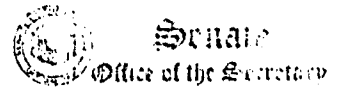


EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)



21 JAN 20 P 4:54

SENATE
S. No. 2004

RECEIVED BY

Introduced by SENATOR RONALD "BATO" DELA ROSA

AN ACT
PROVIDING FOR THE REVITALIZATION AND CAPABILITY ENHANCEMENT
OF THE PHILIPPINE NATIONAL POLICE (PNP), APPROPRIATING FUNDS
THEREFORE AND FOR OTHER PURPOSES

EXPLANATORY NOTE

Under Article XVI, Section 6 of the 1987 Constitution provides that:

The State shall establish and maintain one police force, which shall be national in scope and civilian in character, to be administered and controlled by a national police commission. The authority of local executives over the police units in their jurisdiction shall be provided by law.

Pursuant to this constitutional mandate, the Philippine National Police (PNP) through Republic Act No. 6975 is vested with the following powers: "enforce laws and ordinances relative to the protection of lives and properties; maintain peace and order and take all necessary steps to ensure public safety; investigate and prevent crimes, effect the arrest of criminal offenders, bring offenders to justice and assist in their prosecution; exercise the general powers to make arrest, search and seizure; detain an arrested person for a period not beyond what is prescribed by law; issue licenses for the possession of firearms and explosives; supervise and control the training and

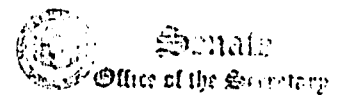
operations of security agencies and issue licenses to operate security agencies and to security guards and private detectives". Consistent with these powers and functions is the policy of the state to transform the Philippine National Police (PNP) into a highly efficient, capable and competent police force in order to fully perform its mandate and to be at par with other police forces around the world.

Corollary with the growing population and advancement of technology, crime prevention and policing has been more complicated arduous. In a country with more than one hundred nine million population, the need to modernize and revitalize our police force is indispensable.

The proposed measure encapsulates the Revitalization and Capability Enhancement Program of the PNP. It is focused on the infrastructure and facilities development and acquisition and upgrading of equipment of the police force. These will specifically include the construction and upgrading of police stations and offices, crime laboratories, custodial facilities, training institutions, hospitals, barracks facilities, among others. Also included is the construction and upgrading and management of ICT systems to ensure effective coordination within the agency. Moreover, there will be procurement and acquisition of modern munitions and ordnance, weapons, transportation assets, as well as a more advance communication, intelligence, investigative and forensic equipment. The Program will need a maximum amount of one hundred thirty billion pesos (Php130,000,000,000.00) which may be implemented for 10-year.

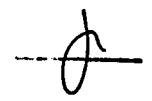
In order to ensure the basic right of every Filipino to have a safe and secure community to live in, the immediate approval of this measure is needed. This is a compelling reason for the government to invest in crime prevention and activities aimed at preventing ant at the minimum reducing criminal activities, and increasing the feelings of security among the people.


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THEREFORE AND FOR OTHER PURPOSES

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

1 Section 1. *Short Title.* – This Act shall be known as the "Philippine National
2 Police Revitalization and Capability Enhancement Act."

3 Sec. 2. *Declaration of Policy.* – It is hereby declared a policy of the State to
4 transform the Philippine National Police (PNP) into a highly efficient, capable and
5 competent police force in order to fully perform its mandate as the primary law
6 enforcement agency of the government.

7 Towards this end, the State shall sustain a revitalized PNP that will continuously
8 carry out effective policing functions and law enforcement operations, deliver timely
9 and responsive frontline public safety services, and pursue a comprehensive and
10 integrated approach against transnational crime and emerging forms of criminality,
11 insurgency, terrorism and other serious threats to national security.

12 For this purpose, the State shall pursue the implementation of a Revitalization
13 and Capability Enhancement Program focused on infrastructure and facilities
14 development as equipment acquisition and upgrading.

