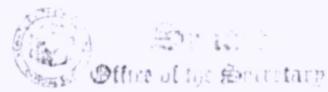


EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



SENATE
S. B. No. 823

19 JUL 30 A9:14

RECEIVED BY [Signature]

Introduced by Senator SONNY ANGARA

**AN ACT
PROVIDING FOR A MAGNA CARTA FOR THE PHILIPPINE NATIONAL
POLICE**

EXPLANATORY NOTE

It is espoused in Sections 4 and 5, Article II of the 1987 Philippine Constitution that, "the prime duty of the Government is to serve and protect the people..." and that, "the maintenance of peace and order, the protection of life, liberty and property and promotion of the general welfare are essential for the enjoyment by all the people of the blessings of democracy." This duty is carried out by the country's premier police force, the Philippine National Police (PNP). This proposed Magna Carta for the PNP Uniformed and Non-Uniformed Personnel codifies and strengthens existing rights and benefits provided for in various laws, resolutions and other circulars concerning PNP.

To attract more qualified and competent law enforcers in the country, the Magna Carta seeks to establish a separate salary scale for the PNP, distinct from the other agencies of the government, and provides for additional benefits such as cost of living, clothing, quarters and subsistence allowances, longevity pay, reasonable leaves and retirement programs.

Uniformed PNP personnel who accepts assignments in remote areas or isolated situations, and is exposed to hardship and combat situation or other hazard unusual to peacekeeping, crime prevention and investigation activities, will be compensated with a remote assignment allowance and special hardship allowance, similar to combat pay of the Armed Forces of the Philippines. Meanwhile, families and beneficiaries of members of the PNP, who are killed in the line of duty, will be granted special financial, scholarship and employment assistance.

To foster a highly efficient and competent police force, this bill also aims to develop a holistic PNP development program which includes provisions on merit promotions, performance evaluation, in-service training, overseas and local scholarships, training grants, incentive award system, among others.

This proposed Magna Carta seeks to put dignity into the country's premiere police force for their commitment to preserve peace and order and protect the lives of Filipino people.

It is for this reason that the passage of this bill is urgently sought.



SONNY ANGARA

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

1 **TITLE I**

2 **THE PHILIPPINE NATIONAL POLICE**

3 **Chapter One**

4 **Preliminary Provisions**

5 Section 1. *Title.* – This Act shall be known as the "Magna Carta for the
6 Philippine National Police Uniformed and Non-Uniformed Personnel."

7 **Chapter Two**

8 **General Provisions**

9 Sec. 2. *Declaration of Policies.* – It is a declared policy of the State to promote
10 peace and order, maintain good business environment, support economic growth,
11 ensure public safety through the delivery of effective, efficient, competent, modern,
12 professional and non-partisan police service. It recognizes the role of the police
13 service in helping achieve the development of the nation. With this, the State shall
14 promote and protect the physical, mental, as well as the emotional, moral, spiritual,
15 intellectual faculties and social well-being of every Philippine National Police (PNP)
16 personnel, with the goal of establishing a highly efficient and competent police force.

17 Sec. 3. *General Principles.* – The PNP shall be a community and service-
18 oriented agency responsible for the maintenance of peace and order and public
19 safety. It shall be so organized to ensure accountability and uprightness in the

1 exercise of discretion and achieve efficiency and effectiveness of its members and
2 units in the performance of their functions.

Chapter Three

Mandate of the PNP

Sec. 4. Powers and Functions. – Pursuant to its institutional mandate, the PNP shall exercise the following powers and functions:

a) Enforce all laws and ordinances relative to the protection of lives and properties;

9 b) Maintain peace and order and take all necessary steps to ensure public
10 safety;

11 c) Investigate and prevent crimes, effect the arrest of criminal offenders,
12 bring offenders to justice and assist in their prosecution;

13 d) Exercise the General powers to make arrest, search and seizure in
14 accordance with the Constitution and other pertinent laws;

15 e) Detain an arrested person for a period not beyond that which is prescribed
16 by law, informing the person so detained of all his rights under the Constitution;

17 f) Issue licenses for the possession of firearms and explosives in accordance
18 with law;

19 g) Supervise and control the training and operation of security agencies, issue
20 licenses to operate in favor of such security agencies, as well as, of security guards

21 and private detectives for the exercise of their professions; and
22 h) Perform such other duties and exercise all other functions as may be provided by

TITLE II

ORGANIZATIONAL COMPONENTS AND STRUCTURE

Chapter One

PNP Uniformed Personnel

28 Sec. 5. *Organization.* – The PNP shall be headed by a Chief who shall be
29 assisted by two (2) deputy chiefs, one (1) for Operations and one (1) for
30 Administration, both of whom shall be appointed by the President upon
31 recommendation of the Commission from among the most senior and qualified
32 officers in the office: *Provided, however,* That in no case shall any officer who has

1 retired or is due to retire within six (6) months from his compulsory retirement age
2 be appointed as PNP Chief.

3 The PNP shall maintain its office in Metropolitan Manila, which shall house its
4 National Staff Offices and National Support Units.

5 The PNP shall have regional offices, including that of the National Capital
6 Region (NCR), which may be divided into two (2) separate regions: the Cordillera
7 Autonomous Region (CAR) and the Bangsamoro Autonomous Region in Muslim
8 Mindanao (BARMM): *Provided*, That the creation of the PNP-BARMM Regional Office
9 shall be in compliance with Republic Act No. 11054 or the "Organic Law for the
10 Bangsamoro Autonomous Region in Muslim Mindanao". These regional offices shall
11 be headed by a Regional Director.

