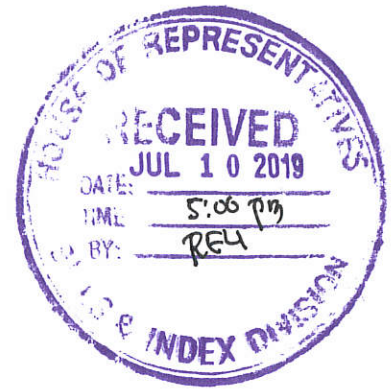


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

Eighteenth Congress
First Regular Session

House Bill No. 1930



Introduced by HON. HENRY S. OAMINAL

EXPLANATORY NOTE

It is a recognized State policy to promote the general welfare and safeguard the rights of our Philippine National Police. In pursuit of this national endeavor, it is vital that special attention be given to those who seek to be future members of our police force, that is, the cadets of the Philippine National Police Academy (PNPA).


Upholding the best interest of the PNPA cadets will certainly encourage more willing and able individuals to join our prime law enforcement agency. This can also translate to better work output and quality service from our police force.

This legislation envisions to grant upon entry to the PNPA of qualified cadets the status of government employees of the National Government and therefore be entitled to salaries and privileges appertaining to the position.

Further, this bill seeks to provide PNPA cadets with necessary benefits in case of death, disability or sickness suffered or acquired by them in the course of their training akin to that available to the regular PNP personnel.

Notably, in contrast to the cadets in the Philippine Military Academy, the PNPA cadets, who also undergo rigorous trainings and extensive proficiency tasks, do not enjoy the same benefits and privileges.

In view of the foregoing reasons, the approval of this important piece of legislation is earnestly sought.


ATTY. HENRY S. OAMINAL
Representative
2nd District, Misamis Occidental

HOUSE BILL NO. 1930

AN ACT

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

SECTION 1. *Short Title.* – This Act shall be known as the “PNPA Cadet

Act.”

SEC. 2. *Declaration of Policy.* — It is the policy of the State to promote

the general welfare and safeguard the basic rights of every cadet in the Philippine National Police Academy by providing them the status of a government employee and granting them civil service eligibility for permanent appointment in the government service and benefits in order to raise the morale and welfare of the future police officers of the Philippine National Police which will hopefully translate to better performance of their duties and responsibilities

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1 and to continually foster the individual efficiency and organizational
2 effectiveness of the Philippine National Police.

3 SEC 3. *Definition of Terms.* – As used in this Act, the following terms
4 shall mean:

5 a) *Disability* refers to any loss or impairment of the normal functions of
6 the physical or mental faculties of a uniformed PNP member which reduces or
7 eliminates his capability to continue with his present employment;

8 b) *Medical officer* refers to the NAPOLCOM Medical Officer, PNP
9 medical officer, medical officer from government hospital or private hospital
10 accredited by the PNP;

11 c) *National Police Commission (NAPOLCOM)* refers to an attached
12 agency of the Department of Interior and Local Government responsible for the
13 administration and control of the Philippine National Police;

14 d) *Philippine National Police Academy (PNPA)* refers to an academy
15 established on August 26, 1977 by virtue of Section 19, PD 1184 manned by the
16 Philippine National Police which is tasked to provide 4-year tertiary education
17 course with a degree of Bachelor of Science in Public Safety to police
18 candidates called cadets who are automatically appointed to the rank of Police
19 Lieutenant upon graduation;

20 e) *Sickness* refers to an illness accepted as an occupational disease, or any
21 illness caused or aggravated by employment/training, subject to proof that the
22 risk of contracting the same is increased by working conditions; and

1 f) *Total Permanent Physical Disability* refers to any impairment of the
2 mind or body which renders the disabled uniformed PNP member incapable of
3 performing substantially the duties of a police officer and which is expected to
4 be long, continued and of indefinite duration: *Provided*, That irreparable loss of
5 the power of speech, or sense of hearing or loss of one or both hands or feet, or
6 loss of one eye or both eyes, or loss of limbs or brain injury resulting in
7 incurable imbecility or insanity shall be considered total permanent physical
8 disability. In all cases, the disability shall be deemed permanent if it has
9 persisted for a period exceeding 6 months, without fix healing period and
10 renders the PNP member incapable of performing duties and functions:
11 *Provided, further*, That in case the disability is found to be permanent beyond
12 doubt upon medical examination of said member, the waiting period of 6
13 months shall no longer be applied.

