



SEVENTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

'17 MAR -8 P5:44

SENATE
S. No. 1374

RECEIVED BY: J

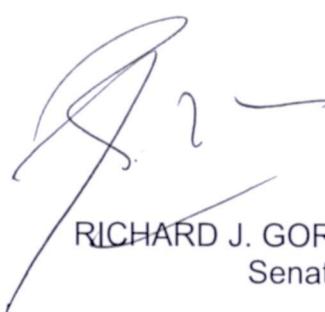
Introduced by Senator Richard J. Gordon

AN ACT
AMENDING REPUBLIC ACT NO. 8551, OTHERWISE KNOWN AS THE PHILIPPINE NATIONAL POLICE REFORM AND REORGANIZATION ACT OF 1998" AND REPUBLIC ACT NO. 6975, OTHERWISE KNOWN AS "THE DEPARTMENT OF INTERIOR AND LOCAL GOVERNMENT ACT OF 1990", AND FOR OTHER PURPOSES.

EXPLANATORY NOTE

Based on the recommendations formulated during the investigation on extra-judicial killings heard jointly by the Senate Committee on Justice and Human Rights and the Committee on Public Order and Dangerous Drugs, a conclusion has been made to further strengthen the Internal Affairs Services (IAS) of the Philippine National Police (PNP) and the People's Law Enforcement Board (PLEB). The PLEBs shall have jurisdiction to hear and decide citizen's complaints or cases filed before it against erring officers and members of the PNP.

The following recommendations, including those from resource persons from the Department of Internal and Local Government (DILG), are in order: (1) To remove political influence and bias in the PLEBs; (2) To appoint PLEB members as regular employees of the Local Government Units (LGUs) instead of being paid on a *per diem* basis as "volunteer" members who may not be as committed to finish resolving administrative cases in the period provided; (3) To conduct yearly continuous trainings and seminars for the PLEBs personnel; (4) To assign one lawyer, who can administer oaths, in each PLEB to assist the parties, especially the complainants; (5) To issue a Manual providing the Rules and Regulations for the enforcement, administration, and summary procedure of the PLEBs; (6) To allow the appearance of law students who have successfully completed their 3rd year in the Law School Curriculum and is enrolled under their Legal Aid Clinic to appear and assist before the PLEBs as part of their externship programs; (7) To provide guidelines on the imposition of preventive suspension on erring policemen; and (8) To conduct public information dissemination to inform them of the mandate of the law which is to establish a PLEB in each city or municipality or on each 500 city or municipal police personnel so that the general public will be made aware of its mechanism and significance through the filing of complaints against erring police officers, and in demanding accountability from the police force.



RICHARD J. GORDON
Senator

SEVENTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

'17 MAR -8 P5:44

SENATE
S. No. 1374

RECEIVED BY: J

Introduced by Senator Richard J. Gordon

AN ACT
AMENDING REPUBLIC ACT NO. 8551, OTHERWISE KNOWN AS THE PHILIPPINE NATIONAL POLICE REFORM AND REORGANIZATION ACT OF 1998" AND REPUBLIC ACT NO. 6975, OTHERWISE KNOWN AS "THE DEPARTMENT OF INTERIOR AND LOCAL GOVERNMENT ACT OF 1990", AND FOR OTHER PURPOSES.