12 The PNP shall have provincial offices, headed by a Provincial Director. In the
13 case of large provinces, police districts, to be headed by a District Director, may be
14 established by the NAPOLCOM, upon the recommendation of the PNP Chief.

15 There shall be PNP stations in the municipalities/cities, headed by a Chief of
16 Police. In case of police stations in highly urbanized cities, its head shall have a
17 position title of City Director. The determination of the rank of the head of police
18 stations shall be subjected to the existing rules and policies of the national
19 headquarters of the PNP and NAPOLCOM.

20 **A. Classifications of Officers**

21 Sec. 6. *Rank Classification*. – For purposes of efficient administration,
22 supervision and control, the rank classification of the PNP uniformed personnel shall
23 be as follows, as provided under Republic Act No. 11200:

- 24 Police General
- 25 Police Lieutenant General
- 26 Police Major General
- 27 Police Brigadier General
- 28 Police Colonel
- 29 Police Lieutenant Colonel
- 30 Police Major
- 31 Police Captain
- 32 Police Lieutenant

- 1 Police Executive Master Sergeant
- 2 Police Chief Master Sergeant
- 3 Police Senior Master Sergeant
- 4 Police Master Sergeant
- 5 Police Staff Sergeant
- 6 Police Corporal
- 7 Patrolman/Patrolwoman

8 Sec. 7. *Key Positions.* – The head of the PNP with the rank of Police General
9 shall have the position title of Chief of the PNP. The second in command of the PNP
10 with the rank of Police Lieutenant General shall be the Deputy Chief of the PNP for
11 Administration. The third in command, also with the rank of Police Major General,
12 shall be the Deputy Chief of the PNP for Operations.

13 At the National Office, the head of the National Staff Offices with the rank of
14 Police Lieutenant General shall be referred to as Chief of Staff of the PNP, who shall
15 be fourth in command of the PNP.

16 The heads of the various staff divisions in the National Staff Offices shall have
17 the rank of Police Major General with the position title of Director of the National
18 Staff Office of their respective functional divisions. The PNP shall maintain its
19 National Support Units to be headed by a Director who shall have the rank of Police
20 Brigadier General. To enhance police operational efficiency and effectiveness the
21 Chief of the PNP may constitute such other support units as may be necessary
22 subject to the approval of the NAPOLCOM; *Provided*, That no support unit headed by
23 a chief superintendent or higher rank can be created unless provided by law.

24 The head of the NCR Police Office shall assume the position title of NCR
25 Police Major General.

26 The heads of the regional offices shall assume the position title of Regional
27 Police Major General.

28 The heads of the NCR district offices shall have the position title of District
29 Director.

30 The heads of the provincial offices shall have the position title of Police
31 Provincial Director.

1 The heads of the district offices shall have the position title of District
2 Director.

3 The heads of the municipality or city offices shall be known as Chief of Police.
4 In case of police stations in highly urbanized cities, its head shall have the position
5 title of City Director.

6 The determination of the rank of the head of police stations shall be
7 subjected to the existing rules and policies of the national headquarters of the PNP
8 and NAPOLCOM.

9 *Provided*, That the ranks of the heads of regional, provincial and district
10 offices may be upgraded upon the recommendation of the Chief of the PNP through
11 the NAPOLCOM and subject to the approval of the President: *Provided, further*, That
12 the upgrading of the ranks of the heads of police stations shall be approved by the
13 NAPOLCOM.

14 Sec. 8. *Powers, Functions, and Term of Office of the PNP Chief.* – The
15 command and direction of the PNP shall be vested in the Chief of the PNP who shall
16 have the power to direct and control tactical as well as strategic movements,
17 deployment, placement, utilization of the PNP or any of its units and personnel,
18 including its equipment, facilities and other resources. Such command and direction
19 of the Chief of the PNP may be delegated to subordinate officials with respect to the
20 units under their respective commands, in accordance with the rules and regulations
21 prescribed by the NAPOLCOM.

22 The Chief of the PNP shall also have the power to issue detailed implementing
23 policies and instructions regarding personnel, funds, properties, records,
24 correspondence and such other matters as may be necessary to effectively carry out
25 the functions, powers, and duties of the PNP. He shall be appointed by the
26 President from among the senior officers down to the rank of brigadier general.
27 *Provided*, That he shall serve a term of office not to exceed four (4) years: *Provided,*
28 *further*, That in times of war or other national emergency declared by Congress, the
29 President may extend such term of office.

30 Sec. 9. *Legal Affairs Service.* – There shall be established a Legal Affairs
31 Service, which shall serve as the personal staff of PNP Chief on Legal Affairs. The

1 Legal Affairs Service shall be headed by a PNP Uniformed Personnel with the title of
2 Director who shall carry the rank of Police Brigadier General.

3 Sec. 10. *Internal Affairs Service*. – Pursuant to the provisions of Republic Act
4 No. 8551 or the “Philippine National Police Reform and Reorganization Act of 1998”,
5 there shall be an Internal Affairs Service, functions of which shall be consistent with
6 the aforesaid Act that established the office.

7 **B. Appointment Qualifications**

8 Sec. 11. *General Qualifications for Appointment*. – No person shall be
9 appointed as officer or member of the PNP unless he or she possesses the following
10 minimum qualifications:

11 a) A citizen of the Philippines;

12 b) A person of good moral conduct;

13 c) Must have passed the psychiatric/psychological, drug and physical tests to
14 be administered by the PNP or by any NAPOLCOM-accredited government hospital
15 for the purpose of determining physical and mental health;

16 d) Must possess a formal baccalaureate degree from a recognized institution
17 of learning;

18 e) Must be eligible in accordance with the standards set by the NAPOLCOM;

19 f) Must not have been dishonorably discharged from military employment or
20 dismissed for cause from any civilian position in the government;

21 g) Must not have been convicted by final judgment of an offense or crime
22 involving moral turpitude; and

23 h) Must obtain the appropriate PNP Security Clearance.