14 SEC. 4. *Status of PNPA Cadets.* – The PNPA cadets upon qualification
15 and entry are considered as employees of the National Government and shall
16 draw their salaries therefrom. They shall have a salary of Grade 19 and shall
17 receive benefits and privileges in conformity with other existing laws.

18 SEC. 5. *Appointment of PNPA Cadets.* – The PNPA cadets shall be
19 granted with civil service eligibility and be given temporary appointment by the
20 Civil Service Commission and renewable every one year until they graduate. In
21 case of suspension or turned back, the temporary appointment will be renewed
22 upon re-entry of the suspended cadet.

1 SEC. 6. *Total Permanent Physical Disability.* – In case of disability or
2 sickness during training, a PNPA cadet avails the benefits similar to regular
3 PNP personnel as described in Section 36 of RA 8551. The cadet is entitled to a
4 separation pay equivalent to one year salary and a lifetime pension which is
5 80% of the last salary received as duly certified by the National Police
6 Commission, upon finding and certification by the appropriate medical officer,
7 that the extent of the disability or sickness renders such cadet unfit or unable to
8 continue the training.

9 The one rank higher is not applied and pension shall not incur increase as
10 the cadet is under 20 years in the service.

11 a) *Benefits of Total Permanent Physical Disability (Napolcom Mc*
12 *2011-009).* –

13 1) Reimbursement of reasonable expenses for medicines, medical
14 attendance, hospital fees, necessary transportation and subsistence;

15 2) Separation pay equivalent to one year salary; and

16 3) Lifetime pension which is of 80% of the last salary.

17 b) *Grounds for Compensability:*

18 1) The cadet must have been injured at the place where the training
19 requires the cadet to be and must have been performing the official
20 functions;

21 2) If the injury is sustained elsewhere, the cadet must have been
22 executing a lawful order from the trainer, or from the superior;

1 3) When a cadet is accidentally injured at a point reasonably
2 proximate to the place of training or while the cadet is going to or coming
3 from the training;

4 4) For the sickness to be compensable, it must be the result of
5 occupational disease aggravated by training. The following are classified
6 as occupational diseases:

7 i. Skin cancer;

8 ii. Cataract leading to blindness;

9 iii. Rabies;

10 iv. Tuberculosis and its complications;

11 v. Poisoning:

12 1) Carbon dioxide poisoning;

13 2) Carbon monoxide poisoning;

14 3) Lead poisoning; and

15 4) Food poisoning.

16 vi. Diseases caused by abnormalities in temperature and
17 humidity:

18 1) Heart stroke; and

19 2) Frostbite/Freezing.

20 vii. Cerebrovascular accidents- as long as it is not due and/or
21 aggravated by chronic alcoholism or cigarette:

22 1) CVA embolism;

1 2) CVA thrombosis;

2 3) CVA thrombo-embolism; and

3 4) CVA hemorrhage.

4 viii) Parasitism- Compensability should be based on the principle
5 of:

6 1) Greater risk of acquiring the disease in the place of
7 work than in the place of usual residence;

8 2) Disease was acquired in endemic areas (i.e., areas
9 where said disease is prevalent)

10 ix) Cardiovascular diseases:

11 1) Acute myocardial infarction; and

12 2) Congestive heart failure class IV-E.

13 x) Pneumonia:

14 1) Viral pneumonia; and

15 2) Bacterial pneumonia.

16 xi) Peptic ulcer diseases- as long as it is not due to alcoholism;

17 xii) All forms of Psychoses/Schizophrenic disorders; and

18 xiii) Physical traumas resulting in loss of limb/s or its function,
19 blindness or deafness.

20 The following are not classified as occupational diseases and subject to
21 proof that the risk of contracting the same is increased by training:

22 a) Viral Hepatitis;



- b) Cancer of the liver;
- c) Cancer of the lungs;
- d) Cancer of pancreas;
- e) Cancer of the stomach and intestine; and
- f) Liver cirrhosis and its complications.

c) ***Who may File for Claim for Disability.*** – An application for Total Permanent Physical Disability (TPPD) can be filed by the cadet himself or in case of incapacity, his duly authorized representative.

d) ***Where to File Claim.*** – An application letter for Total Permanent Physical Disability (TPPD) under oath shall be submitted to the Directorate for Personnel and Records management (DPRM) thru the Pension Retirement and Benefits Administration Service (PRBS) for recording and appropriate action.