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

1 Sec. 1. *Short Title.* – This Act shall be known as the "Strengthening the IAS
2 and PLEBs Act of 2017".

3 Sec. 2. Sec. 2. Paragraph (a), Section 43 of Republic Act No. 6975 is amended to
4 read as follows:

5 "(a) Creation and Functions. — [Within thirty (30) days from the issuance of the
6 implementing rules and regulations by the Commission, there shall be created by the
7 sangguniang panlungsod/bayan in every city and municipality such number of People's
8 Law Enforcement Boards (PLEBs) as may be necessary] THE DEPARTMENT OF
9 INTERIOR AND LOCAL GOVERNMENT (DILG) SHALL ENSURE THE CREATION OF
10 THE PEOPLE'S LAW ENFORCEMENT BOARD (PLEB) IN EVERY CITY AND
11 MUNICIPALITY IN THE PHILIPPINES[*: Provided*, That there shall be at least one (1)
12 PLEB for every municipality and for each of the legislative districts in a city.] PROVIDED
13 THAT, IN CASES OF CITIES OR MUNICIPALITIES HAVING MORE THAN FIVE
14 HUNDRED (500) CITY OR MUNICIPAL POLICE PERSONNEL, AN ADDITIONAL PLEB
15 SHALL BE CREATED, AS THE CASE MAY BE. The PLEB shall have jurisdiction to hear
16 and decide citizen's complaints or cases filed before it against erring officers and
17 members of the PNP. [There shall be at least one (1) PLEB for every five hundred (500)
18 city or municipal police personnel.] THE DILG SHALL CREATE SUCH NUMBER OF
19 ADDITIONAL PLEBs, AS MAY BE DEEMED NECESSARY, BASED ON THE
20 STANDARDS AS ABOVEMENTIONED.

21 FURTHER, THE DILG SHALL ENSURE THE PROPER MANAGEMENT AND
22 OPERATION AND SUPPORT OF ALL THE PLEB. TO THIS END, THE DILG
23 TOGETHER WITH THE APPROPRIATE LOCAL GOVERNMENT UNITS (LGUs),

1 SHALL PROVIDE SUFFICIENT OFFICE SPACE FOR EVERY PLEB CREATED, IN
2 ACCORDANCE WITH THE LAW.

3 *PROVIDED FURTHER THAT, THE DILG UNDERSECRETARY FOR LOCAL*
4 GOVERNMENT OR THE DILG UNDERSECRETARY FOR PEACE AND ORDER, AS
5 CHOSEN BY THE DILG SECRETARY, SHALL BE RESPONSIBLE IN ENSURING THAT
6 THE CREATION OF PLEB IN EACH LGU IS FULLY COMPLIED WITH. PROVIDED
7 FURTHER THAT, EVERY PLEB THEREBY CREATED, THROUGH ITS CLERK, SHALL
8 REPORT TO THE UNDERSECRETARY APPOINTED EVERY FIFTH (5TH) DAY OF THE
9 MONTH REGARDING THE STATUS OF THE CASES FILED OR REFERRED TO
10 THEREFROM.

11 Sec. 3. Paragraph (b), Section 43 of R.A. No. 6975 is hereby amended to read as
12 follows:

13 "(b) Composition and Term of Office. – The PLEB shall be composed of FIVE (5)
14 MEMBERS, CHOSEN BY THE CITY OR MUNICIPAL MAYOR OF THE LGU
15 CONCERNED, WHICH SHALL CONSIST OF ANY OF the following:

16 "[(1) Any member of the sangguniang panlungsod/bayan chosen by his respective
17 sanggunian;

18 [(2) Any members of the barangay captains of the city or municipality concerned
19 chosen by the association of barangay captains IN THE SAID CITY OR MUNICIPALITY;
20 and]

21 "[(3) Three (3) other members who shall be chosen by the peace and order
22 council from among the respected members of the community known for their probity and
23 integrity, one (1) of whom must be a woman member and another a member of the Bar,
24 or, in the absence thereof, a college graduate, or the principal of the central elementary
25 school in the locality.]

26 (A) A MEMBER OF THE INTEGRATED BAR OF THE PHILIPPINES (IBP);

27 (B) A WOMAN;

28 (C) A MEMBER OF THE ACADEME, WHICH MAY BE A DEAN, DISTRICT
29 SUPERVISOR, OR IN THE ABSENCE THEREOF, A PRINCIPAL;

30 (D) A FOURTH YEAR LAW STUDENT;

31 (E) A MEMBER OF THE BUSINESS SECTOR;

32 (F) A SENIOR CITIZEN;

33 (G) A BARANGAY CAPTAIN; OR

34 (H) A MEMBER OF A NON-GOVERNMENTAL ORGANIZATION (NGO) OR A
35 CIVIC ORGANIZATION.