24 For a new applicant, he must not be less than twenty-one (21) or more than
25 thirty (30) years of age. Except for the last qualification, the above-enumerated
26 qualifications shall be continuing in character and an absence of any one of them at
27 any given time shall be a ground for separation or retirement from the service:
28 *Provided*, That PNP members who are already in the service upon the effectivity of
29 this Act shall be given at least two (2) more years to obtain the minimum
30 educational qualification.

31 Sec. 12. *Prerequisite for the Appointment to the PNP*. – No applicant shall be
32 qualified to undergo basic police training unless he has passed the pre-qualifying

1 examination administered by the PNP Screening and Selection Board: *Provided*, That
2 no new graduates of basic police courses shall be absorbed on permanent status
3 unless he has satisfactorily passed the six-month probationary period. The PNP shall
4 set the standards for the implementation of this provision.

5 Sec. 13. *Manner of Appointment*. – The appointment of the officers and
6 members of the PNP shall be effected in the following manner:

7 a) Patrolman/Patrolwoman to Police Executive Master Sergeant - Appointed
8 by the PNP Regional Director for regional personnel or by the PNP Chief for the
9 national headquarters personnel and attested by the NAPOLCOM;

10 b) Police Lieutenant to Police Lieutenant Colonel - Appointed by the PNP
11 Chief, as recommended by their immediate superiors, and attested by the
12 NAPOLCOM;

13 c) Police Colonel to Police Lieutenant General - Appointed by the President
14 upon recommendation of the Chief PNP, with proper endorsement by the Chairman
15 of the NAPOLCOM;

16 d) Police General - Appointed by the President from among the senior officers
17 down to the rank of Police Brigadier General in the service: *Provided*, That the Chief
18 PNP shall serve a tour of duty not to exceed four (4) years; *Provided, further*, That,
19 in times of war or other national emergency declared by Congress, the President
20 may extend such tour of duty.

21 **C. Prerequisites to Entry**

22 Sec. 14. *Field Training Program*. – All new uniformed PNP members shall
23 undergo a Field Training Program for twelve (12) months involving actual experience
24 and assignment in patrol, traffic, and investigation as a requirement for permanency
25 of their appointment.

26 Sec. 15. *Examinations for Policemen*. – The NAPOLCOM shall administer the
27 entrance and promotional examinations for policemen on the basis of the standards
28 set by the Commission.

29 Sec. 16. *Lateral Entry*. – In general, all original appointments of
30 commissioned officers in the PNP shall commence with the rank of Police Lieutenant,
31 to include all those with highly technical qualifications applying for the PNP technical
32 services, such as dentists, optometrists, nurses, engineers, criminologists and

1 graduates of forensic sciences. Doctors of medicine, members of the Bar, and
2 Chaplains shall be appointed to the rank of Police Captain in their particular technical
3 service. Graduates of the Philippine National Police Academy (PNPA) shall be
4 automatically appointed to the initial rank of Police Lieutenant to fill up any vacancy
5 after promotions from the ranks are completed.

Chapter Two

General Benefits

A. Status, Salaries and Allowances

9 Sec. 17. *Status of PNP Personnel.* – The uniformed and non-uniformed
10 personnel of the PNP shall be considered employees of the national government and
11 shall draw their salaries therefrom. *Provided*, That PNP personnel in Metropolitan
12 Manila, charted cities, component cities and other municipalities may be paid
13 financial incentive by the local government unit concerned subject to the availability
14 of funds.

15 *Sec. 18. Salary Scale.* – The PNP shall have a salary scale separate and
16 distinct from the other agencies of the government to attract the best and
17 competent law enforcers. There shall be different salary scales for uniformed and
18 non-uniformed personnel.

19 Salary scales of PNP personnel shall provide for a gradual progression from
20 minimum to maximum salary by means of regular increments. The salary scale of
21 the PNP shall be comparable to the average salary of law enforcement agencies in
22 the ASEAN Region and other neighboring countries.

23 Sec. 19. *Criteria for Salary.* – The salaries of all uniformed PNP personnel shall
24 correspond to the following criteria:

25 a) Salary shall be comparably equal to those paid in other occupations or
26 professions requiring equivalent or similar qualifications, training and abilities
27 regardless of rank positions;

28 b) Salary scale shall ensure that the lowest rank and position receive an
29 amount that will ensure him and his family to afford a reasonable and decent
30 standard of living; and

1 c) Basic monthly salary shall exclude the subsistence allowance, cost of living
2 allowance, quarters allowance, clothing allowance, hazard pay, amelioration pay,
3 health care pay and all other allowances as may be provided under existing laws.

4 Sec. 20. *Payment of Salary.* – The salaries of PNP personnel shall be paid in
5 legal tender of the Philippines or the equivalent in checks or treasury warrants:
6 *Provided, however,* That such checks or treasury warrants shall be convertible to
7 cash in any national, provincial, city or municipal treasurer's office or any banking
8 institution operating under the laws of the Republic of the Philippines.

9 Salaries shall be released on time and without undue delay. No deduction
10 shall be allowed from the salaries due to all PNP personnel except under specific
11 provisions of applicable laws authorizing such deductions: *Provided*, That written
12 authority of the PNP personnel concerned shall first be obtained.

13 Sec. 21. *Longevity Pay.* – PNP personnel shall be entitled to a longevity pay of
14 ten (10%) percent of their basic monthly pay for every five (5) years of continuous,
15 efficient, and meritorious service in the government, which shall be computed from
16 the date of the member's first appointment in the government service: *Provided*,
17 That the maximum longevity pay shall not exceed fifty percent (50%) of the basic
18 monthly pay.

