




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

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RECEIVED BY: 

SENATE
S.B. No. 1285

Introduced by: Senator Paolo Benigno "Bam" A. Aquino IV

AN ACT TO STRENGTHEN THE INTERNAL AFFAIRS SERVICE OF THE PHILIPPINE NATIONAL POLICE, AMENDING CERTAIN PROVISIONS OF THE PNP LAW UNDER REPUBLIC ACT NO. 6975 AS AMENDED BY REPUBLIC ACT NO. 8551, AND FOR OTHER PURPOSES

EXPLANATORY NOTE

With our administration's staunch campaign to eradicate the widespread proliferation of the illegal drug trade, it is of utmost importance to ensure that all members of the Philippine National Police clamp down on crime and corruption while fully abiding by the law and respecting the basic human rights of every Filipino.

Although the entire country is united in the desire to stamp out crime, the recent spate of reports on alleged extrajudicial killings, including that of former Albura Mayor Espinosa, exposes a crack in the system through which the police themselves are implicated in cases of corruption, violence and illegal drug trade. This reveals the need for more stringent measures within the police force to ensure that they, first and foremost, live by the rule of law.

This bill strengthens the Internal Affairs Service (IAS) of the Philippine National Police (PNP), with provisions for autonomy and independence in its administration and operations. It mandates an IAS organization to instill discipline and enhance the performance of personnel and units of the Philippine National Police at all levels of its command.

This bill expands the motu-proprio investigation powers of the IAS to cover all acts and omissions by PNP officers which might discredit them or hinder them from rendering their services effectively.

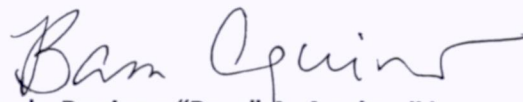
Moreover, this bill would mandate the prioritization of IAS functions, which promote character building, and carry out inspections, audits, intelligence operations and rehabilitation amongst officers.

By increasing the authority and mandate of the IAS over every branch of the PNP, we are capacitating the police to protect the public and honor their duties as law enforcers with the utmost respect for the law and for human life.

Now more than ever, it is important to maintain the integrity of the PNP and promote maximum efficacy in enforcing the law. Good governance must start from the law enforcers themselves and we must create all the necessary measures to help our police force succeed.

With a clean and upright PNP, we can hope to foster a deep trust between ordinary citizens and the police force – trust based on the belief that every Filipino will truly be served, protected, and respected by the police.

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

A handwritten signature in black ink that reads "Bam Aquino". The signature is written in a cursive, flowing style with a long horizontal stroke at the end.

Senator Paolo Benigno "Bam" A. Aquino IV



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

- 1 **SECTION 1. *Statement of Policy.*** - The Philippine National Police (PNP) Internal Affairs
- 2 Service (IAS) shall be the primary instrument to measure, enhance and instill unit and
- 3 individual performance and discipline in the PNP. It shall be afforded autonomy and
- 4 independence in all its operations and functions by the PNP.

- 5 **SEC. 2. *Organization of the Internal Affairs Service.*** - The IAS shall have National, Regional,
- 6 District, Provincial and City Offices where applicable. These Offices shall be established by
- 7 the PNP Inspector General and approved by the PNP Chief.

- 8 **SEC. 3. *The Inspector General.*** - The head of the IAS shall be the Inspector General with a
- 9 rank of a Police Lieutenant General. He shall be assisted by a Deputy Inspector General for
- 10 Administration (DIGA) and a Deputy Inspector General for Operations (DIGO), both with the
- 11 rank of a Police Major General. The Inspector General of the IAS shall exercise
- 12 administrative and operational control and supervision over the IAS.

- 13 **SEC. 4. *The Inspector General Staff.*** - The Inspector General Staff shall be headed by a Chief
- 14 of the Inspector General Staff (CIGS), with a rank of Police Major General. The IAS shall have
- 15 administrative, operational and special staff, the pattern, structure and manning of which
- 16 shall be submitted by the Inspector General to the PNP Chief sixty (60) days after the
- 17 approval of this Act.