36 PROVIDED THAT, NO TWO (2) MEMBERS OF THE PLEB SHALL BELONG TO
37 THE SAME CATEGORY, AS STATED ABOVE. PROVIDED FURTHER THAT, EVERY
38 PLEB SHALL HAVE ONE (1) MEMBER OF THE IBP, WHO SHALL BE ABLE TO

1 ADMINISTER OATHS UPON THE FILING OF THE COMPLAINT. THEREAFTER, A
2 COPY OF THE COMPLAINT SHALL BE FORWARDED BY THE CLERK TO THE CHIEF
3 OF POLICE, FOR HIS COGNIZANCE.

4 TO THIS END, EVERY PLEB CREATED OR THOSE ALREADY EXISTING
5 SHALL APPOINT ONE (1) CLERK, PREFERABLY A FOURTH YEAR LAW STUDENT
6 OR A MEMBER OF THE IBP, WHO SHALL RECORD ALL THE CASES FILED OR
7 REFERRED TO THE PLEB AND THE STATUS THEREOF. THE CLERK SHALL ALSO
8 SUBMIT TO THEIR RESPECTIVE LGUs THE FULL NAMES AND POSITION OF
9 EVERY POLICE PERSONNEL WHO HAVE BEEN PREVENTIVELY SUSPENDED AND
10 PLEB DECISIONS RENDERED WHICH SHALL BE PUBLISHED IN A NEWSPAPER OF
11 GENERAL CIRCULATION IN EVERY FIFTEENTH (15TH) DAY OF THE MONTH FOR
12 PUBLIC INFORMATION AND SHALL POST THE SAME IN TWO (2) CONSPICUOUS
13 PLACES IN THE CITY OR MUNICIPAL HALL CONCERNED OF.

14 The Chairman of the PLEB shall be elected from among its members. The term of
15 office of the members of the PLEB shall be for a period of three (3) years from assumption
16 of office. Such member shall hold office until his successor shall have been chosen and
17 qualified.

18 Sec. 4. Section 52, par. 4 (c) of R.A. No. 8551 amending Section 41 of R.A. No.
19 6975 shall further be amended as follows:

20 (c) Exclusive Jurisdiction. – A complaint or a charge filed against a PNP member
21 shall be heard and decided exclusively by the disciplining authority who has acquired
22 original jurisdiction over the case and notwithstanding the existence of concurrent
23 jurisdiction as regards the offense: *Provided, That* offenses which carry higher penalties
24 referred to a disciplining authority shall be referred to the appropriate authority which has
25 jurisdiction over the offense.

26 IN FURTHERANCE, UPON THE FILING OF THE COMPLAINT WITH THE
27 PLEBs, SUFFICIENT IN FORM AND SUBSTANCE, THE PLEB SHALL CONDUCT,
28 MOTU PROPRIO, AUTOMATIC INVESTIGATION OF CASES INVOLVING
29 UNIFORMED AND NON-UNIFORMED PNP PERSONNEL, IN THE FOLLOWING
30 CASES:

- 31 (A) INCIDENTS WHERE A POLICE PERSONNEL COMMITS ANY MINOR
32 OFFENSE, AS DEFINED HEREIN BELOW;
33 (B) INCIDENTS WHERE A POLICE PERSONNEL ILLEGALLY DISCHARGES A
34 FIREARM;
35 (C) INCIDENTS WHERE DEATH, SERIOUS OR SLIGHT PHYSICAL INJURY, OR
36 ANY VIOLATION OF HUMAN RIGHTS OCCURRED IN THE CONDUCT OF A
37 POLICE OPERATION;