SEC. 7. *Death Benefits.* – A PNPA cadet upon death during training shall avail the benefits similar to regular PNP personnel as described in Sec 76 of RA 6975 and Rule V of NAPOLCOM Memorandum Circular No. 2011-009.

a) ***Who may File Claim/Application for Death Benefits:***

- 1) Surviving parents; and
- 2) Surviving brothers and sisters.

b) ***Where to File Claim.*** – An application letter under oath for death benefits shall be filed with the Office of the NAPOLCOM Provincial Officer of the province or city where the PNPA cadet is stationed or in the Regional Office

1 of the Commission having administrative jurisdiction of the deceased PNPA
2 cadet.

3 c) Supporting Documents to a Claim for Death Benefits:

4 1) Service record issued or duly authenticated by the PNP
5 Directorate for Personnel and Records Management;

6 2) Certified copy of latest appointment;

7 3) Death Certificate issued by the Philippine Statistics Authority;

8 4) Detailed investigation report of the Director or immediate
9 superior or supervisor, as the circumstances or cause of death;

10 5) Clearance from money and property accountability;

11 6) Certificate of No Marriage (CENOMAR) issued by the
12 Philippine Statistics Authority; and

13 7) Official receipts duly registered with the Bureau of Internal
14 Revenue for reasonable medical and hospitalization expenses, necessary
15 transportation and subsistence incurred on account of service-connected
16 disability, purchase of medicines in excess of Php 50.00 shall be
17 evidenced by doctor's prescription; and

18 8) Investigation and Adjudication of the Claim Application:

19 i) Within 5 days from receipt of the application, the
20 NAPOLCOM Hearing Officer designated by the NAPOLCOM
21 Regional Director shall set the hearing of the Claim and shall

1 notify the claimant/s, heirs and other persons whose presence in
2 the investigation is necessary.

3 In no case, the hearing of the claim be conducted beyond 15 days from
4 the date of receipt of the application.

5 ii) Should serious question on the compensability of a claim
6 arise, the NAPOLCOM Regional Director shall direct the
7 Technical Service Division to conduct the necessary inquiry,
8 who shall forthwith submit the corresponding Report. Said
9 Report shall be attached in the records of the claim and
10 considered by the hearing officer the Report of Investigation;

11 iii) Within 15 days from the termination of the investigation,
12 the Hearing Officer or Investigator shall submit the Report of
13 Investigation together with the complete records of the claim to
14 the Regional Director for adjudication;

15 iv) The Regional Director shall adjudicate the claim within 15
16 days from receipt of the Report of Investigation; and

17 v) The claimant shall be immediately furnished a copy of the
18 adjudication.

19 d) **Benefits.** – The following shall be awarded to the beneficiary of
20 the deceased PNPA cadet:

21 1) Gratuity equivalent to the deceased PNPA cadet one year basic
22 salary;

2) Burial expenses equivalent to 3 months basic salary of the deceased;

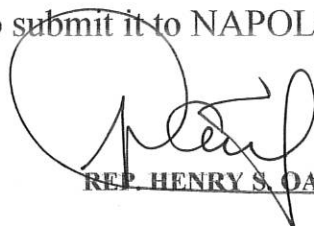
3) Monthly pension equivalent to 80 percent of the deceased's basic salary for a period of five years from the date of death; and

4) Reimbursement of reasonable expenses for medicines, medical attendance, hospital fees, necessary transportation and subsistence.

SEC. 8. *Government Service.* – A PNPA cadet shall render service after graduation two times the number of years of training which is 4 years. The Cadet should render 8 years government service before the Cadet decides to resign.

SEC. 9. *Disposition of Dismissed PNPA Cadet.* – A PNPA cadet when dismissed for reasons other than violation of Honor Code can automatically join the PNP: Provided, That, the Cadet is mentally and physically fit. The Cadet doesn't need to comply the requirements to be appointed as Patrolman or Patrolwoman as described in RA 6975 and RA 8551. The Cadet can be appointed automatically to the rank of Police Corporal and is given 10 years to complete the baccalaureate degree in case the Cadet is high school graduate or college undergraduate.

SEC. 10. *Implementing Rules and Regulations.* – The Philippine National Police shall, within ninety (90) days after the approval of this Act, promulgate the necessary rules and regulations for the effective implementation of this Act and to submit it to NAPOLCOM for approval.


REP. HENRY S. OAMINAL

1 SEC. 11. ***Repealing Clause.*** – All laws, rules, regulations, orders,
2 circulars and memoranda inconsistent with this Act are hereby repealed or
3 modified accordingly.

4 SEC. 12. ***Effectivity.*** – This Act shall take effect fifteen (15) days after
5 its publication in the *Official Gazette* or in a newspaper of general circulation.

6 Approved,

A handwritten signature in black ink, appearing to read 'Paul', with a large, stylized flourish on the left side.