

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Constitution Hills, Quezon City



EIGHTEENTH CONGRESS
First Regular Session

House Bill No. 1927

Introduced by ERIC L. OLIVAREZ

EXPLANATORY NOTE

In light of the fast paced development and urbanization of the cities and municipalities in the country, the inevitable increase in crime rates cannot as well be denied. Factors such as increase in the population, higher cost or standard of living, and poverty, among many others, expose the general public to many wrongful deeds and transgressions.

During these times, the role of the police is much more highlighted. The threatened public need more than ever the services of our police officers to ensure their safety and protection. In the same way, the compelling authority of the police officers serves as a very effective deterrent to criminals and other potential offenders.

In relation to this, it must be underscored that the power and influence of the police officers is largely dependent on public approval of their existence, actions, deeds, manners and on their ability to secure and maintain public respect. To a certain extent, the perception of the public with respect to the reputation of our

police officers is what enables the latter to fulfil their functions and duties. It is worthy to note that the Philippine National Police (PNP) has recently obtained an all-time low in public trust and perception due to their direct involvements in criminal activities such as murder, kidnapping and other grave offenses committed not only against Filipinos but against foreigners as well.

This is where the function of People's Law Enforcement Body (PLEB), and the necessity to strengthen it so, comes in. The PLEB ensures that our police officers maintain a very high degree of principle and dedication to their duties and oath as public officers who ultimately gain the respect and the trust of the public.

By further reinforcing the powers and functions of the PLEB, we are in effect serving the cause of the people. It is a measure that guarantees to the public that our police officers are worthy of their trust, confidence and high regard.


ERIC OLIVAREZ

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**AN ACT STRENGTHENING THE DUTIES, FUNCTIONS AND
POWERS OF PEOPLE'S LAW ENFORCEMENT BOARD (PLEB)
AND HEREBY FURTHER AMENDING REPUBLIC ACT NO. 6975,
AS AMENDED BY REPUBLIC ACT NO. 8551.**

**Section 1. Paragraph (a) Section 43 of RA 6975 as amended by
Section 66 of RA 8551 is further amended to read as follows:**

"SEC. 43. People's Law Enforcement Board (PLEB). – (a) Creation and Functions – The sangguniang panlungsod/bayan in every city and municipality shall create such number of People's Law Enforcement Boards (PLEBs) as may be necessary depending on the population of the said city and/or municipality and such other circumstances that may warrant the call for a PLEB with bigger membership: Provided, That there shall be at least one (1) PLEB for every five hundred (500) city or municipal police personnel and for each of the legislative districts in a city. **A municipality with less**

than five hundred (500) police personnel shall utilize the PLEB of the nearest municipality.

"The PLEB shall be the central receiving entity for any citizen's complaint against the officers and members of the PNP assigned either temporarily or permanently in a particular city or municipality. The PLEB shall have original jurisdiction or take exclusive cognizance of all administrative cases filed against any member of the PNP assigned in a particular city or municipality or refer the complaint to the proper disciplinary or adjudicatory authority within three (3) days upon the filing of the complaint if the administrative case is filed against a member of the PNP not assigned in a city or municipality."

Section 2. Number (3) of paragraph (b), Section 43 of RA 6975 as amended by Section 67 of RA 8551 is further amended to read as follows:

(3) at least Three (3) other members who are removable only for grounds enumerated under Section 3 of this Act or for any other analogous cases, to be chosen by the local peace and order council from among the respected members of the community known for their probity and integrity, at least one (1) of whom must be a woman and at least one (1) a member of the Bar, or, in the absence of a lawyer, a college graduate, or the principal of the central elementary school in the locality.

If one of the members of the PLEB is a lawyer he shall ipso facto be the Chairman of the PLEB. In the absence of a member of the Bar, the Chairman shall be elected from among its members. The term of office of the members of the PLEB shall be for a period of **three**

(3) years from assumption of office and shall be eligible for reappointments for another two (2) terms only. No person shall be appointed as the same member of the PLEB for more than three (3) consecutive terms. Voluntary renunciation of office for any length of time shall not be considered as an interruption on the continuity of service for the full term for which the representative was appointed.

Section 3. The following provisions shall be added under paragraph (b) Section 43 of RA 6975 as amended by Section 67 of RA 8551, to wit:

(4) The members of the PLEB that will be chosen shall be of good moral character and shall not have been convicted by final judgment of any crime involving moral turpitude at the time of their appointment and throughout their term.

(5) A conviction by final judgment of any crime involving moral turpitude of any member of the PLEB while serving his term shall be valid cause for his termination. He shall be replaced by a qualified individual in accordance with this Act who shall serve the remaining term of his predecessor.