19 Sec. 22. *Cost of Living Allowance.* – The salaries of PNP personnel shall be
20 based on the prevailing cost of living. Salaries shall automatically follow changes in
21 cost-of-living index determined and established by the NAPOLCOM after due
22 consultation with appropriate government agencies.

23 Sec. 23. *Clothing Allowance.* – PNP personnel who are required to wear
24 uniforms shall be entitled to a clothing allowance equivalent to three hundred
25 (P300.00) pesos per month: *Provided*, That this rate shall be reviewed periodically
26 and increased accordingly, taking into account existing laws and prevailing practices.

27 Sec. 24. *Quarters Allowance.* – Uniformed PNP personnel shall be entitled to
28 monthly quarters allowance based on existing scheme which shall be reviewed
29 periodically and increased accordingly taking into account existing laws and
30 prevailing practices.

31 Sec. 25. *Remote Assignment Allowance.* – Uniformed PNP personnel who
32 accepts assignments in remote areas or isolated stations, which have not been filled

1 for the last two years prior to the assignment due to distance or hard accessibility,
2 shall be entitled to an incentive bonus in the form of Remote Assignment Allowance
3 equivalent to fifty (50%) of their basic pay, and shall be entitled to reimbursement
4 of the cost of reasonable transportation to and from such remote post or station,
5 upon assuming or leaving such position during official trips.

6 Sec. 26. *Subsistence Allowance*. – Uniformed PNP personnel shall be entitled
7 to full subsistence allowance of three (3) meals, which shall be computed in
8 accordance with prevailing market price.

9 Sec. 27. *Special Hardship Allowance*. – In areas wherein a uniformed PNP
10 Personnel is exposed to hardship and combat situation or other hazard unusual to
11 peacekeeping, crime prevention and investigation activities and established to be
12 peculiar to any given area or place of assignment, as determined by the PNP, he
13 shall be compensated with a special hardship allowance, similar to combat pay of
14 the AFP, equivalent to at least fifty (50%) percent of his monthly basic salary.

B. Entitlement to Leave Benefits

16 Sec. 28. *Vacation Leave*. – All PNP personnel who has rendered at least one
17 year of service shall earn fifteen (15) days vacation leave credits.

18 Sec. 29. *Sick Leave*. – A fifteen (15) day sick leave credits shall be granted to
19 all PNP personnel for every year of service. A sick leave of absence shall be granted
20 to any ailing PNP personnel for a period, as may be necessary for his treatment.

21 An indefinite sick leave of absence shall be granted to an ailing uniformed
22 PNP member whose nature of illness demands a long treatment that will exceed one
23 year.

24 Sec. 30. *Mandatory Leave*. – A PNP personnel is entitled to a mandatory leave
25 with full pay for seven (7) days, which is not chargeable to his leave credits.

26 Sec. 31. *Maternity Leave*. – Married women in the Philippine National Police
27 shall, in addition to the sick and vacation leaves granted to them, be entitled to a
28 maternity leave of one hundred five (105) days with full pay and an option to extend
29 for an additional thirty (30) days without pay, in accordance to Republic Act No.
30 11210 or the "105-Day Expanded Maternity Leave Law" and its Implementing Rules
31 and Regulations.

1 Sec. 32. *Paternity Leave*. – Any male PNP personnel shall be entitled to seven
2 (7) days of paternity leave with pay commencing from the day of the delivery of his
3 legal spouse.

4 Sec. 33. *Study Leaves*. – In addition to the leave privileges enjoyed under this
5 Act and other existing laws, uniformed PNP personnel shall be entitled to study
6 leaves not exceeding one (1) year with pay: *Provided*, That no grantee shall be
7 allowed to accumulate more than one (1) year of study leave except when he needs
8 an extra semester to complete and defend his thesis for a graduate study in a
9 degree relevant to his being a member of the police service.

10 Sec. 34. *Christmas and New Year's Break*. – All PNP personnel shall be
11 granted a maximum of seven (7) days break during the Christmas and New Year
12 holidays for them to spend time with their families.

13 **C. Retirement Program**

14 Sec. 35. *Early Retirement Program*. – Any PNP personnel who has reached
15 the age of fifty-five (55) years may avail of this program and be paid separation
16 benefits in accordance with prevailing scheme: *Provided*, That he/she has rendered
17 at least fifteen (15) years of continuous service in the PNP organization: *Provided*,
18 *further*, That those who have availed of this benefit shall not be allowed re-entry
19 into the PNP.

20 Sec. 36. *Optional Retirement*. – Upon accumulation of at least twenty (20)
21 years of satisfactory service, a PNP personnel, at his own request and with the
22 approval of the NAPOLCOM, shall be retired from the service and entitled to receive
23 benefits provided for by law.

24 Sec. 37. *Compulsory Retirement*. – Compulsory retirement, for officer and
25 non-officer, shall be upon the attainment of age fifty-six (56) years old: *Provided*,
26 That in case of any officer with the rank of Police Brigadier General, Police Major
27 General, or Police Lieutenant General, the Commission may allow his retention in the
28 service for an inextensible period of one (1) year.

29 Sec. 38. *Highest Basic Salary Upon Retirement*. – A retired PNP personnel
30 shall automatically be granted one (1) salary range or grade higher than his/her
31 basic salary and his/her retirement benefit thereafter, computed on the basis of
32 his/her highest salary, which shall be given in effect three (3) months prior to the

1 compulsory retirement: *Provided*, that said personnel has reached the age fifty of
2 five (55) years old and fulfilled service requirements under existing laws.