- 18 **SEC. 5. *The Directors of Regional Internal Affairs Service Offices.*** - The Directors of the
- 19 Regional Internal Affairs Service (RIAS) shall have a rank of at least a Police Colonel:
- 20 *Provided*, that the Regional Offices of Region 3, Region 4A, Region 7 and Region 11 shall be
- 21 headed by a Police Brigadier General; *Provided, further*, that the Director of RIAS-National
- 22 Capital Region shall have the rank of a Police Major General; and the District Offices in NCR

1 shall have the rank of a Police Brigadier General. The organizational structure of the RIAS
2 offices shall follow closely the pattern of the IAS Headquarters.

3 **SEC. 6. *The Provincial and City IAS Offices.*** - The Provincial and City Offices of the IAS shall
4 be headed by a Provincial or City Superintendent. The Provincial and City Superintendents
5 of Region 3, Region 4A, Region 7 and Region 11 shall have a rank of a Police Colonel. The IAS
6 shall submit the staffing and manning of the other provincial and city offices of the IAS sixty
7 (60) days upon the approval of this Act.

8 **SEC. 7. *Qualification of IAS Uniformed Personnel.*** - In general, entry into IAS shall be
9 voluntary and require high standards of integrity, morality, education and training. PNP
10 personnel transferring to IAS shall have at least five (5) more years before compulsory
11 retirement from the service.

12 **SEC. 8. *Qualifications of the Inspector General.*** - In addition to the general qualifications for
13 appointment provided by Republic Act No. 8551, otherwise known as the "Philippine
14 National Police Reform and Reorganization Act of 1998," the Inspector General of the IAS
15 must be an active duty PNP Commissioned Officer, a holder of either a Police Executive
16 Service Eligibility (PESE), Career Service Executive Eligibility (CSEE), Chief Executive Service
17 (CES) eligibility, or a member of the Bar in good standing.

18
19 **SEC. 9. *Qualifications of IAS Non-Uniformed Personnel.*** - The Non-Uniformed Personnel
20 (NUP) of IAS shall be selected from among the very best Human Resources available,
21 preferably with at least a Masters Degree in their fields of training. Lawyers may enter the
22 IAS laterally under existing PNP policies.

23 **SEC. 10. *Personnel Strength.*** - The strength of the IAS shall be pegged at four percent (4%)
24 of the total strength of the PNP: *Provided, that* the NUP shall comprise ten percent (10 %) of
25 the total IAS strength.

26 **SEC. 11. *Functions of the IAS.*** - The general functions of the IAS as stated in Republic Act No.
27 8551 shall still apply in this Act. The special functions of the IAS, specifically in the conduct
28 of Motu Propio Investigations (MPI) as stated in Republic Act No. 8551 shall likewise be
29 applicable: *Provided, that* the Inspector General may direct MPIs on all acts and omissions of
30 PNP personnel which tend to discredit or tarnish the image of the PNP organization.

31 **SEC. 12. *Operational Functions of the IAS.*** -The IAS, as part of its Integrity Development
32 Unit (IDU) functions, shall conduct Character Building Activities and such other activities
33 that would enhance the capacity for resisting graft and corruption. It shall conduct
34 Intelligence Operations in aid of lifestyle checks and of investigations, and strengthen
35 investigations of PNP personnel who are subject to its adjudication processes. It shall
36 impose restrictions and file appropriate criminal cases against PNP members before the
37 regular courts as evidence warrants and assist in the prosecution of such cases. It shall
38 generally conduct summary proceedings and hearings of PNP members facing any
39 administrative charges for violation of rules and regulations governing the PNP; the Civil
40 Service rules and regulations; and such other existing laws relative to or in connection with

1 the official duty of a police officer, including misconduct, dereliction of duty,
2 insubordination, conduct unbecoming of a police officer, abuse of power or authority,
3 conviction by final judgment for any crime or offense, and other similar acts, and decide
4 such cases. It shall establish partnerships and other synergies with the community and
5 stakeholders. It shall coordinate efforts to require personnel who have undergone its
6 adjudication processes to undergo Psychological sessions before they are deployed back to
7 the PNP.