Section 4. Jurisdiction. – The PLEB shall have exclusive and original jurisdiction over all administrative cases against any member of the PNP assigned in a particular city or municipality. Save for the PLEB, no other agency of the government shall take cognizance of the administrative complaint against any member of the PNP assigned in a particular city or municipality.

Except in criminal and civil cases, the PLEB of the city or municipality where the private complainant resides shall have exclusive jurisdiction in administrative cases involving a police officer assigned, either temporarily or permanently, in the said city or municipality. Provided that if there are two or more complainants who reside in different cities and municipalities, exclusive jurisdiction is vested upon the PLEB of the city or municipality where the complaint was first filed. Provided further, that an administrative complaint arising from a criminal case filed against a police officer shall be cognizable by the PLEB of the city or municipality where the private complainant resides.

Section 5. Paragraph (c) Section 43 of RA 6975, as amended by Section 69 of RA 8551, is further amended to read as follows:

Compensation, allowances and Operational Expenses. – Membership in the PLEB is a civic duty. However, PLEB members shall be paid per diem, **but in no way shall be less than the per diem granted to and received by previous PLEB members**, and shall be provided with life insurance coverage and **other grants and benefits** as may be determined by the city or municipal council from city or municipal funds. **The insurance coverage shall be included in the annual budgetary allocations of the City or Municipality.** The DILG shall provide for the per diem and insurance coverage of PLEB members in certain low income municipalities. **The Sangguniang of a city or municipality, or the DILG in the case of low income municipalities shall review and adjust the per diem of the PLEB members every two (2) years.**

Each member and personnel of the PLEB shall be entitled to receive Christmas cash gifts given to the local government employees.

The Chairman of the PLEB shall receive a monthly representation allowance in the amount of P5,000.00 over and above his per diem as member of the PLEB.

The operational expenses of PLEB shall be included in the annual budgetary appropriations of the City or Municipality.

Section 6. No. (5), Paragraph (d) of Section 43 of RA 6975 is hereby amended as follows:

(5) **In the absence of a member of the Bar in the PLEB**, the National Police Commission (NAPOLCOM) may assign its hearing officers to act as legal consultants **with a per diem which is equivalent to one half (1/2) of what is being received by PLEB members** and provide, whenever necessary, **and as requested by the PLEB of a certain city/municipality**, legal services, assistance and advise to the latter in hearing and deciding cases against erring officers and members of the PNP, especially those involving difficult questions of law: Provided, That these lawyers may also be assigned to investigate claims for death and disability benefits of PNP members or their heirs.

(e) Decisions – The decision of the PLEB shall be **immediately** final and executory: Provided, That a decision involving **suspension**, demotion or dismissal from the service may be appealed by either party with the regional appellate board within ten (10) days from receipt of the copy of the decision. **In case of suspension, demotion or dismissal from the service, the police**

officer shall immediately serve his/her sentence provided that in the event of final reversal of the decision by a higher appellate authority he shall be entitled to immediate reinstatement with payment of full back wages and other benefits.

Section 7. Section 71 of RA 8551 is amended to read as follows:

Section 71. **Order** for Preventive Suspension. – The PLEB may **order** any authorized superior to impose preventive suspension against a subordinate police officer who is the subject of a complaint lasting up to a period as may be allowed under the law. An **Order for Preventive Suspension by the PLEB is warranted under the following cases:**

- a) when the respondent refuses to heed the PLEB's summons or subpoena;
- b) when the PNP personnel has been charged with offenses involving bodily harm or grave threats,
- c) when the respondent is in a position to tamper with the evidence; and
- d) when the respondent is in a position to unduly influence the witnesses.
- e) in any other analogous cases, as deemed proper by the PLEB.

Any superior who fails to act on an order for preventive suspension by the PLEB without valid grounds shall be held administratively liable for serious neglect of duty by

the PLEB without prejudice to other immediate sanctions to be determined by the PLEB .

Section 8. Rules and Regulations. – Unless otherwise provided in this Act, the Commission in coordination with the Philippine National Police and the Department of the Interior and Local Government, shall promulgate rules and regulations for the effective implementation of this Act. Such rules and regulations shall take effect upon their publication in three (3) newspapers of general circulation.

Section 9. Repealing Clause. – All laws, presidential decrees, letters of instructions, executive orders, rules and regulations insofar as they are inconsistent with this Act, are hereby repealed or amended as the case may be.

Section 10. Separability Clause. – In the event that any provision of this Act or any portion thereof is declared unconstitutional by a competent court, the other provisions shall not be affected thereby and shall remain valid and enforceable.

Section 11. Effectivity Clause. – This Act shall take effect after its complete publication in at least three (3) newspapers of general circulation.

APPROVED.