15 Sec. 3. *PNP Revitalization Thrusts.* – As used in this Act, the term "revitalization"
16 shall be understood to mean the state of being enlivened or condition of achieving a

1 dynamic level of performing police functions, law enforcement operations, and
2 frontline public services, and pursuing modern approaches against criminality with the
3 end view of establishing and maintaining for all people a safe, secure, orderly,
4 peaceful, and prosperous nation. Towards this aspiration, the PNP shall pursue the
5 following revitalization thrusts:

- 6 a. Fill-up of basic equipage and construction of standard police stations and
7 offices nationwide;
- 8 b. Acquisition of modern equipage;
- 9 c. Adoption of secured, modern, artificial intelligence (AI)-driven, real-time
10 information and communications technology (ICT) systems to modernize
11 and integrate police administration and operations;
- 12 d. Strengthening police coordination and cooperation with the citizenry, local
13 government, public safety agencies, and other law enforcement agencies
14 and pillars of the criminal justice system, and the regional international
15 police communities; and
- 16 e. Enhancing law enforcement approach and intensified operations against
17 transnational crime and emerging forms of criminality, insurgency, terrorism
18 and other serious threats to national security.

19 ***Sec. 4. Components of the Revitalization and Capability Enhancement Program.***

20 – The PNP revitalization thrusts shall be realized through the implementation of a
21 Revitalization and Capability Enhancement Program.

22 As used in this Act, the term police “capability enhancement” shall be
23 understood to mean a measurable improvement in the performance of PNP mandates
24 that translates into an enduring ability to enforce the law, prevent and control crimes,
25 maintain peace and order, ensure public safety and internal security, and protect the
26 country against threats to national security including terrorism.

27 The Revitalization and Capability Enhancement Program shall consists of the
28 following components:

- 29 A. Infrastructure and Facilities Development – the objectives of this component
30 are:
 - 31 a. Establishment of Standard Infrastructure and Basic Facilities which
32 includes:

- i. Construction and upgrading of standard infrastructure like buildings for police stations and offices, that are accessible and suited to the peculiar topography of or weather conditions in the area, with provision for adequate perimeter fencing;
 - ii. Construction and upgrading of basic facilities for administrative, investigative, and operational functions such as: crime laboratory; evidence rooms, storage rooms, record rooms; appropriate custodial facilities; communications systems; research and development centers; training institutions; hospitals and dispensaries for delivery of medical and dental services; and quartering and barracks facilities, in accordance with approved camp master development plans;
 - iii. Construction and upgrading of facilities to provide repair and maintenance works, such as: regional or provincial motor pool and maintenance facilities for other mobility assets
 - iv. Construction and upgrading of facilities to support regulatory functions;
 - v. Development, procurement, and management of ICT systems and automated systems to ensure integration and effective coordination; and
 - vi. Real estate acquisition, titling and management.
- b. Equipment Acquisition and Upgrading – the objectives of this component are judicious procurement and acquisition of modern equipage for enhanced PNP capabilities, such as: munitions and ordnance; firepower and weapons; transportation and mobility assets; communication, intelligence, investigative and forensic equipment.

Sec. 5. *Standard of Modernization.* – In preparing and implementing the Police Capability Enhancement program, the standard test to indicate modernity is the possession of latest attributes or innovative qualities of infrastructure, facilities, and equipment, over and above the basic and standard features. This would enable the

1 PNP to better adapt to the needs of the present time, add value to services delivered,
2 and achieve increased citizen satisfaction with the police.

3 In endeavoring to modernize police infrastructure and facilities, the primary
4 consideration shall be developing capabilities for command direction, tactical and
5 strategic control, effective communication, robust ICT and automated systems
6 network, upholding the human rights and rule of law, and sustained police-community
7 relations.

8 *Sec. 6. Direct Negotiation.* – The PNP, with the concurrence of the National
9 Police Commission (NAPOLCOM), may enter into an executive agreement on mutual
10 logistics support and services and law enforcement and security cooperation, for and
11 in behalf of the Government of the Republic of the Philippines, with a foreign country
12 with which the Philippines maintains diplomatic relations.

