



3. To exercise disciplinary authority over minor offenses committed by policemen of their locality and, after due notice and hearing, impose the penalty of suspension for a period not exceeding sixty (60) days or forfeiture of salary equivalent to not more than thirty (30) days;
4. To exercise command and direction over the local PNP Station through the Chief of Police;
5. To direct and control tactical and strategic movements of the PNP personnel under them; and
6. To employ, deploy and/or utilize PNP personnel under them.

In order to preclude abuse in the exercise of the aforementioned powers by the said local chief executives, enough safeguards are provided in the proposed law, in addition to the prerogative vested in the NAPOLCOM to revoke the former's deputation on any of the following grounds;

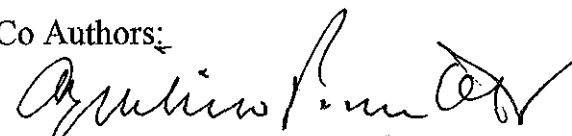
- 1) Grave abuse of Authority;
- 2) Coddling of Criminal elements or involvement in criminal activities;
- 3) Undertaking actions inimical to national security
- 4) Absenteeism; and
- 5) Inability or failure to control the crime situation in his jurisdiction.

Consistent with the national character of the police organization, the basic salaries and allowances of the police personnel shall be shouldered by the PNP. Additional allowances and expenses for operation and logistics shall be budgeted and provided for by the local government units. A system of subsidy for poor municipalities shall be given by the National Government through the National Police Commission.

According, approval of this bill is strongly recommended.

  
**ALFREDO S. LIM**  
 Senator

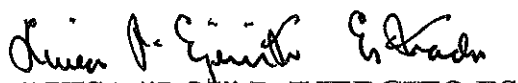
Co Authors:

  
**AQUILINO "NENE" PIMENTEL, JR.**  
 Minority Floor Leader

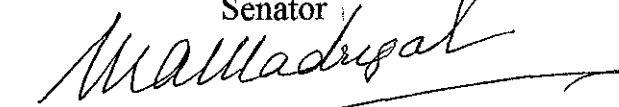
  
**EDGARDO J. ANGARA**  
 Senator


  
**JUAN PONCE ENRILE**  
 Senator

  
**JINGGOY EJERCITO ESTRADA**  
 Senator

  
**LUISA "LOJ" P. EJERCITO ESTRADA**  
 Senator

  
**PANFILO M. LACSON**  
 Senator

  
**JAMBY A.S. MADRIGAL**  
 Senator

  
**SERGIO OSMEÑA III**  
 Senator

SENATE  
S. No. **1797**

'04 SEP 22 P4:08

Introduced by Senators

**ALFREDO S. LIM**  
**AQUILINO "NENE" PIMENTEL, JR.**  
**EDGARDO J. ANGARA**  
**JUANPONCE ENRILE**  
**JINGGOY EJERCITO ESTRADA**  
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**PANFILO M. LACSON**  
**JAMBY A.S. MADRIGAL**  
**SERGIO OSMEÑA III**

RECEIVED BY: \_\_\_\_\_ *G*

**AN ACT**  
**REORGANIZING AND RECONSTITUTING THE PHILIPPINE**  
**NATIONAL POLICE (PNP) AND FOR OTHER PURPOSES.**

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

***Section 1. Reorganization and Reconstitution of the Philippine National Police.*** - The present Philippine National Police (PNP) is hereby reorganized and reconstituted into one (1) police force with two (2) major components, namely: the National Component and the Local Component.

The PNP National Component shall include the national headquarters, national support units, National Capital Region (NCR) Police Districts (with the exception of the Western and Central Police Districts), regional, provincial and districts police offices as well as the regional and provincial mobile groups.

The PNP Local Component shall be composed of City and municipal police stations. The cities shall include all NCR cities, and the fifteen (15) Highly Urbanized cities and the forty two (42) component cities outside Metro Manila.

***Section 2. Delineation of Jurisdiction.*** - The PNP national Components shall exercise jurisdiction over syndicated crimes and those committed by persons whose area of operation transcend city or municipal boundaries. The PNP Local Component shall be charged with the enforcement of laws and the maintenance of peace and order within the territorial jurisdiction of the city or municipality.

***Section 3. Deputation of Local Chief Executives as Representatives of the NAPOLCOM and PNP.*** - Under the principle of delegation of authority, local chief executives are hereby deputized as representatives of the National Police commission (NAPOLCOM) and the Philippine National Police (PNP) for purposes of exercising the following powers:

**A. ADMINISTRATIVE POWERS:**

1. To appoint police personnel who are to be assigned in the locality, from a list to be furnished by the NAPOLCOM;
2. To assign, transfer or reassign police personnel within the locality; and

3. To exercise disciplinary authority over minor offenses committed by policemen of their locality and, after due notice and hearing, impose the penalty of suspension for a period not exceeding sixty (60) days or forfeiture of salary equivalent to not more than thirty (30) days, subject to appeal to the People's Law Enforcement Board (PLEB).