3 Sec. 39. *Monthly Retirement Pay*. – The monthly retirement pay of a PNP
4 Personnel shall be fifty percent (50%) of the base pay and longevity pay of the
5 retired rank in case the retiree has rendered at least twenty (20) years of continuous
6 active service, increasing by two and one-half percent (2.5%) for every year of
7 active service rendered beyond twenty (20) years to a maximum of ninety percent
8 (90%) for thirty-six (36) years of active service and over: *Provided*, That the retiree
9 shall have the option to receive in advance a lump sum of his retirement pay
10 equivalent to the first five (5) years of his retirement pay as it accrues: *Provided*,
11 *further*, That payment of the retirement benefits in lump sum shall be made on the
12 effectivity date of retirement. It shall be incumbent upon the concerned units to
13 provide the completion of all documentary requirements in support of the payment
14 of the retiree's retirement pay as the retiree is not required to perform additional
15 tasks other than to receive the fruits of his service. Any personnel who intentionally
16 and/or maliciously delays or causes the delay in the processing of the retiree's just
17 claim for money and/or other emoluments shall be considered to have incurred an
18 administrative offense amounting to grave misconduct and an act prejudicial to the
19 interest of the service as defined by existing laws: *Provided, finally*, That retirement
20 pay of all uniformed members shall be subject to adjustments based on the
21 prevailing scale of base pay of police personnel still in active service.

D. Special Financial and Scholarship Assistance Program

22 Sec. 40. *Special Financial Assistance*. – The family or beneficiary of any PNP
23 personnel, who is killed or becomes totally and permanently incapacitated while in
24 the line of duty or by reason of his office or position shall be entitled to the special
25 financial assistance provided for in this Act in addition to whatever compensation,
26 donation, insurance, gift, pension, grant or any form of benefit which said deceased
27 or totally incapacitated person or his family may receive or be entitled to: *Provided*,
28 That he has not committed any crime or human rights violation by final judgment on
29 such occasion.

30 Sec. 41. *Tax Free*. – The special financial assistance referred to in the
31 immediately preceding section shall be equivalent to six (6) months salary, including

1 allowances and bonuses, during the last twelve (12) months preceding the death of
2 any PNP personnel which shall not be considered a part of the estate of the
3 deceased and which shall be exempt from attachment, garnishment or execution
4 and from income and other taxes.

5 *Sec. 42. Duty of the Cashier.* – It shall be the duty of the cashier from whom
6 the deceased or permanently incapacitated PNP personnel used to receive his salary,
7 within three (3) days from receipt of a written certification from the station or unit
8 commander of the fact of death and the circumstances thereof, to deliver to the
9 beneficiaries such special financial assistance as stated in the preceding Section
10 hereof. In case of permanent disability, a certification by the proper medical officer
11 designated by the Chief of the Philippine National Police is necessary for the
12 payment of the aforesaid financial assistance. After said payment, a report with the
13 formal certificate of death or permanent incapacity shall be submitted to the Chief of
14 the Philippine National Police.

15 *Sec. 43. Sources of Special Financial Assistance.* – In order to assure the
16 payment of the special financial assistance referred to in this Act, without any need
17 of any appropriation act or ordinance, the payment shall come from the expected
18 salary, allowances and bonuses of the deceased or permanently incapacitated PNP
19 personnel for the next six (6) months after his death or incapacity: *Provided*, That
20 the position left vacant by the deceased or permanently incapacitated PNP personnel
21 on account of his death or incapacity shall not be filled during that period of six (6)
22 months: *Provided, further*, That if the public welfare and interest so demand, as
23 determined by the Chief of the Philippine National Police, the position left vacant by
24 the deceased personnel, or permanently incapacitated personnel may be filled
25 without waiting for the expiration of the six (6) months period earlier mentioned, in
26 which case, the funds out of which the special financial assistance already received
27 by the family of the deceased or permanently incapacitated police personnel by the
28 family of the deceased or permanently incapacitated police personnel shall be
29 replenished out of the emergency savings of the PNP, upon the direction in writing
30 by the Chief of the Philippine National Police to their respective treasurers or
31 cashiers: *Provided, finally*, That, in the event that there are no emergency savings as

1 provided herein exist, the Regional Director or the Provincial Director, as the case
2 may be, may request augmentation personnel from other PNP units.

3 Sec. 44. *Hospitalization Expenses*. – If any PNP personnel is injured or
4 wounded or in any manner suffers any injury in the performance of his official
5 duties, the hospitalization expenses of such personnel shall be shouldered by the
6 office where he belongs, chargeable against the salary savings of such office without
7 the need of any appropriation act or ordinance.

8 Sec. 45. *Employment Priority of Dependents*. – The surviving spouse of the
9 deceased or permanently incapacitated PNP personnel shall be given priority in
10 employment in a government agency or office where his/her qualifications are fitted:
11 *Provided*, That if the spouse is already employed or not employable or if he/she
12 waives he/she employment privilege, then an employable son or daughter shall be
13 granted the said privilege.

14 Sec. 46. *Scholarship Privileges for Dependents*. – All surviving children of the
15 deceased or permanently incapacitated PNP personnel shall be extended scholarship
16 up to college in a non-exclusive institution, subject to the policies on the tuition of
17 said institution: *Provided*, that dependents of the personnel in active duty may be
18 entitled to seventy-five (75%) percent of the scholarship granted to dependents of
19 the deceased or incapacitated member, while dependents of non-uniformed
20 personnel may be entitled to fifty percent (50%) scholarship subject to the
21 availability of funds: *Provided, however*, That if funds are not sufficient to support
22 the scholarship of all qualified dependents, priority shall be given to the dependents
23 of the deceased or incapacitated PNP personnel than the dependents of their active
24 uniformed and non-uniformed members.

