOWING**
37 **SECTION."**

39 **SEC. 39.** A new provision numbered SEC. 41 is hereby added to read as follows:

41 **"SEC. 41. INCENTIVES AND AWARDS. – THERE SHALL BE**
42 **ESTABLISHED AN INCENTIVES AND AWARDS SYSTEM WHICH SHALL BE**
43 **ADMINISTERED BY A BOARD UNDER SUCH RULES, REGULATIONS AND**
44 **STANDARDS AS MAY BE PROMULGATED BY THE DEPARTMENT: PROVIDED,**
45 **THAT EQUIVALENT AWARDS SHALL BE GIVEN BY THE**
46 **DEPARTMENT FOR EVERY AWARD DULY GIVEN BY RESPECTABLE CIVIC**
47 **ORGANIZATIONS IN A NATIONWIDE SELECTION FOR OUTSTANDING**
48 **ACHIEVEMENT AND/OR PERFORMANCE OF ANY MEMBER."**

50 **SEC. 40.** A new provision numbered SEC. 42 is hereby added to read as follows:

52 **"SEC. 42. EMERGENCY MEDICAL ASSISTANCE. THE PCG SHALL**
53 **HAVE AN EMERGENCY MEDICAL ASSISTANCE FUND, SOURCED FROM**
54 **THE PCG'S ANNUAL BUDGET PLAN AS REFLECTED IN THE GENERAL**
55 **APPROPRIATIONS ACT (GAA) FOR HOSPITALIZATION, OPERATION,**
56 **MEDICATION AND REHABILITATION FOR PERSONNEL ARISING FROM**
57 **INJURIES SUFFERED ON OCCASION OR RESULTING FROM THE**

1 **PERFORMANCE OF LEGITIMATE, OFFICIAL AND HAZARDOUS**
2 **OPERATIONS.”**

6 SEC. 41. A new provision numbered SEC. 43 is hereby added to read as follows:

8 **“SEC. 43. LONGEVITY PAY AND ALLOWANCES. – UNIFORMED**
9 **PERSONNEL OF THE PCG SHALL BE ENTITLED TO A LONGEVITY PAY OF**
10 **TEN PER CENTUM (10%) OF THEIR BASIC MONTHLY SALARIES FOR**
11 **EVERY FIVE (5) YEARS OF CONTINUOUS ACTIVE SERVICE, WHICH SHALL**
12 **BE RECKONED FROM THE DATE OF THE PERSONNEL'S ORIGINAL**
13 **APPOINTMENT IN THE PCG: PROVIDED, THAT THE TOTALITY OF SUCH**
14 **LONGEVITY PAY SHALL NOT EXCEED FIFTY PER CENTUM (50%) OF THE**
15 **BASIC PAY. THEY SHALL ALSO CONTINUE TO ENJOY THE SUBSISTENCE**
16 **ALLOWANCE, QUARTERS ALLOWANCE, CLOTHING ALLOWANCE, COST**
17 **OF LIVING ALLOWANCE, HAZARD PAY, AND OTHER ALLOWANCES BUT**
18 **NOT LIMITED TO SEA DUTY PAY, FLYING PAY, LAWYERS INCENTIVE**
19 **PAY, OCCUPATIONAL SPECIALTY PAY, MAGNA CARTA FOR MEDICAL**
20 **WORKERS, SPECIALIZATION PAY, INSTRUCTORS DUTY PAY, COMBAT**
21 **PAY FOR OFFICERS AND ENLISTED PERSONNEL OF THE PCG**
22 **PERFORMING COMBAT DUTIES/ACTIVITIES OR ENGAGED IN ACTUAL**
23 **MARITIME LAW ENFORCEMENT OPERATIONS AS DEFINED IN**
24 **REGULATIONS TO BE ISSUED BY THE SECRETARY OF TRANSPORTATION**
25 **AND ALL OTHER ALLOWANCES AS PROVIDED BY EXISTING LAWS;**
26 **PROVIDED FURTHER, THERE SHALL BE COLLATERAL ALLOWANCES**
27 **FOR SPECIFIC ASSIGNMENTS FOR WHICH PCG SHALL ALSO ISSUE**
28 **SPECIFIC POLICY FOR APPROVAL OF THE PRESIDENT OR THE**
29 **SECRETARY OF TRANSPORTATION.”**

