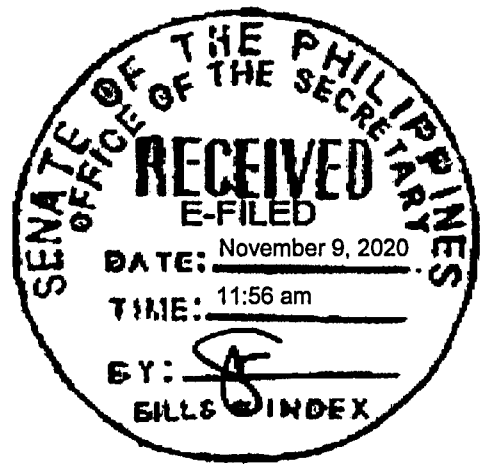


EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)



SENATE

S. No. 1899

Introduced by SENATOR LEILA M. DE LIMA

**AN ACT
INCREASING THE COMPULSORY AGE OF RETIREMENT FOR
OFFICERS AND NON-OFFICERS OF THE PHILIPPINE NATIONAL
POLICE FROM 56 YEARS OLD TO 60 YEARS OLD, AMENDING FOR THE
PURPOSE SECTION 39 OF REPUBLIC ACT NO. 6975, OTHERWISE
KNOWN AS THE "DEPARTMENT OF THE INTERIOR AND LOCAL
GOVERNMENT ACT OF 1990"**

EXPLANATORY NOTE

At a compulsory retirement age of 56, officers and personnel of the Philippine National Police (PNP) are considered "too young" to retire, especially when taking into consideration the relatively short terms of those who were appointed to the highest rank in the service.

For instance, current PNP Chief Gen. Camilo Cascolan will only serve about two months or until 10 November following his appointment on 2 September. Even if his term is extended for another year, as the law allows, that would still be just 14 months in office. Indeed, this stint for a PNP Chief is too brief of a time to establish continuity in PNP's programs and develop a working relationship with one's subordinates. The perpetual volatility caused by early compulsory retirement in the upper echelons of the PNP's hierarchy can be a detriment to its organizational stability in the long run.

In a recent statement, Department of the Interior and Local Government (DILG) Secretary Eduardo Año said that extending the retirement age would ensure better and more experienced men at the helm of the PNP.¹ He went on to lament that

¹ Cabrera, R. (1 November 2020). *From 56 to 60: DILG chief wants new retirement age*. Retrieved November 4, 2020, from <https://www.philstar.com/headlines/2020/11/01/2053793/56-60-dilg-chief-wants-new-retirement-age>

the relatively early compulsory age of retirement means that by the time a senior officer who is most qualified and experienced is promoted to the position, his term in service would already be coming to an end.²

This bill seeks to address this issue and increase the compulsory age of retirement age for officers and non-officers of the PNP from fifty-six (56) to sixty (60) years old. This proposed amendment will enable the law to be dynamic and responsive to change – especially because the educational requirement in the Philippines was significantly affected by the K-12 program. It likewise takes into consideration changes in life expectancy and years of healthy living, as well as the ability and desire of the members of the police force to work longer.

The current law has to be revisited given that technological advancements now allow the performance of several duties much easier. A study in the United States has found that “improvements in technology imply that, other things equal, federal police, firefighting, and air traffic control jobs may have become physically easier to conduct. Evidence also suggests that health is now much less important as a consideration for the decision to retire than was the case several decades ago because of both lower physical job demands and improvements in the treatment of chronic conditions.”³ This proposal will also respond more dynamically to the life expectancy data in the Philippines which have shown a steady upward trend since the year 2000.⁴

This proposed measure, yield some sort of savings for the government because by increasing the age of compulsory retirement, the government may save money by not paying retirement benefits so early. Furthermore, the State would also benefit from retaining experienced officers who could share the learnings and training they have accumulated over the years to their juniors. In prematurely ending the careers of the police force with a 56-year-old retirement age, the younger generation of police men and women are deprived of mentoring opportunities by their seniors who still possess sharpness of mind, high level of fitness, agility and strength of body.

Approval of this measure is earnestly sought.

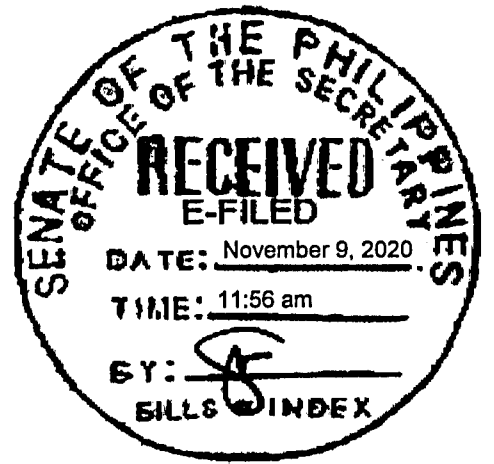
² *Ibid.*

³ Gokhale, J. (9 September 2004). *Mandatory Retirement Age Rules: Is It Time To Re - evaluate?* Retrieved 4 November 2020, from <https://www.cato.org/publications/congressional-testimony/mandatory-retirement-age-rules-is-it-time-reevaluate>

⁴ The World Bank. *Life expectancy at birth, total (years) – Philippines*. Retrieved 4 November 2020, from <https://data.worldbank.org/indicator/SP.DYN.LE00.IN?locations=PH>

Heila de Lima
HEILA M. DE LIMA

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GOVERNMENT ACT OF 1990"**

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

1 Section 1. *Compulsory Retirement for Philippine National Police Personnel.* –
2 Section 39 of Republic Act No. 6975, otherwise known as the "Department of the
3 Interior and Local Government Act of 1990", is amended to read as follows:

4 "SECTION 39. Compulsory Retirement. — Compulsory
5 retirement, for officer and non-officer, shall be upon the
6 attainment of age [~~fifty-six (56)~~] **SIXTY (60)**: Provided, That,
7 in case of any officer with the rank of chief superintendent,
8 director or deputy director general, the Commission may allow
9 his retention in the service for an unextendible period of one (1)
10 year."

11 Sec. 2. *Repealing Clause.* – All laws, executive orders, presidential decrees,
12 presidential proclamations, letters of instruction, rules and regulations or parts
13 thereof which are inconsistent with the provisions of this Act are hereby repealed or
14 modified accordingly.

1 Sec. 3. *Effectivity Clause.* – This Act shall take effect fifteen (15) days
2 following its publication in the Official Gazette or in two (2) newspapers of general
3 circulation in the Philippines.

Approved,