1 (D) INCIDENTS WHERE EVIDENCE WAS COMPROMISED, TAMPERED WITH,
2 OBLITERATED, OR LOST WHILE IN THE CUSTODY OF POLICE PERSONNEL;
3 (E) INCIDENTS WHERE A SUSPECT IN THE CUSTODY OF THE POLICE DIED,
4 INJURED, OR MALTREATED;
5 (F) INCIDENTS WHERE THE ESTABLISHED RULES OF ENGAGEMENT HAVE
6 BEEN VIOLATED;
7 (G) INCIDENTS WHERE PNP PERSONNEL WERE INVOLVED IN ILLEGAL
8 DRUG ACTIVITIES;
9 (H) INCIDENTS THAT TARNISH THE REPUTATION OF THE PNP;
10 (I) INCIDENTS WHERE PNP PERSONNEL WERE INVOLVED IN HEINOUS
11 CRIMES; AND
12 (J) INCIDENTS WHERE THE PNP PERSONNEL COMMITTED MALFEASANCE,
13 MISFEASANCE, NONFESANCE, AND VIOLATIONS OF THE REVISED PENAL
14 CODE OR ANY OTHER SPECIAL PENAL LAW.

15 "For purposes of this Act, a 'minor offense' shall refer to any act or omission not
16 involving moral turpitude, but affecting the internal discipline of the PNP, and shall include,
17 but not limited to:

- 18 "(1) Simple misconduct or negligence;
19 "(2) Insubordination;
20 "(3) Frequent absences and tardiness;
21 "(4) Habitual drunkenness;
22 "(5) LEWD BEHAVIOR; and
23 "(6) Gambling prohibited by law."

24 Sec. 5. Section 69 of R.A. No. 8551 amending par. c, Section 43 of R.A. No. 6975
25 shall be further amended to read as follows:

26 "(c) Compensation. – Membership in the PLEB is a civic duty. [However, PLEB
27 members shall be paid per diem and shall be provided with life insurance coverage as
28 may be determined by the city or municipal council from city or municipal funds.] The
29 DILG shall provide [for the per diem and insurance coverage] THE PLEB A BUDGETARY
30 SUPPORT FOR THE EXPENSES NECESSARY IN ITS OPERATION AND
31 MANAGEMENT. [of PLEB members in certain low income municipalities."] A
32 REASONABLE AMOUNT OF ALLOWANCE COMMENSURATE TO THE SERVICES
33 RENDERED SHALL BE PROVIDED TO EACH MEMBER OF THE PLEB.

34 Sec. 6. Section 55 of R.A. No. 8551 amending Section 47 of R.A. No. 6975 shall
35 be further amended to read as follows:

36 "Sec. 47. Preventive Suspension [Pending a Criminal Case.] – Upon the filing of a
37 complaint or information, WHETHER IN THE PLEB OR WITH THE COURT, sufficient in
38 form and substance, against a member of the PNP [for grave felonies where the penalty

1 imposed by law is six (6) years and one (1) day or more,] FOR ANY ACT COMMITTED
2 IN VIOLATION OF THE LAW, the PLEB shall immediately ORDER THE [suspend]
3 SUSPENSION OF the accused from office for a period not exceeding ninety (90) days,
4 DEPENDING ON THE GRAVITY OF THE ACT COMMITTED, from THE FILING OR
5 arraignment, AS THE CASE MAY BE[:]. PROVIDED THAT, THE ACCUSED SHALL
6 SURRENDER OR DEPOSIT HIS OR HER PNP IDENTIFICATION CARD, POLICE
7 BADGE, AND SERVICE FIREARM TO THE IMMEDIATE SUPERVISOR TO AVOID
8 HARASSMENTS AND POSSIBLE TAMPERING OF EVIDENCE. [Provided, however,
9 That if it can be shown by evidence that the accused is harassing the complainant and/or
10 witnesses, the court may order the preventive suspension of the accused PNP member
11 even if the charge is punishable by a penalty lower than six (6) years and one (1) day:
12 Provided, further, That the preventive suspension shall not be more than ninety (90) days
13 except if the delay in the disposition of the case is due to the fault, negligence or petitions
14 of the respondent:]. Provided THAT [,finally, That] such preventive suspension may be
15 sooner lifted by the court in the exigency of the service upon recommendation of the chief,
16 PNP AND UPON FINDING THAT THE CASE WAS FILED WITHOUT SUFFICIENT
17 EVIDENCE. [Such case shall be subject to continuous trial and shall be terminated within
18 ninety (90) days from arraignment of the accused.]"