31 SEC. 42. SEC. 15 of RA No. 9993 is hereby renumbered and amended to read as follows:

33 **“SEC. [15.] 44. Active Service. - For purposes of this Act, [the] active service of**
34 **THE [PCG] UNIFORMED personnel [hereof] shall refer to services rendered as an**
35 **officer [,] AND ENLISTED PERSONNEL, [non-officer, probationary ensign, or those]**
36 **CADET, TRAINEE OR DRAFTEE IN THE PCG AND SERVICES rendered as a**
37 **civilian official or employee in the [PCG] PHILIPPINE GOVERNMENT prior to the**
38 **date of separation or retirement from the PCG: Provided, That [the term active service shall**
39 **include confirmed services rendered as a civilian employee in the Philippine government.]**
40 **FOR PURPOSES OF RETIREMENT THE PERSONNEL SHALL HAVE**
41 **RENDERED AT LEAST TEN (10) YEARS OF ACTIVE SERVICE AS OFFICER**
42 **OR ENLISTED PERSONNEL IN THE PCG: PROVIDED, FURTHER, THAT**
43 **SERVICES RENDERED AS CADET, PROBATIONARY OFFICER, TRAINEE OR**
44 **DRAFTEE IN THE PCG SHALL BE CREDITED FOR PURPOSES OF**
45 **LONGEVITY PAY: PROVIDED, FINALLY, THAT, FOR CADET SERVICES,**
46 **THE MAXIMUM NUMBER OF SERVICE TO BE CREDITED SHALL NOT**
47 **EXCEED THE DURATION OF THE PRE-COMMISSIONSHIP COURSE**
48 **SPECIFIED IN THE CURRICULUM.”**

50 SEC. 43. SEC. 16 of RA No. 9993 is hereby renumbered as SEC. 45.

52 SEC. 44. A new provision numbered SEC. 46 is hereby added to read as follows:

54 **“SEC. 46. PCG INSIGNIA, DECORATIONS AND AWARDS. - THE PCG**
55 **SHALL HAVE ITS OWN INSIGNIA AND BADGES TO DENOTE RANK,**
56 **SPECIALTY AND ASSIGNMENT INCLUDING UNIFORMS, DECORATIONS**
57 **AND AWARDS, ALL OF WHICH SHALL BE SUBMITTED TO THE NATIONAL**

1 **HISTORICAL INSTITUTE FOR REGISTRATION IN THE FLAGS AND**
2 **HERALDIC LIST. PROVIDED, THAT THERE SHALL BE AN ESTABLISHED**
3 **AWARDS SYSTEM WHICH SHALL BE ADMINISTERED BY THE PCG UNDER**
4 **SUCH RULES AND REGULATIONS AS MAY BE PROMULGATED WITH THE**
5 **APPROVAL OF THE SECRETARY OF TRANSPORTATION.”**

6
7 **SEC. 45.** A new provision numbered SEC. 47 is hereby added to read as follows:

8
9 **“SEC. 47. SPECIAL ACCOUNT. – THE PCG SHALL MAINTAIN A**
10 **SPECIAL ACCOUNT UNDER THE GENERAL FUND, IN WHICH**
11 **RECEIVABLES FROM LOCAL OR FOREIGN ENTITIES SHALL BE**
12 **CREDITED INCLUDING PROCEEDS OR EXCESS OF GRANTS, FEES OR**
13 **CHARGES, DUES, FINES AND RENTALS GENERATED IN THE REGULAR**
14 **CONDUCT OF ITS SERVICE. PROVIDED, THAT THE PCG SHALL HAVE THE**
15 **AUTHORITY TO USE ONE HUNDRED (100%) PER CENTUM OF THIS FUND**
16 **FOR ITS CAPABILITY ENHANCEMENT.”**

17
18 **SEC. 46.** SEC. 20 of RA No. 9993 is hereby renumbered and amended to read as follows:

19
20 **“SEC. [20.] 48. Collection of Revenues. - The PCG shall collect fees, dues, charges,**
21 **and fines relevant to the exercise of its various functions. PROVIDED, THAT THE**
22 **THIRTY (30%) PER CENTUM SHALL BE CREDITED TO THE SPECIAL**
23 **ACCOUNT.**

24
25 **SEC. 47.** SEC. 21 of RA No. 9993 is hereby renumbered and amended to read as follows:

