

THIRTEENTH CONGRESS OF THE REPUBLIC )  
OF THE PHILIPPINES )  
*First Regular Session* )

'04 NOV 12 P1:44

SENATE  
S. No. 1853

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Introduced by **Senator Richard J. Gordon**

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### EXPLANATORY NOTE

The Secretary of the Department of Interior and Local Government (DILG) and the Chief of the Philippine National Police (PNP) are very sensitive and powerful positions in government that, when monopolized by the same person who just served as PNP Chief and thereafter immediately appointed as DILG Secretary, may lead to apprehensions of corruption or betrayal of public trust.

To ensure that public service shall be dictated by no other consideration than the public good, this proposed legislative measure seeks the disqualification of the PNP Chief from being eligible for appointment to the position of DILG Secretary for a period of three (3) years from his tenure as PNP Chief based on precepts of propriety and ethics.

This prohibition seeks to show integrity to the public and lend effectiveness to the principle that a public office is a public trust.



**RICHARD J. GORDON**  
Senator

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**AN ACT AMENDING SECTION 26 OF REPUBLIC ACT NO. 6975, AS AMENDED,  
OTHERWISE KNOWN AS THE DEPARTMENT OF INTERIOR AND LOCAL  
GOVERNMENT ACT OF 1990**

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

1 SECTION 1. Section 26 of Republic Act No. 6975, as amended, otherwise known as  
2 the Department of Interior and Local Government Act of 1990 is hereby amended to read as  
3 follows:

4 "Sec. 26. Powers, Functions and Term of Office of the PNP Chief. — The  
5 command and direction of the PNP shall be vested in the Chief of the PNP  
6 who shall have the power to direct and control tactical as well as strategic  
7 movements, deployment, placement, utilization of the PNP or any of its units  
8 and personnel, including its equipment, facilities and other resources. Such  
9 command and direction of the Chief of the PNP may be delegated to  
10 subordinate officials with respect to the units under their respective  
11 commands, in accordance with the rules and regulation prescribed by the  
12 Commission. The Chief of the PNP shall also have the power to issue  
13 detailed implementing policies and instructions regarding personnel, funds,  
14 properties, records, correspondence and such other matters as may be  
15 necessary to effectively carry out the functions, powers and duties of the  
16 Bureau. The Chief of the PNP shall be appointed by the President from  
17 among the senior officers down to the rank of chief superintendent, subject to  
18 confirmation by the Commission on Appointments: Provided, That the Chief of  
19 the PNP shall serve a term of office not to exceed four (4) years: Provided,  
20 further, That in times of war or other national emergency declared by  
21 Congress, the President may extend such term of office. NO CHIEF OF THE

1 PNP SHALL BE ELIGIBLE FOR APPOINTMENT TO THE POSITION OF  
2 SECRETARY OF THE DEPARTMENT OF INTERIOR AND LOCAL  
3 GOVERNMENT WITHIN A PERIOD OF THREE (3) YEARS FOLLOWING  
4 HIS TENURE AS CHIEF OF THE PNP.”

5 *Sec. 2. Repealing Clause.* – All laws, decrees, orders, rules and regulations  
6 or other issuances or parts thereof inconsistent with the provisions of this Act are  
7 hereby repealed or modified accordingly.

8 *Sec. 3. Effectivity.* – This Act shall take effect after fifteen (15) days following  
9 the completion of its publication either in the Official Gazette or in a newspaper of  
10 general circulation in the Philippines.

11 Approved,