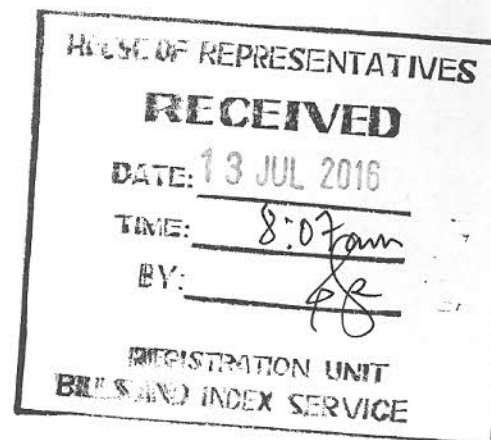


REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
First Regular Session

House Bill No. 1508



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

Explanatory Note

Article XVI, Section 6 of the 1987 Constitution states that the “State shall establish and maintain one police force, which shall be national in scope and civilian in character, to be administered and controlled by a national police commission.”

Section 5 of Republic Act No. 8551, or the Philippine National Police Reform and Reorganization Act of 1998, provides for the establishment of the National Police Commission (NAPOLCOM). The NAPOLCOM has administrative control and operational supervision over the Philippine National Police (PNP). It is mandated to develop policies and promulgate a police manual prescribing rules and regulations for efficient organization, administration and operation, including criteria for manpower allocation, distribution and deployment, recruitment, selection, promotion, and retirement of personnel and the conduct of qualifying entrance promotional examinations for uniformed members.

Evidently, the NAPOLCOM is conferred with the powers to control and supervise PNP. For that reason, it appears as the most competent and appropriate authority to determine the qualification of police officers for appointments and promotions. However, in the present state of affairs, the appointment of police officers still requires an attestation from the Civil Service Commission (CSC). This is unnecessary given the existence of the NAPOLCOM and its capacity to fulfill the said function instead of the CSC.

Appointment and promotion of personnel from other armed services or law enforcement agencies in the government no longer require attestation from the CSC. This Act intends that the same be applied to the PNP in view of the fact that there is already a NAPOLCOM which has the authority to do so. Furthermore, our police officers who dedicate their lives to serve and protect the country and its citizens should not be restricted with the advancement of their careers by requiring a tedious process before the approval of their appointments and promotions.

Now, therefore, this Act seeks to amend Sections 31 and 96 of Republic Act No. 6975 entitled "*An Act Establishing the Philippine National Police under a Reorganized Department of Interior and Local Government, and for other purposes*" by removing the requirement of attestation from the CSC to expedite the processing and reduce bureaucratic red tape for the appointment and promotion of police personnel. In addition, since NAPOLCOM has administrative control and operational supervision over the PNP, civil service laws should only be considered and applied as supplementary in order to avoid any conflict in issuances that may affect personnel management or police operations.

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


HON. GARY C. ALEJANO

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Introduced by **MAGDALO Party-List Representative**
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AN ACT
MODIFYING THE ROLE OF THE CIVIL SERVICE COMMISSION IN
THE APPOINTMENT OF UNIFORMED PERSONNEL IN THE
PHILIPPINE NATIONAL POLICE, AMENDING SECTIONS 31 AND 91
OF REPUBLIC ACT NO. 6975 ENTITLED “AN ACT ESTABLISHING
THE PHILIPPINE NATIONAL POLICE UNDER A REORGANIZED
DEPARTMENT OF INTERIOR AND LOCAL GOVERNMENT, AND
FOR OTHER PURPOSES”

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

1 **SECTION 1.** Section 31 of Republic Act No. 6975 is amended to read as
2 follows:

3 “Section 31. Appointment of PNP Officers and Members. – The
4 appointment of the **UNIFORMED PERSONNEL** of the PNP shall be effected in
5 the following manner:

6 (a) Police Officer 1 to Senior Police Officer IV- Appointed by the PNP
7 Regional Director for regional personnel or the Chief of the PNP for the national
8 headquarters personnel and arrested by the National Police Commission;

9

10 (b) Inspector to Superintendent – Appointed by the Chief of the PNP, as
11 recommended by their immediate superiors, and attested by the National Police
12 Commission;

13

14 (c) Senior Superintendent to Deputy Director General – Appointed by the
15 President upon recommendation of the Chief of the PNP, with proper endorsement
16 by the Chairman of the National Police Commission;

17

1 (d) Director General – Appointed by the President from among the senior
2 officers down to the rank of chief superintendent in the service, with proper
3 endorsement by the Chairman of the National Police Commission, provided that
4 the Chief of the PNP shall serve a tour of duty not to exceed four (4) years:
5 provided, further that in time of war or other national emergency declared by
6 Congress, the President may extend such tour of duty.

7
8 **PROVIDED HOWEVER, THAT THE PHILIPPINE**
9 **NATIONAL POLICE SHALL BE CONSIDERED AS CLOSED-CAREER**
10 **POSITIONS. PROVIDED, FURTHER, THAT THE APPOINTMENT OF**
11 **NON-UNIFORMED PERSONNEL SHALL BE GOVERNED BY CIVIL**
12 **SERVICE LAWS, RULES AND REGULATIONS.**
13

14 **Section 2.** Section 91 of Republic Act No. 6975 is amended to read as
15 follows:

16 “Section 91. Application of the Civil Service Laws. – The Civil Service
17 Law and its implementing rules and regulations shall **HAVE SUPPLEMENTARY**
18 **APPLICATION** [apply to all personnel of the Department].”
19

20 **Section 3. *Implementing Rules and Regulations.*** – The National Police
21 Commission and the Philippine National Police shall promulgate the necessary
22 rules and regulations for the effective implementation of this Act.
23

24 **Section 4. *Separability Clause.*** – If, for any reason, any provision of this
25 Act is declared to be unconstitutional or invalid, the other sections or provisions
26 hereof which are not affected thereby shall continue to be in full force and effect.
27

28 **Section 5. *Repealing Clause.*** – All laws, decrees, executive orders, rules
29 and regulations and other issuances or parts thereof which are inconsistent with
30 this Act are hereby repealed, amended or modified accordingly.
31

32 **Section 6. *Effectivity Clause.*** – This Act shall take fifteen (15) days after
33 its publication in at least two (2) newspaper of national circulation.

Approved,