19 MOREOVER, THE MOMENT THE CASE IS FILED, THE ACCUSED SHALL BE
20 GIVEN AN ORDER BY THE PLEB NOT TO BE WITHIN THE RADIUS OF TWENTY-
21 FIVE (25) KILOMETERS FROM THE ACTUAL RESIDENCE OF THE COMPLAINANT
22 OR TO BE WITHIN TEN (10) METERS AWAY FROM THE COMPLAINANT, IN PUBLIC
23 PLACES.

24 IN CASE OF VIOLATION OF THE IMMEDIATELY PRECEDING PARAGRAPH,
25 THE PNP PERSONNEL SHALL BE SUBJECT TO IMMEDIATE DISMISSAL FROM HIS
26 OR HER SERVICE.

27 Sec. 7. Section 56 of RA 8551 amending Section 49 of Republic Act No. 6975 shall
28 be further amended to read as follows:

29 "SEC. 49. Legal Assistance. – The Secretary of Justice, the chairman of the
30 Commission or the Chief of the PNP may authorize lawyers of their respective agencies
31 to provide legal assistance to any member of the PNP who is facing before the
32 prosecutor's office, the court or any competent body, a charge or charges arising from
33 any incident which is related to the performance of his official duty: Provided, That
34 government lawyers so authorized shall have the power to administer oaths: Provided,
35 further, That in such cases, when necessary, as determined by the Commission, a private
36 counsel may be provided at the expense of the Government. The Secretary of Justice,
37 the Chairman of the Commission and the Chief of the PNP shall jointly promulgate rules
38 and regulations to implement the provisions of this Section. FURTHERMORE,

1 PURSUANT TO THE LAW STUDENT PRACTICE RULE AS EMBODIED IN RULE 138-
2 A OF THE RULES OF COURT, A LAW STUDENT WAS HAS SUCCESSFULLY
3 COMLETED 3RD YEAR OF THE REQUIRED LAW CURRICULUM AND IS ENROLLED
4 IN A RECOGNIZED LAW SCHOOL'S CLINICAL LEGAL EDUCATION PROGRAM
5 APPROVED BY THE SUPREME COURT, MAY APPEAR WITHOUT COMPENSATION
6 IN ANY CASE FILED BEFORE ANY PLEB, TO REPRESENT CITIZEN
7 COMPLAINANTS. PROVIDED FURTHER THAT, THE SAID LAW STUDENT SHALL BE
8 UNDER THE DIRECT SUPERVISION AND CONTROL OF A MEMBER OF THE
9 INTEGRATED BAR OF THE PHILIPPINES DULY ACCREDITED BY THE LAW
10 SCHOOL."

11 Sec. 8. A new Section 70 shall be inserted to read as follows:

12 Sec. 70. DECISION OF THE PLEB. – THE PLEB SHALL PROMULGATE ITS
13 DECISION WITHIN FIFTEEN (15) DAYS FROM THE TIME THE COMPLAINT IS FILED
14 WITH THE CLERK. HOWEVER, IN CASES WHERE ACTS COMPLAINED OF
15 CONSTITUTES MINOR OFFENSES, AS DEFINED IN ARTICLE 4 OF THIS ACT, THE
16 PLEB SHALL PROMULGATE ITS DECISION WITHIN FIVE (5) DAYS FROM THE TIME
17 THE COMPLAINT IS FILED WITH THE CLERK.

