

**HOUSE OF REPRESENTATIVES**  
**Quezon City**

**EIGHTEENTH CONGRESS**  
First Regular Session

**HOUSE BILL NO. 5340**



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**Introduced by Hon. John Marvin "Yul Servo" C. Nieto**

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**EXPLANTORY NOTE**

The declaration of Human rights, under Article 7 states that:

"All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination."

Moreover, this declaration is further affirmed by our own Constitution on Social Justice and Human Rights, under Section 1 and Section of Article XIII, respectively:

"The Congress shall give highest priority to the enactment of measures that protect and enhance the right of all the people to human dignity, reduce social, economic, and political inequalities, remove cultural inequities by equitably diffusing wealth and political power for the common good"

"The State shall afford full protection to labor, local, and overseas, organized and unorganized, and promote full employment and equality of employment opportunities for all"

Despite the several measures that the country has adopted to address discrimination in the workplace, discrimination based on height is still a harsh reality among law enforcement agencies.

The lack of height is not a hindrance to the ability to carry out duties for there is no data or evidence that the performance of those who meet the law-mandated

height requirement are more effective and efficient than those who do not, and vice versa.

Height discrimination unnecessarily limits work opportunities for the people and at the same time, further enables prejudice. Granted, *that* Physical impairment may be a valid consideration in tasks requiring specific physical attributes and capabilities, but not all that are lacking in height are physically, much less intellectually, impaired. Moreover, the integral qualities and skills needed such as investigation and detection skills, case buildup, and community relations have absolutely nothing to do with the lack of height.

This measure seeks to repeal the height requirement for applicants to the Philippine National Police, the Bureau of Jail Management and Penology, and the Bureau of Fire Protection. It is the hope of this representation that everyone be accorded equal rights with no prejudice when it comes to subject of their competence for employment.

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



**JOHN MARVIN "YUL SERVO" C. NIETO**



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**AN ACT REPEALING THE MINIMUM HEIGHT REQUIREMENT FOR APPLICANTS TO THE PHILIPPINE NATIONAL POLICE (PNP), THE BUREAU OF FIRE PROTECTION (BFP), AND THE BUREAU OF JAIL MANAGEMENT AND PENOLOGY (BJMP)**

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

**SECTION 1.** This Act shall be known as the **"PNP, BFP AND BJMP Height Equality Act of 2019"**.

**SEC. 2.** The height requirement for application to the Philippine National Police (PNP), the Bureau of Fire Protection (BFP), and the Bureau of Jail Management and Penology (BJMP) is hereby repealed.

**SEC. 3.** Pursuant to the immediately preceding section, Section 30 (h) of Republic Act No. 6975 or the "Department of the Interior and Local Government Act of 1990," as amended by Republic Act No. 8551 or the "Philippine National Police Reform and Reorganization Act of 1998," is hereby repealed.

**SEC. 4.** Pursuant to Section 2 of this Act, Sections 15 and 16 of Republic Act No. 8551, and Section 4 (h) of Republic Act No. 9263 or the "Bureau of Fire Protection and Bureau of Jail Management and Penology Professionalization Act of 2004," as amended by Republic Act No. 9592 are hereby amended, insofar as these provisions refer to any height requirement, to give effect to the mandated repeal of the height requirement for applicants to the PNP, BFP and BJMP.

**SEC. 5.** Applicants to the PNP, BFP and BJMP who were conditionally appointed by the PNP, BFP and BJMP as uniformed personnel and were required but have not submitted their corresponding waiver for the height requirement, and whose appointments have been pending with the Civil Service Commission (CSC), upon the effectivity of this Act, are hereby deemed to have complied with such requirement.

**SEC. 6.** The National Police Commission, upon the recommendation of the PNP and the Department of the Interior and Local Government (DILG); and the DILG in coordination with the BFP, the BJMP, and the CSC shall, within ninety (90) days from the effectivity of

this Act, promulgate the necessary rules and regulations for the PNP, and the BFP and BJMP, respectively, for the effective implementation of this Act.

**SEC. 7. Separability Clause.** If, for any reason, any provision of this Act is declared to be unconstitutional or invalid, the other sections or provisions hereof which are not affected shall continue to be in full force and effect.

**SEC. 8. Repealing Clause.** All laws, decrees, orders, rules and regulations, and other issuances, or parts thereof, which are inconsistent with the provisions of this Act are hereby deemed repealed, amended or modified accordingly.

**SEC. 9. Effectivity Clause.** This Act shall take effect fifteen (15) days from its publication in the Official Gazette or in at least two (2) newspapers of general circulation, whichever comes earlier.

Approved,