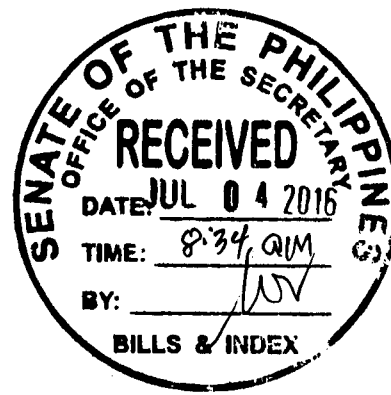


SEVENTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

SENATE

S.B. No. 238



Introduced by **SENATOR GREGORIO B. HONASAN II**

AN ACT
REPEALING THE MINIMUM HEIGHT REQUIREMENT FOR APPLICANTS TO
THE PHILIPPINE NATIONAL POLICE (PNP), THE BUREAU OF FIRE
PROTECTION (BFP), AND THE BUREAU OF JAIL MANAGEMENT AND
PENOLOGY (BJMP)

EXPLANATORY NOTE

Article 7 of the Universal Declaration of Human Rights proclaims that:

“All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.”

For the same purpose, Section 1, Article XIII of our Constitution on Social Justice and Human Rights states that:

“The Congress shall give highest priority to the enactment of measures that protect and enhance the right of all the people to human dignity, reduce social, economic, and political inequalities, and remove cultural inequities by equitably diffusing wealth and political power for the common good.”

Furthermore, Section 3 Article XIII thereof states that:

“The State shall afford full protection to labor, local and overseas, organized and unorganized, and promote full employment and equality of employment opportunities for all.”

While the Philippine constitution affirms the principles of employment nondiscrimination, heightism or discrimination based on height is a reality today that has been practiced among law enforcement agencies in the country, evidently oblivious to the fact that Napoleon's "altitude problem" was neither a hindrance to his performance as a general nor a drawback to the feat of Asians who have proven their worth in war and peace though they may be shorter than their Western counterparts. Still, we unwittingly practice discrimination against our own.

Although measures are being taken to correct the situation by the issuance of waivers by the National Commission on Indigenous Peoples (NCIP), the stigma of heightism still apparently hovers over the hiring process of the Philippine National Police (PNP), the Bureau of Jail Management and Penology (BJMP), and the Bureau of Fire Protection (BFP) to the disadvantage of people who have grown closer to the earth.

Adversely affected by the height restrictions are certain Indigenous Filipinos. It is an anthropological fact that Indigenous Filipinos who have successfully resisted colonization have genetic make-ups different from their brothers and sisters who have for centuries interacted with foreigners. The social prejudice extends beyond the issue of height. Certainly

it is unjust for present society to deny national minorities equal treatment because they have retained physical characteristics that could somehow be attributed to their gallantry and heroism.

Height discrimination unnecessarily limits quality choice while promoting social prejudice. Sociological studies point to the conclusion that this institutional prejudice falls under ethnic or racial prejudice. Physical impairment may be a consideration in tasks requiring rugged physical activity but not all who are short are physically, much less intellectually, impaired. It is right for hiring institutions to employ people for their intellect, for their drive and for what they can bring to the organization but wrong to deny them for reasons of creed, color, culture, gender identity or height.

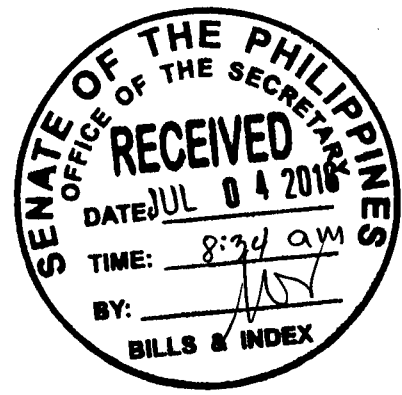
This Bill seeks the REPEAL OF THE HEIGHT REQUIREMENT FOR APPLICANTS TO THE PHILIPPINE NATIONAL POLICE, THE BUREAU OF JAIL MANAGEMENT AND PENOLOGY, AND THE BUREAU OF FIRE PROTECTION based on the principle that all people have equal rights to be employed unhampered by prejudices that have nothing to do with their merit or competence to carry out their duties.

In view of the foregoing, the immediate passage of hi measure is earnestly sought.



GREGORIO B. HONASAN II

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



SENATE
S.B. No. 238

Introduced by **SENATOR GREGORIO B. HONASAN II**

AN ACT

REPEALING THE MINIMUM HEIGHT REQUIREMENT FOR APPLICANTS TO THE PHILIPPINE NATIONAL POLICE (PNP), THE BUREAU OF FIRE PROTECTION (BFP), AND THE BUREAU OF JAIL MANAGEMENT AND PENOLOGY (BJMP)

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

1 **SECTION 1.** This Act shall be known as the “**PNP, BFP and BJMP Height**
2 **Equality Act of 2016**”.

3 **SEC. 2.** The height requirement for applicants to the Philippine National Police, the
4 Bureau of Fire Protection, and the Bureau of Jail Management and Penology is hereby
5 repealed.

6 **SEC 3.** Pursuant to the immediately preceding section, Section 30 (h) of Republic
7 Act No. 6975 or the “Department of the Interior and Local Government Act of 1990,” as
8 amended by Republic Act No. 8551 or the “Philippine National Police Reform and
9 Reorganization Act of 1998”, is hereby repealed.

10 **SEC 4.** Pursuant to Section 2 of this Act, Sections 15 and 16 of Republic Act No.
11 8551, and Section 4 (h) of Republic Act No. 9263 or the “Bureau of Fire Protection and
12 Bureau of Jail Management and Penology Professionalization Act of 2004,” as amended by
13 Republic Act No. 9592 are hereby amended, insofar as these provisions refer to any height
14 requirement, to give effect to the mandated repeal of the height requirement for applicants to
15 the PNP, BFP and BJMP.

16 **SEC. 5.** Applicants to the PNP, BFP and BJMP who were conditionally appointed
17 by the PNP, BFP and BJMP as uniformed personnel and were required but have not
18 submitted their corresponding waiver for the height requirement, and whose appointments

1 have been pending with the Civil Service Commission, upon the effectivity of this Act, are
2 hereby deemed to have complied with such requirement.

3 **SEC. 6.** The National Police Commission, upon the recommendation of the
4 Philippine National Police and the Department of the Interior and Local Government; and
5 the Department of the Interior and Local Government in coordination with the BFP, the
6 BJMP, and the Civil Service Commission shall, within ninety (90) days from the effectivity
7 of this Act, promulgate the necessary rules and regulations for the PNP, and the BFP and
8 BJMP, respectively, for the effective implementation of this Act.

9 **SEC. 7.** If, for any reason, any provision of this Act is declared to be
10 unconstitutional or invalid, the other sections or provisions hereof which are not affected
11 shall continue to be in full force and effect.

12 **SEC. 8.** All laws, decrees, orders, rules and regulations, and other issuances, or parts
13 thereof, which are inconsistent with the provisions of this Act, are hereby deemed repealed,
14 amended or modified accordingly.

15 **SEC. 9.** This Act shall take effect after fifteen (15) days from its publication in the
16 Official Gazette or in at least two (2) newspapers of general circulation, whichever comes
17 earlier.

18 *Approved,*