18 MOREOVER, IN CASES WHERE THE POLICE PERSONNEL ADMITS THE
19 ALLEGATIONS STATED IN THE COMPLAINT AGAINST HIM OR HER, THE PLEB MAY
20 RENDER A LESSER PENALTY OF SUSPENSION TO THE POLICE PERSONNEL,
21 WHICH MAY NOT BE MORE THAN THIRTY (30) DAYS, TAKING INTO
22 CONSIDERATION THE CIRCUMSTANCES OF THE CASE.

23 Sec. 9. A new Section 71 shall be inserted to read as follows:

24 Sec. 71. WHERE TO APPEAL. – THE DECISION OF THE PLEB SHALL BE
25 APPEALABLE TO THE COMMISSION WITHIN FIVE (5) DAYS FROM THE
26 PROMULGATION OF THE DECISION, WHICH MAY THEREAFTER BE APPEALED TO
27 THE COURT OF APPEALS, AND THE SUPREME COURT THEREAFTER.

28 Sec. 10. A new Section 72 shall be inserted to read as follows:

29 Sec. 72. CONGRESSIONAL OVERSIGHT COMMITTEE. – THERE IS HEREBY
30 CREATED A JOINT CONGRESSIONAL OVERSIGHT COMMITTEE COMPOSED OF
31 FOURTEEN (14) MEMBERS, SEVEN (7) MEMBERS OF WHICH ARE FROM THE
32 SENATE WHILE ANOTHER SEVEN (7) ARE FROM THE HOUSE OF
33 REPRESENTATIVES. THE MEMBERS OF THE SENATE SHALL BE APPOINTED BY
34 THE SENATE OF THE PRESIDENT BASED ON THE PROPORTIONAL
35 REPRESENTATION OF THE PARTIES OR COALITIONS THEREIN WITH AT LEAST
36 TWO (2) SENATORS REPRESENTING THE MINORITY WHILE THE MEMBERS OF
37 THE HOUSE OF REPRESENTATIVES (HOR) SHALL BE APPOINTED BY THE
38 SPEAKER, ALSO BASED ON PROPORTIONAL REPRESENTATION OF THE

1 PARTIES OR COALITIONS THEREIN, WITH AT LEAST TWO (2) MEMBERS
2 REPRESENTING THE MINORITY. PROVIDED THAT, BOTH THE CHAIRMANS OF
3 THE COMMITTEE ON JUSTICE AND HUMAN RIGHTS OF THE SENATE AND THE
4 HOR SHALL BECOME AUTOMATIC MEMBERS.

5 THE COMMITTEE SHALL THEREAFTER BE HEADED BY THE CHAIRMAN OF
6 THE SENATE COMMITTEE ON JUSTICE AND HUMAN RIGHTS AND WILL BE CO-
7 CHAIRED BY THE CHAIRMAN OF THE HOR COMMITTEE ON JUSTICE AND HUMAN
8 RIGHTS OF THE SENATE.

9 IN LINE WITH THIS, THE PLEB SHALL ANNUALLY REPORT TO THE SAID
10 CONGRESSIONAL OVERSIGHT COMMITTEE FOR THE FIRST THREE (3) YEARS
11 UPON THE IMPPLEMENTATION OF THIS ACT, WHICH MAY THEREAFTER BE
12 EXTENDED FOR ANOTHER THREE (3) YEARS, AS MAY BE NECESSARY.