13 Pursuant to any agreement executed under this Section, the Chief of the PNP
14 may be authorized to directly negotiate with any government instrumentality of a
15 foreign country or with a technically, legally, and financially capable supplier or
16 consultant, duly recognized by the government of said foreign country, for the
17 acquisition of modern police equipment, supply of law enforcement and security
18 equipment, and law enforcement and security related consultancy services, upon
19 concurrence of the following requisites:

- 20 1. The NAPOLCOM has deemed it necessary for the maintenance of peace and
21 order, ensuring public safety, or curbing other serious threats to national
22 security; and
- 23 2. The policing equipment or material and/or policing-related consultancy
24 services to be procured under this modality is included in the PNP's
25 Revitalization and Capability Enhancement Program as approved by the
26 President of the Philippines.

27 *Sec. 7. Revitalization and Capability Enhancement Program.* – Within sixty (60)
28 days from the effectivity of this Act, the Chief of the PNP, in consultation with the
29 Chairperson of the NAPOLCOM and the Secretary of the Department of Budget and
30 Management (DBM), shall prepare a Revitalization and Capability Enhancement
31 Program.

1 After consultation, the Chief of the PNP shall submit the Revitalization and
2 Capability Enhancement Program to the NAPOLCOM, which shall endorse the same to
3 Congress, through the Congressional Oversight Committee created under this Act, for
4 monitoring and overseeing.

5 The Program shall indicate the following:

- 6 a. The police organizational structure and staffing pattern, authorized
7 personnel strength, and logistics and facilities inventory during the various
8 implementation stages;
- 9 b. The capability enhancement programs, activities, and projects to be
10 undertaken vis-à-vis the particular component and corresponding objectives
11 and revitalization thrusts they relate to;
- 12 c. The priorities, schedules, and phases of implementation of the capability
13 enhancement projects and activities;
- 14 d. The estimated average cost of each project or activity to be undertaken;
15 and
- 16 e. The infrastructure and equipment acquisition, modernization, and human
17 resource development of the NAPOLCOM.

18 **Sec. 8. *Period of Implementation.*** – The Revitalization and Capability
19 Enhancement Program under this Act shall be implemented over a period of ten (10)
20 years: *Provided*, That payments for amortization of outstanding multi-year contract
21 obligations incurred under the PNP Revitalization and Capability Enhancement
22 Program may be extended beyond this period.

23 **Sec. 9. *Appropriation.*** – The amount necessary to support the capability
24 enhancement projects and activities under the program in relation to Section 7 shall
25 be appropriated by Congress.

26 Appropriations to support the Revitalization and Capability Enhancement
27 Program shall be treated as distinct and separate budget items from the regular
28 appropriations for the PNP.

29 Under the Program, an amount of at least Forty Billion Pesos
30 (Php40,000,000,000.00) shall be allocated for the first two (2) years of
31 implementation, for basic equipage fill-up and establishment of standard infrastructure
32 and basic facilities: *Provided*, That, Eleven Billion Two Hundred Fifty Million Pesos

1 (Php11,250,000,000.00) shall be appropriated every year thereafter: and *Provided,*
2 *further,* That, the entire Program shall be based on a ceiling of One Hundred Thirty
3 Billion Pesos (Php130,000,000,000.00) budget requirement, for the full period of
4 implementation.

5 **Sec. 10. *Exemption from Taxes and Custom Duties.*** – The sale of munitions
6 and ordnance, firepower and weapons, transportation and mobility assets,
7 communication, intelligence, investigative and forensic equipment and other
8 equipment to the PNP, under the Program, where such acquisition directly or
9 exclusively relates to the performance of its police and law enforcement functions; or
10 may be needed in public transactions; or in the pursuit of any government
11 undertaking, to include importation, shall be exempt from the value-added tax and
12 customs duties.

13 Donations from local or foreign sources granted to the PNP shall likewise be
14 exempt from payment of donor's tax, value-added tax, and customs duties.

15 **Sec. 11. *Local Government Support Through Local Development Plans.*** – In the
16 formulation of their respective socio-economic local development programs, all
17 provincial, city and municipal development councils shall allocate in their
18 comprehensive land use plans such as adequate, suitable, and accessible lands for the
19 establishment of basic police infrastructure and support facilities within their areas of
20 jurisdiction.

