

REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
First Regular Session

House Bill No. **3154**

HOUSE OF REPRESENTATIVES	
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Introduced by **MAGDALO Party-List Representative**
HON. GARY C. ALEJANO

Explanatory Note

Security guards are expected to protect the premises, assets, and personnel of their employers. Their main goal is to detect and deter the conduct of all illegal or inappropriate actions by maintaining high visibility presence. Often, they act as force multipliers to our regular law enforcers in ensuring public safety and maintaining peace and order. Hence, Security personnel are often times the target of criminal elements.

Article 152 of the Revised Penal Code (RPC) provides a definition on who shall be deemed as "Persons in Authority (PIA)" and "Agents of Persons in Authority (APIA)". The definition provided under Article 152 is crucial as it affords certain protection to PIAs and APIAs while in the conduct of functions or duties vested upon them.

This measure seeks to amend Article 152 of the Revised Penal Code to include security guards as "Agents of Persons in Authority" as they are generally charged with the maintenance of peace and order and the protection and security of life and property. It is high time we upgrade the status of the security guards and afford them the protection provided to AIPAs under the Revised Penal Code.

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


HON. GARY C. ALEJANO

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AN ACT
DESIGNATING SECURITY GUARDS OF DULY ACCREDITED AGENCIES AS
AGENTS OF PERSONS IN AUTHORITY WHILE ENGAGED IN THE
PERFORMANCE OF OFFICIAL DUTIES, AMENDING FOR THE PURPOSE
ARTICLE 152 OF ACT NO. 3815 OTHERWISE KNOWN AS THE REVISED PENAL
CODE

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

1 **SECTION 1.** Article 152 of Act No. 3815, otherwise known as “The Revised
2 Penal Code”, is hereby amended to read as follows:

3 “ART. 152. *Persons in authority and agents of persons in authority – Who*
4 *shall be deemed as such.* – In applying the provisions of the preceding and
5 other articles of this Code, any person directly vested with jurisdiction,
6 whether as an individual or as a member of some court or government
7 corporation, board, or commission, shall be deemed a person in authority. A
8 barrio captain and a barangay chairman shall also be deemed a person in
9 authority.

10 Any person who, by direct provision of law or by election or by
11 appointment by competent authority, is charged with the maintenance of
12 public order and the protection and security of life and property, such as a
13 barrio captain, barrio councilman, barrio policeman and barangay leader,
14 **SECURITY GUARD OF DULY ACCREDITED SECURITY AGENCY**
15 **WHILE ENGAGED IN THE PERFORMANCE OF OFFICIAL**
16 **DUTIES**, and any person who comes to the aid of persons in authority, shall
17 be deemed an agent of a person in authority.

18
19 In applying the provisions of Articles 148 and 151 of this Code,
20 teachers, professors, and persons charged with the supervision of public or
21 duly recognized private schools, colleges and universities, shall be deemed
22 persons in authority.”

- 1 **SEC. 2.** This Act shall take effect fifteen (15) days after its publication in the
- 2 Official Gazette or in a newspaper of general circulation.

Approved,