26
27 **“SEC. [21.] 49. IMPLEMENTING Rules and Regulations. – [The Secretary of**
28 **the DOTC shall issue rules and regulations, determine, fix, and/or prescribe charges, rates,**
29 **penalties pertinent, as may be necessary to implement the provisions of this Act, as well as**
30 **the provision of acts, decrees and orders related to the implementation of the PCG**
31 **functions.] UNLESS OTHERWISE PROVIDED IN THIS ACT, THE PHILIPPINE**
32 **COAST GUARD AND THE DEPARTMENT OF TRANSPORTATION, SHALL**
33 **PROMULGATE THE RULES AND REGULATIONS FOR THE EFFECTIVE**
34 **IMPLEMENTATION OF THIS ACT. SUCH RULES AND REGULATIONS**
35 **SHALL TAKE EFFECT UPON ITS PUBLICATION IN TWO (2) NEWSPAPERS**
36 **OF GENERAL CIRCULATION.”**

37
38 **SEC. 48.** SEC. 22 of RA No. 9993 is hereby renumbered as SEC. 50.

39
40 **SEC. 49.** SEC. 23 of RA No. 9993 is hereby renumbered as SEC. 51.

41
42 **SEC. 50.** SEC. 24 of RA No. 9993 is hereby renumbered and amended to read as follows:

43
44 **“SEC. [24.] 52. Appropriations. - The Secretary of the DOT[C]R shall immediately**
45 **prepare the necessary guidelines to cover the establishment of the PCG as an attached**
46 **agency to the DOT[C]R, the [initial] SUBSEQUENT funding of which shall be charged**
47 **against the current year's appropriations of the PCG and, thereafter, in the annual General**
48 **Appropriations Act. ”**

49
50 **SEC. 51.** SEC. 25 of RA No. 9993 is hereby renumbered and amended to read as follows:

51
52 **“SEC. [25.] 53. Transitory Provisions. – [All previous appointments and**
53 **promotions of PCG uniformed personnel made prior to the enactment of this Act shall**
54 **remain valid and subsisting.] THE PROVISIONS ON RETIREMENT**
55 **SPECIFICALLY OF SENIOR ENLISTED PERSONNEL WHOSE RETIREMENT**
56 **WERE AFFECTED BY THE IMPLEMENTATION OF R.A. NO. 9993 IN SO FAR**
57 **AS THE COMPUTATION RATE IS CONCERNED SHALL BE COVERED BY**

1 **THE HEREIN PROVISION RETROACTIVELY AND WHATEVER AMOUNT**
2 **DEDUCTED FROM THEIR PENSION SHALL BE RETURNED. THE SAME**
3 **SHALL ALSO BE RETROACTIVELY APPLICABLE TO THE INDEXATION OF**
4 **PENSION TO BASE PAY SCALE ADJUSTMENTS AFFECTED BY RA NO. 9993.**

5
6 **SEC. 52.** SEC. 26 of RA No.9993 is hereby renumbered and amended to read as follows:

7
8 “**SEC [26.] 54. Separability Clause.** – [If for any reason, any provision of this Act
9 is declared unconstitutional or invalid, such parts not affected thereby shall remain in full
10 force and effect.] **IF ANY PROVISION OF THIS ACT IS SUBSEQUENTLY**
11 **DECLARED INVALID OR UNCONSTITUTIONAL, THE OTHER PROVISIONS**
12 **HEREOF WHICH ARE NOT AFFECTED THEREBY SHALL REMAIN IN FULL**
13 **FORCE AND EFFECT.**

14
15 **SEC. 53.** SEC. 27 of RA No.9993 is hereby renumbered and amended to read as follows:

16
17 “**Section [27.] 55. Repealing Clause.** – [All laws, decrees, executive orders, rules
18 and regulations and other issuance's or parts thereof which are inconsistent with this Act
19 are hereby repealed, amended or modified accordingly.] **ALL OTHER LAWS, ACTS,**
20 **PRESIDENTIAL DECREES, RULES AND REGULATIONS OR PARTS**
21 **THEREOF INCONSISTENT WITH THE PROVISIONS OF THIS ACT ARE**
22 **HEREBY EXPRESSLY REPEALED, AMENDED OR MODIFIED**
23 **ACCORDINGLY.**

24
25 **SEC. 54.** SEC. 28 of RA No.9993 is hereby renumbered and amended to read as follows:

26
27 “**Section [28.] 56. Effectivity.** – [This Act shall take effect fifteen (15) days after
28 its publication in the Official Gazette or in any two (2) newspapers of general
29 circulation.] **THIS ACT SHALL TAKE EFFECT FIFTEEN (15) DAYS AFTER ITS**
30 **COMPLETE PUBLICATION IN THE OFFICIAL GAZETTE OR IN AT LEAST**
31 **TWO (2) NEWSPAPERS OF GENERAL CIRCULATION.**

32
33 *Approved,*