21 Regional Development Councils shall ensure that allocation of such lands for
22 use of local police forces and other police support units are included in the approved
23 socio-economic local development programs of provinces and cities prior to integration
24 into their respective Regional Development Plans and subsequent submission to the
25 National Economic and Development Authority.

26 Within one hundred twenty (120) days from the effectivity of this Act, the Chief
27 of the PNP shall submit to the NAPOLCOM such guidelines and parameters governing
28 the allocation of land for the police, for approval and implementation.

29 In effecting land allocation for local police forces and other police support units,
30 local government units may exercise the inherent power of inherent domain, in
31 accordance with existing laws.

32

1 **Sec. 12. *Congressional Oversight Committee.*** – There is hereby created a
2 Congressional Oversight Committee to receive the Revitalization and Capability
3 Enhancement Program of the Chief of the PNP, as endorsed by the NAPOLCOM, for
4 information, monitoring, and overseeing of the Speaker of the House of
5 Representatives and the Senate President.

6 It shall be composed of four (4) members from the House of Representatives
7 and four (4) members from the Senate with the Chairpersons of the Committee on
8 Public Order and Safety and the Committee on Public Order and Dangerous Drugs of
9 each Chamber, respectively, as Joint Chairpersons. The three (3) other members, with
10 the inclusion of the Chairperson of the Committee on Public Order and Safety,
11 representing the House of Representatives, shall be designated by the Speaker of the
12 House of the House of Representatives, while the three (3) other members from the
13 Senate shall be designated by the Senate President. The Minority shall have at least
14 one (1) representative from both Chambers.

15 The Committee shall regularly monitor and oversee the implementation of the
16 provision of this Act.

17 **Sec. 13. *Program Modification.*** – In the exigency of service or whenever
18 necessary to address unforeseen emergencies to curb transnational crime; emerging
19 forms or criminality; insurgency, terrorism and other serious threats to national
20 security, or to satisfy delivery of public safety services, the Chief of the PNP may
21 modify, through substitution or revision, a component project in the Revitalization and
22 Capability Enhancement Program, subject to the favorable endorsement of the
23 NAPOLCOM, for the President's approval. Within thirty (30) days from such approval,
24 the Chief of the PNP shall report such program modification to Congress, through the
25 Congressional Oversight Committee.

26 **Sec. 14. *Annual Reports.*** – Within the first quarter of the succeeding year of
27 implementation, the Chief of the PNP shall submit to the President and Congress,
28 through the Chairperson of the NAPOLCOM, an annual report on the progress of the
29 implementation of the Revitalization and Capability Enhancement Program.

30 **Sec. 15. *Sunset Review.*** – After five (5) years following its effectivity, or as the
31 need arises, the Congressional Oversight Committee shall conduct a sunset review of
32 this Act, to systematically evaluate the accomplishments under the Revitalization and

1 Capability Enhancement Program and its impact on the PNP organizational structure,
2 institutional mechanisms, and performance of functions, for purposes of determining
3 and effecting remedial legislation.

4 **Sec. 16. *Implementing Rules and Regulations.*** – Within sixty (60) days of the
5 approval of this Act, the PNP, in consultation with the NAPOLCOM and the DBM, shall
6 formulate the implementing rules and regulations for the effective implementation of
7 the law.

8 **Sec. 17. *Separability Clause.*** If any provision of this Act is declared invalid or
9 unconstitutional, the provisions not affected thereby shall continue to be in full force
10 and effect.

11 **Sec. 18. *Repealing Clause.*** All laws, decrees, orders, rules and regulations or
12 parts thereof which are contrary to or inconsistent with the provisions of this Act are
13 hereby amended, repealed or modified accordingly.

14 **Sec. 10. *Effectivity.*** This Act shall take effect immediately after fifteen (15) days
15 from its publication in the Official Gazette or in at least two (2) newspapers of general
16 circulation.

17

18 Approved,