25 Sec. 47. *Utilization of Firearms License Fees for Scholarship Program*. – The
26 license fees collected by the PNP Firearms and Explosive Office shall be used solely
27 for the scholarship program of the dependents of the police: *Provided*, That the
28 Chief of the PNP, may utilize part or some amount of the said funds to other needs
29 of the PNP: *Provided, further*, That the Chief of the PNP may generate additional
30 source for scholarship program coming from other fees which they are authorized to
31 collect to further increase the funds.

1 Sec. 48. *Funds Management and Administration.* – The said funds collected
2 from the firearms licensing fees shall be managed and administered by the PNP
3 through the Scholarship Board composed of a chairman and four (4) other members
4 who shall be designated by the PNP Chief. The PNP Chief is authorized to invest so
5 much of the fund for the purpose of generating additional revenue for the benefit of
6 the scholarship program.

7 Sec. 49. *Penalty for Delaying Payments.* – Any person who unduly delays,
8 refuses or in any manner prevents the payment of the special financial assistance or
9 the scholarship assistance defined in this act to the person or persons entitled
10 thereto shall be dismissed from the office if found guilty in an appropriate
11 administrative case.

12 Sec. 50. *Interpretation.* – Nothing in this Act shall be construed to prejudice
13 and diminish whatever benefits PNP personnel is entitled to receive under existing
14 laws.

15 Sec. 51. *Implementing Rules and Guidelines.* – The NAPOLCOM in
16 coordination with the PNP and the DILG shall prepare and issue the necessary rules
17 and regulations for the effective implementation of this act.

Chapter Three

PNP Non-Uniformed Personnel

A. Appointment of Non-Uniformed Personnel

21 Sec. 52. *Human Resource Development for Non-Uniformed Personnel.* –
22 There shall be established a Human Resource Development Program at the PNP for
23 non-uniformed personnel including, but not limited to, the provisions on merit
24 promotion, performance evaluation, in-service training grants, incentive and award
25 system. The program shall conform to the rules and regulations of the NAPOLCOM.

26 Where there are no specific applicable provisions in the rules and regulations
27 of the NAPOLCOM, the existing rules and regulations promulgated by the CSC shall
28 apply.

29 Sec. 53. *Screening and Selection for Appointment.* – Applicants for the non-
30 uniformed personnel position shall undergo a screening process to be conducted by
31 a duly appointed Selection and Promotion Board based on qualification standards
32 set forth by the NAPOLCOM: *Provided*, That, in addition thereto, the applicant shall

- 1 undergo an on-the-job training for a period of three (3) months to determine his
- 2 fitness and competence to assume the responsibilities of the position to be occupied.

3 Sec. 54. *Application of the Civil Service Laws.* – Except when otherwise
4 provided for in this Act and in other existing laws, the provisions of Executive Order
5 No. 292 and other Civil Service Laws shall be made to apply to all non-uniformed
6 personnel of the PNP.

B. Work Benefits

8 Sec. 55. *Hours of Work, Salaries, and Other Remuneration.* – The non-
9 uniformed personnel of the PNP shall be provided with benefits and welfare services,
10 as follows:

11 a) *Normal Hours of Work.* The normal hours of work of any NUP shall not
12 exceed more than eight (8) hours a day or forty (40) hours a week. Hours worked
13 shall include: a) all the time during which NUP is required to work or to be at a
14 prescribed workplace; and b) all the time during which NUP is permitted to work.

15 b) *Overtime Work.* Where the exigencies of the service so required, any non-
16 uniformed personnel may be required to render service beyond the regular eight (8)
17 hours a day: *Provided,* That they shall be paid additional compensation in
18 accordance with existing laws: *Provided, further,* That the total additional
19 compensation shall not exceed fifty (50%) percent of the basic pay.

20 c) *Longevity Pay.* Non-uniformed personnel, regardless of their unit of
21 assignment, shall be entitled to a longevity pay of ten (10%) percent of their basic
22 monthly pay for every five (5) years of continuous, efficient, and meritorious service
23 in the government, which shall be computed from the date of his original
24 appointment in the government service: *Provided*, That the maximum longevity pay
25 shall not exceed fifty percent (50%) of the basic monthly pay.

26 d) *Compensation for Rest Day, Saturday and Sunday, or Holiday.* Non-
27 uniformed personnel shall be paid his/her regular daily wage even during regular
28 holidays. Any personnel who is required or permitted to work on a regular holiday
29 or in any special public holiday, local or national, shall be paid compensation
30 equivalent to twice his/her regular rate.

31 e) *Hazard Pay.* In specific assignments where they are exposed to
32 occupational hazards unusual to peacekeeping, crime prevention and investigation

1 activities and established to be peculiar to any given area or place of assignment, as
2 determined by the PNP, non-uniformed personnel shall also be compensated with a
3 special hazard pay equivalent to at least twenty-five (25%) percent of his/her
4 monthly basic salary.

5 h) *Medical and Dental Services.* An annual compulsory medical examination
6 shall be provided free of charge to non-uniformed personnel during their tenure of
7 employment. Non-uniformed personnel shall be accorded with free medical and
8 dental services, *Provided*, That the cost shall be included as automatic appropriation
9 in the PNP annual budget.

D. Fund Appropriation

11 Sec. 56. *Fund Appropriations.* – To ensure the effective implementation of the
12 provisions of Chapter Two and Three under this Title, the Congress shall include
13 such necessary funding necessary to support the foregoing provisions in the PNP
14 annual appropriations.