8 **SEC. 13. Special Functions of the IAS.** - The IAS may file cases against any police personnel
9 who breaks the provisions of restrictive custody, including the custodian of the personnel
10 under restrictive custody, or in relation to any other act and omission made by a police
11 personnel detrimental to the image of PNP. The IAS shall issue clearances and other
12 requisite documents including recommendations for promotion of PNP personnel; for
13 transfer or appointment to any position, and for financial transactions.

14 **SEC. 14. *The Directorate for Integrated Police Operations.*** - The Inspector General may
15 deputize the Directors of the PNP Directorates or any of the Regional Directors of the Police
16 Regional Offices as Inspectors and Auditors of the IAS subject to the approval of the PNP
17 Chief.

18 **SEC. 15. *IAS Infrastructure and Other Resources.*** - The PNP shall provide the infrastructure,
19 camp requirements, technology and other resources of the IAS. The IAS shall have a
20 separate capital outlay in the General Appropriations Act.

21 **SEC. 16. *IAS Inspections.*** - The inspections to be conducted by IAS shall form part of the
22 performance evaluation rating of the PNP units and personnel. The IAS shall craft the
23 framework of their inspections for approval of the PNP Chief.

24 **SEC. 17. *IAS Audits.*** - The Audits to be conducted by IAS shall be on the basis of existing
25 PNP circulars and other guidance from higher authorities; *Provided*, that IAS establishes the
26 parameters for Audits for approval of the PNP Chief.

27 **SEC. 18. *IAS Autonomy and Independence.*** - The IAS shall have autonomy in all its
28 operations. The decisions of the IAS shall be final and executor: *Provided*, that the National
29 Police Commission (NAPOLCOM) shall have the exclusive appellate jurisdiction over
30 decisions of the Inspector General where the penalty imposed upon the erring personnel is
31 dismissal, demotion or suspension for a period exceeding ninety (90) days, or forfeiture of
32 benefits equivalent to more than ninety (90) days pay.

33 **SEC. 19. *IAS Character Studies.*** - At the end of every quarter, IAS shall submit a general
34 observation or assessment of the general character of the PNP personnel and units.

35 **SEC. 20. *Financial Independence.*** - In order to strengthen its fiscal independence, the IAS
36 shall have an automatic, direct, full and regular release of funds based on the approved
37 annual general appropriations. It shall have a separate and independent Finance, Budget
38 Management and Accounting Office subject to the existing rules, practices and regulations

1 on auditing and accounting of the Commission on Audit. The IAS shall have a distinct and
2 separate budget from the PNP.

3 **SEC. 21. *Disciplinary Mechanism.*** - The applicable pertinent provisions of the AFP Military
4 Justice System may also be adopted in disciplinary cases against PNP uniformed personnel.
5 The applicable guidelines promulgated by the Civil Service Commission shall govern the non-
6 uniformed personnel.

7 **SEC. 22. *Appropriations.*** - The amount necessary to implement the provisions of this Act,
8 including funds for the Occupational Specialty Pay (OSP), shall be included in the annual
9 General Appropriations Act.

10 **SEC. 23. *Implementing Rules and Regulations.*** - Within ninety (90) days from the
11 effectivity of this Act, the PNP shall formulate the necessary rules and regulations to
12 implement the provisions of this Act.

13 **SEC. 24. *Separability Clause.*** - Should any provision herein be held invalid or
14 unconstitutional, the same shall not affect the validity and effectivity of other provisions
15 hereof.

16 **SEC. 25. *Repealing Clause.*** - All laws, decrees, executive order, and rules and regulations
17 contrary to or inconsistent with the provisions of this Act are hereby repealed or modified
18 accordingly.

19 **SEC. 26. *Effectivity.*** - This Act shall take effect fifteen days from the date of its publication
20 in the Official Gazette or in at least two (2) newspapers of general circulation.

21 Approved,