13 Sec. 11. A new Section 73 shall be inserted to read as follows:

14 Sec. 73. *INFORMATION DISSEMINATION*. – THE DEPARTMENT OF INTERIOR
15 AND LOCAL GOVERNMENT (DILG) IN COORDINATION WITH THE NATIONAL
16 POLICE COMMISSION AND THE APPROPRIATE LOCAL GOVERNMENT UNITS,
17 SHALL UNDERTAKE AN INFORMATION DISSEMINATION CAMPAIGN FOR
18 PURPOSES OF ENRICHING PUBLIC KNOWLEDGE ON PLEB, ITS FUNCTIONS AND
19 POWERS. THEY SHALL UNDERTAKE TO HIGHLIGHT PLEB'S ROLE AS A
20 DISCIPLINARY MECHANISM IN CITIZEN'S COMPLAINTS AGAINST MEMBERS OF
21 THE PNP. TO THIS END, THE DEPARTMENT AND THE COMMISSION SHALL HOLD
22 SEMINARS, TRAININGS AND SUCH OTHER PUBLIC INFORMATION CAMPAIGN TO
23 ACHIEVE THIS PURPOSE. FURTHERMORE, THE DILG IN COORDINATION WITH
24 THE COMMISSION SHALL ISSUE A MANUAL PROVIDING THE RULES AND
25 REGULATIONS FOR THE ENFORCEMENT, MANAGEMENT AND ADMINISTRATION
26 OF THE SUMMARY PROCEEDINGS EMBODIED IN THE IMPLEMENTATION OF THE
27 PLEB. PROVIDED THAT, DUE PROCESS SHALL BE OBSERVED. HOWEVER,
28 TECHNICAL RULES OF PROCEDURE SHALL NOT BE APPLIED.

29 Sec. 12. A new Section 74 is hereby inserted to Republic Act No. 8551, as follows:

30 SEC. 74. TRAININGS OF PLEB PERSONNEL. – THE DEPARTMENT OF
31 INTERIOR AND LOCAL GOVERNMENT (DILG), IN COORDINATION WITH THE
32 NATIONAL POLICE COMMISSION (COMMISSION) SHALL ENSURE THE PROPER
33 IMPLEMENTATION OF THE DISCIPLINARY MECHANISM OF THE PLEB. TO THIS
34 END, THE DILG AND THE COMMISSION SHALL UNDERTAKE TO PROVIDE
35 MANDATORY ANNUAL TRAINING AND SEMINARS FOR ALL MEMBERS OF THE
36 PLEB.

37 Sec. 13. Section 70 of R.A. No. 8551 shall be amended to read as follows:

1 Section 70. Budget Allocation. – The annual budget of the [Local Government
2 Units (LGU)] DILG shall include an item and the corresponding appropriation for the
3 maintenance and operation of [their local] THE PLEB IN EVERY CITY OR
4 MUNICIPALITY.

5 Sec. 14. Section 71 of R.A. No. 8551 shall be removed:

6 [Section 71. Request for Preventive Suspension. – The PLEB may ask any
7 authorized superior to impose preventive suspension against a subordinate police officer
8 who is the subject of a complaint lasting up to a period as may be allowed under the law.
9 A request for preventive suspension shall not be denied by the superior officer in the
10 following cases:

- 11 a) when the respondent refuses to heed the PLEB's summons or subpoena;
- 12 b) when the PNP personnel has been charged with offenses involving bodily harm
13 or grave threats,
- 14 c) when the respondent is in a position to tamper with the evidence; andlawphil.net
- 15 d) when the respondent is in a position to unduly influence the witnesses.

16 Any superior who fails to act on any request for suspension without valid grounds
17 shall be held administratively liable for serious neglect of duty.]

18 Sec. 15. All subsequent Sections of Republic Act No. 8551, otherwise known as
19 the Philippine National Police Reform and Reorganization Act of 1998, shall hereafter be
20 renumbered accordingly.

21 Sec. 16. *Repealing Clause.* – All laws, decrees, orders, rules and regulations or
22 other issuances or parts thereof inconsistent with the provisions of this Act are hereby
23 repealed or modified accordingly.

24 Sec. 17. *Separability Clause.* – If any portion or provision of this Act is declared
25 unconstitutional, the remainder of this Act or any provision not affected thereby shall
26 remain in force and effect.

27 Sec. 18. *Effectivity.* – This Act shall take effect after fifteen (15) days following the
28 completion of its publication either in the Official Gazette or in a newspaper of general
29 circulation in the Philippines.

30
31 Approved,

32

33