TITLE III

PNP DEVELOPMENT PROGRAM

Chapter One

Career and Personnel Development

19 Sec. 57. *Organizational Career Planning and Management Plan.* – To hasten
20 professionalization of the police service, two separate and distinct organizational
21 career planning and development system shall be established by the NAPOLCOM, in
22 consultation with the PNP. One system shall solely center on the uniformed
23 personnel, police commissioned and police non-commissioned officer. The other
24 system on the non-uniformed personnel of the PNP.

25 In view of the distinctive nature of their work and of the need to provide
26 equitable opportunities for professional advancement of the PNP members thereof in
27 relation to PNP line personnel, the following sub-groups in the PNP shall have
28 distinct career management and development programs: Professional Technical
29 Personnel, such as but not limited to the members of the Legal, Health, Engineering,
30 Chaplain and Criminology Services; and Internal Affairs Service Personnel.

31 The comprehensive organizational career planning and development system
32 shall include provisions on merit promotions, performance evaluation, in-service

1 training, overseas and local scholarships, training grants, incentive award system,
2 and other similar services and human resource development interventions, such as
3 but not limited to, on the job training, counseling, coaching, job rotation,
4 secondment, and job swapping.

5 Sec. 58. *Sustaining the Professionalization of the PNP.* – To sustain the
6 professionalization of police personnel, training shall be done intensively and
7 extensively. For this purpose, regional training academies shall be established and
8 directly managed by the Regional Commanders as part of their mandate to train all
9 police personnel within a given region.

10 Sec. 59. *Local Training Programs.* – The PNP shall establish and maintain
11 continuing local training programs aimed at enhancing the professional growth of
12 PNP personnel. Such local training programs, undertaken in coordination with other
13 government and non-government agencies, shall provide managerial, technical,
14 administrative and operational courses such as logistics and fiscal management,
15 including training on professional services and criminal procedures.

16 Sec. 60. *In-service Training.* – The PNP shall regularly conduct enhancement
17 programs and in-service training programs aimed towards the development of the
18 skills of PNP personnel and the improvement of their capabilities. All uniformed
19 personnel assigned at the station levels shall be given preference in the entitlement
20 to such programs.

21 Such in-service training programs provided for in this section shall include,
22 but not be limited to, Police Rookies Orientation; Specialized Courses on
23 Investigation, Traffic Enforcement, and Drug Enforcement; Gender Sensitivity
24 Training; and Firearms Proficiency.

25 Sec. 61. *Moral Recovery Programs.* – To develop in each member a strong
26 moral fiber, the PNP shall conduct Moral Recovery Programs, which shall primarily
27 focus on the PNP Code of Professional Conduct and Ethical Standards.

28 Sec. 62. *Physical and Mental Fitness Programs.* – The PNP shall formulate
29 policies and guidelines on physical fitness and sports development programs and
30 shall conduct periodic physical fitness test among its personnel.

31 For the purpose of ensuring the physical and mental health, as well as the
32 non-use of prohibited drugs, the PNP, in coordination with the NAPOLCOM-

1 accredited government hospital, shall conduct regular psychiatric/psychological,
2 drug, and physical tests randomly and without notice.

Chapter Two

Performance Evaluation

5 Sec. 63. *Performance Evaluation System.* – There shall be established a
6 performance evaluation system which shall be administered in accordance with the
7 standards, rules regulations, and code of conduct promulgated by the Commission
8 for members of the PNP. Such performance evaluation system shall be administered
9 in such a way as to foster the improvement of individual efficiency and behavioral
10 discipline as well as the promotion of organizational effectiveness and respect for the
11 constitutional and human rights of citizens, democratic principles, and the ideals and
12 supremacy of civilian authority over the military.

Chapter Three

Promotion System

15 Sec. 64. *Rationalized Promotion System.* – There shall be a system of
16 promotion for uniformed and non-uniformed personnel of the PNP, which shall be
17 based on merit and fitness. Such system shall ensure that all members of the PNP,
18 regardless of gender, shall enjoy equal opportunity for promotion.

19 It shall further be observed that:

- 20 a) No member of the PNP shall be eligible for promotion to the next higher rank
21 position unless he had successfully passed a corresponding promotional
22 examination. He must have completed the required schooling and training
23 relevant to said position, based on approved NAPOLCOM Resolutions and
24 other relevant laws;

25 b) The pendency of any administrative or minor criminal or civil case arising
26 from service-related acts or omissions before any court, body or tribunal shall
27 not be a bar for promotion or assignment; and

28 c) Uniformed personnel assigned in remote areas shall be given priority in
29 promotion or assignment to better areas after exhibiting satisfactory
30 performance of his duties. Their tour of duties in remote areas shall not
31 exceed two (2) years, except when the exigency of their assignment is

1 involved, when there are no positions for their transfer, or when they prefer
2 to stay in such posts in excess of two (2) years.

3 **TITLE IV**

4 **DISCIPLINARY MEASURES**

5 Sec. 65. *Disciplinary Mechanisms.* – The PNP shall have a disciplinary
6 mechanism and the disciplining powers shall be exercised by legitimate disciplinary
7 authorities, as provided for in Republic Act No. 6975 or the "Department of the
8 Interior and Local Government Act of 1990", Republic Act No. 8551 or the "Philippine
9 National Police Reform and Reorganization Act of 1998", and other pertinent laws
10 and regulations.