#### **B. OPERATIONAL POWERS:**

1. To exercise command and direction over the local PNP station through Chief of Police;
2. To direct and control tactical and strategic movements of PNP personnel and;
3. To employ, deploy and/or utilize PNP personnel.

The exercise of the aforementioned powers shall be subject to the residual power of control by the NAPOLCOM and the PNP.

***Section 4. Exercise of the Power of Appointment by the Local Chief Executives.*** - Appointment of a PNP member shall be issued by the city/municipality mayor under the following conditions.

1. Presence of a vacancy in the PNP plantilla position allocated to the city/municipality as certified by the PNP regional or Provincial Director as the case may be;
2. The appointee is qualified as eligible, per the list furnished by the NAPOLCOM and screened by the local peace and order council; and
3. Appointment issued by the City or Municipal mayor shall be submitted to, and attested by, the NAPOLCOM.

***Section 5. Instances When the PNP National components May Intervene with the Law Enforcement Function of the Local Component.*** - The performance of day-to-day or normal law enforcement functions within a locality is the primary responsibility of the Local Component of the PNP under the direct supervision and control of the local chief executive; *Provided, however,* that the Commission may authorize the PNP National Component to intervene with the Local Component in any of the following instances.

1. When the state of lawlessness in a locality has reached a magnitude that is beyond the capability of the local component to contain;
2. When such lawlessness transcend local territorial boundaries;
3. When so requested by the mayor concerned; and
4. When the deputation of concerned local chief executives has been withdrawn by the NAPOLCOM due to any of the grounds provided for by this Act.

***Section 6. Revocation of Deputation.*** - Deputation of local chief Executives as representatives of the NAPOLCOM and PNP may be revoked by the NAPOLCOM in an en banc decision, on any of the following grounds:

1. Grave abuse of authority

3. Undertaking actions inimical to national security
4. Absenteeism; and
5. Inability or failure to control the crime situation in his jurisdiction.

Deputation of local chief executives after revocation may be restored by the Commission, *motu proprio* or upon recommendation of the PNP Director-General.

**Section 7. - *Individual Responsibilities of the National Police Commission the Philippine National Police and the Local Government-*** Under the 2-tiered police system, the following responsibilities are hereby delineated:

**A. NATIONAL POLICE COMMISSION (NAPOLCOM):**

1. Fiscal subsidy to support operation requirement of poor municipal and city governments;
2. Compensation for service-connected disability and death benefits; and
3. Educational Scholarship to beneficiaries of deceased or permanently incapacitated PNP members.

**B. PHILIPPINE NATIONAL POLICE (PNP)**

1. Salaries and basic allowances
2. Career Development and Training Program
3. Retirement gratuity and pensions; and
4. Issuance of uniforms, firearms and equipment.

**C. LOCAL GOVERNMENT**

1. Additional allowances for PNP members assigned within the locality;
2. Appropriate budget for the operational requirements of their respective police stations; and
3. Additional equipment and other logistics requirements.

**SECTION 8. *Administration and Control Function of NAPOLCOM Over the PNP.***- The NAPOLCOM, in the performance of its Constitutionally mandated administration and control authority over the PNP, shall continue to exercise all its powers and functions as provided for under Republic Act. No. 6975 and other related laws.

In addition, the NAPOLCOM shall have the power to attest all appointments of uniformed personnel of the PNP, which shall be submitted to it for attestation within sixty (60) days after their issuance by the appointing authority.

**SECTION 9. *People's Law Enforcement Board (PLEB)-***

assigned; *Provided*, however that all its decisions, regardless of the penalty as well as dismissal of the case or exoneration of respondent, shall be appealable to the Regional Appellate Board of the Commission within ten (10) days from receipt hereof.

***Section 10. Implementing Rules and Regulations.*** Within sixty (60) days from the approval of this Act, the NAPOLCOM shall promulgate the implementing rules and regulations necessary to ensure the effective implementation hereof.

***Section 11. Separability Clause.*** - If any of this Act shall be declared unconstitutional or invalid, the other provisions not otherwise affected thereby shall remain in full force and effect.

***Section 12. Repealing Clause.*** - All laws, Executive Orders, Rules and Regulations inconsistent with or contrary to this Act are hereby deemed accordingly repealed or amended.

***Section 13. Effectivity Clause.*** - This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of national circulation.

Approved,