11 Sec. 66. *Safeguards in Disciplinary Procedures.* – In every disciplinary
12 proceeding, the uniformed PNP personnel shall have:

- 13 a) The right to be informed in writing of the charges against him;
- 14 b) The right to pre-charge investigation in administrative cases;
- 15 c) The right to full access to the evidence in the case;
- 16 d) The right to defend himself or to be defended by a representative of his own
17 choice or his organization. Adequate time shall be afforded for the
18 preparation of his defense;
- 19 e) The right to confront witness presented against him and summon witness in
20 his behalf including the right to cross-examination;
- 21 f) The right to appeal to designated authorities;
- 22 g) The right to claim reimbursement for the reasonable expenses incurred in his
23 defense in cases of exoneration or dismissal of charges; and
- 24 h) Such other rights that ensures fairness and impartiality during proceedings.

25 Sec. 67. *Prohibition against Discrimination.* – Unless otherwise expressly
26 provided by this Act, existing laws and pertinent rules and regulations, the
27 enjoyment of privileges, rights and welfare benefits afforded to the PNP personnel
28 shall not be affected by gender, civil status, religion, political belief, or ethnic group
29 to which one belongs to.

30 Sec. 68. *Complaints and Grievances.* – Every PNP personnel shall have the
31 right to present his complaints and grievances to his superior officers for the
32 immediate redress thereof. The exercise of this right shall not be used as a ground

1 for discrimination nor as bar for the exercise of other privileges, rights, and benefits
2 afforded by law.

TITLE V

DISABILITY AND DEATH BENEFITS

5 Sec. 69. *Entitlement.* – The heirs and dependents of a PNP personnel shall be
6 entitled to all benefits relative to the member's death and/or disability, as provided
7 in this Act and other existing laws.

8 Sec. 70. *Compensation for Physical and Mental Injuries Sustained in the*
9 *Course of Duty.* – A PNP personnel shall be protected against the consequences of
10 employment injuries. Physical and psychological stresses affecting the health
11 condition of the personnel shall be recognized as compensable occupational disease
12 in accordance with existing laws.

13 Sec. 71. *Permanent Physical Disability.* – A uniformed member who incurs a
14 total permanent disability in the line of duty and has rendered a total of twenty (20)
15 years of continuous active duty in the police service shall be compulsorily retired:
16 *Provided*, That upon his compulsory retirement, he shall be entitled to the payment
17 of a retirement pay equivalent to one and one-fourth (1¼) month base pay for
18 every year of service or a fraction thereof, computed based on the next higher rank
19 and longevity pay based on the last permanent grade held.

20 Sec. 72. *Disability Benefits.* – Any member and his dependents shall be
21 entitled to all benefits relative to the member's permanent incapacity, as may be
22 provided for under this Act or other existing laws.

Sec. 73. *Uniformed Member Missing in Action.* – Any uniformed member who is officially confirmed to be missing in action while in the performance of his duty or by reason of his being a member of the police service or is kidnapped or captured by the enemy shall be entitled to receive the same pay and allowances and other benefits to which he is entitled to at the time of the incident which gave rise to his disappearance or capture: *Provided*, That should it be known later that his disappearance was not on the occasion of a legitimate police activity or without any authority, the salaries, allowances and other benefits received by him or his immediate heirs, relatives, and dependents in accordance with this Act and other existing and relevant laws shall be returned to the PNP.

Sec. 74. *Payment of Salary and Allowances to the Heirs, Relatives and Dependents of the Uniformed Member Who is Missing in Action.* – In case any uniformed member has been officially declared as missing in action under the circumstances enumerated under the preceding section, the PNP Chief shall direct the payment of the missing uniformed member's monthly salary and allowances and other emoluments to his heirs, relatives and dependents for their support for a period of one (1) year from the time of his reported disappearance or capture by the enemy, as the case may be. A member who is officially declared missing in action as adjudicated by the NAPOLCOM shall be presumed dead for all legal intents and purposes after a period of four (4) years from the date of his reported disappearance or capture.

12 Sec. 75. *Finding of Death and Termination of Payment of Salary and*
13 *Allowances.* – Upon the termination of the one (1) year period as specified in the
14 preceding section, the missing uniformed personnel shall be automatically
15 terminated. In the event said personnel shall thereafter be found to have been alive
16 and is not entitled to the benefits paid under the preceding sections, said benefits
17 shall be reimbursed to the State within six (6) months from the discovery of the fact
18 or from his reappearance. However, if his continued disappearance was fraudulent
19 or made in bad faith, he shall, together with his co-conspirators, be prosecuted
20 according to law.

**TITLE VI
FINAL PROVISIONS**

23 Sec. 76. *Implementing Rules and Regulations.* – The NAPOLCOM shall
24 formulate and prepare the rules and regulations necessary to implement the
25 provisions of this Act. All rules and regulations shall be liberally construed in favor of
26 the PNP member. Rules and regulations implementing this Act shall take effect
27 fifteen (15) days after publication in a paper of general circulation or through any
28 other means the NAPOLCOM shall deem sufficient in order to give notice to the
29 general public.

30 *Sec. 77. Budgetary Estimates.* – The PNP Chief shall submit to Congress,
31 through the DILG Secretary, the annual budgetary estimates to implement the
32 provisions of this Act, which shall be included in the General Appropriations Act.

1 Sec. 78. *Separability Clause.* – If any portion or provision of this Act is
2 subsequently declared invalid or unconstitutional, other provisions hereof which are
3 not affected thereby shall remain in full force and effect.

4 Sec. 79. *Repealing Clause.* – All other laws, acts, presidential decrees,
5 executive orders, presidential proclamations, issuances, rules and regulations, or
6 parts thereof which are contrary to or inconsistent with any of the provisions of this
7 Act are hereby repealed, amended, or modified accordingly.

8 Sec. 80. *Effectivity.* – This Act shall take effect fifteen (15) days after its
9 publication in the Official Gazette or in a newspaper of general circulation.

Approved,