

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

'22 JUL 12 P5 :05

SENATE
S. No. 419

RECEIVED BY: _____



Introduced by Senator Christopher Lawrence "Bong" T. Go

AN ACT
INSTITUTING THE MAGNA CARTA OF BENEFITS FOR THE OFFICERS AND
PERSONNEL OF THE PHILIPPINE DRUG ENFORCEMENT AGENCY

EXPLANATORY NOTE

The eradication of illegal drugs is one of the most consistent issues faced by the various governments around the world. It is an undeniable fact that illegal drugs have irreversible effects on a country's health system, governance and security, and even worsens the current problems brought by the Covid-19 pandemic. The Philippine Drug Enforcement Agency (PDEA), playing the main role towards the fulfilment of illegal drugs' eradication, put our uniformed personnel in the frontline with the constant risk of injury or even death.

It is therefore the duty of the State to protect its uniformed men and somehow compensate their immeasurable contribution to the safety and security of our communities. The least that the government can provide for our uniformed personnel in the PDEA and their families is to give them an assurance that the government appreciates the work that they do, and hopes for a bright future for them and their families.

This bill seeks to honor the exceptional contribution of these men and women who protect this nation tirelessly and devotedly.

Moreover, the bill seeks to protect the social and economic welfare of these men and women in the PDEA, giving these men and women a decent standard of

living by providing them acceptable living and working conditions, better terms of employment and career opportunities in order that they may be able to effectively carry out their mandate.

Hence, the passage of this bill is earnestly sought.


SENATOR CHRISTOPHER LAWRENCE "BONG" T. GO 

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

1 Section. 1. *Title.* - This Act shall be known as the "*Magna Carta of the Drug*
2 *Enforcement Officers and Other Personnel of the Philippine Drug Enforcement*
3 *Agency.*"

4
5 Sec. 2. *Declaration of Policy.* - It is the policy of the State to safeguard the
6 integrity of its territory and the well-being of its citizenry particularly the youth, from
7 the harmful effects of dangerous drugs on their physical and mental well-being, and
8 to defend the same against acts or omissions detrimental to their development and
9 preservation. Such huge task is entrusted to the men and women of the Philippine
10 Drug Enforcement Agency. In carrying out this sworn duty, these men and women
11 risk their lives against drug traffickers who have all the resources to conduct their
12 illegal trade at all costs.

13 It is hereby declared to be the policy of the State to protect the social and
14 economic welfares of these men and women. Towards this end, the State shall provide
15 these men and women with decent standard of living by providing them acceptable
16 living and working conditions, better terms of employment and career opportunities
17 in order that they may be able to effectively carry out their mandate.

18

1 *Sec. 3. PDEA personnel shall have the following rights:*

- 2 a. Protection from discrimination by reason of sex, sexual orientation, age,
3 political or religious beliefs, civil status, physical characteristics, disability,
4 or ethnicity;
- 5 b. Protection from any form of interference, intimidation, harassment, or
6 punishment, to include, but not limited to, arbitrary reassignment or
7 termination of service, in the performance of his/her duties and re-
8 sponsibilities.
- 9 c. Join, organize or assist organizations or unions for lawful purposes;
- 10 d. Opportunities for continuing professional growth and development; and
- 11 e. PDEA personnel can teach or practice their profession after office hours
12 pursuant to Civil Service Law and Rules.

13

14 *Sec. 4. Career Development Program.* - In order to ensure that the Agency is
15 run by officials and employees with a commendable level of professionalism,
16 competence, commitment to service, transparency, respect for human dignity and
17 integrity, a well-rationalized career development program shall be provided by PDEA.
18 The programs shall serve as the basis for all career and personal development
19 activities of PDEA.

20

21 This applies to all personnel of PDEA with appropriate qualifications, attitude
22 and drive for professionalism who wish to assume positions of higher responsibility
23 through promotion based on the principle of merit, fitness, equality and transparency
24 and also address protest related to promotion. Equal opportunity to all Drug
25 Enforcement Officers (DEOs) and personnel in terms of training and schooling.

26

27 *Sec. 5. Merit and Promotion Plan.* - A Merit and Promotion plan shall be
28 promulgated by PDEA based on applicable laws, and rules, regulations and standards
29 set by the Commission to ensure that every employee is given fair and equal
30 opportunity in career advancement particularly in promotion.

31

32 Promotion shall be primarily based on merits and fitness. No spot promotion
33 shall be allowed. Outstanding performance or accomplishment of personnel shall only

1 be considered as additional point and should not be the sole basis of promotion.

2
3 *Sec. 6. Performance Evaluation.* - The performance of PDEA personnel shall be
4 governed by the Strategic Performance Management System (SPMS) under
5 Memorandum Circular No. 6 series of 2006 dated March 19, 2012 issued by the
6 Commission and/or by subsequent laws.

7
8 Under the SPMS, incentive scheme shall be performance-based integrating the
9 personnel and organizational performance. Civil servants and the government
10 institutions shall be rewarded accordingly on their exemplary performance.

11
12 Hence, PDEA shall adopt reasonable policies, rules and regulations necessary
13 to carry out the objectives of the SPMS.

14
15 *Sec. 7. Mission of the PDEA Academy.* - To train and develop Drug Enforcement
16 Officers and personnel of PDEA into professional, dynamic, excellence-driven and
17 accountable public servants who can effectively and efficiently enforce laws against
18 illegal drugs.

19
20 *Sec. 8. Training Programs of the PDEA Academy.* - The PDEA Academy shall
21 include training programs classified as Career Courses, Specialized Courses, Skills
22 Enhancement Trainings and Seminars, and Foreign Sponsored Trainings.

23
24 Career courses shall refer to training programs that shall aim to enhance the
25 competencies of the participants in conducting anti-illegal-drug operations, and their
26 leadership and management skills. These shall include Drug Enforcement Officers
27 Basic Course (DEOBC), PDEA Leadership Course, and PDEA Management Course.

28
29 Specialized courses shall refer to training programs that shall be designed to
30 provide the foundation of knowledge and skills needed in the performance of duty in
31 a particular PDEA occupational specialty. These include DEO Anti-Illegal-Drug
32 Intelligence Course, DEO Anti-Illegal-Drug Investigation Course, PDEA Community-
33 Based Anti-Illegal-Drug Advocacy Course, PDEA Custodial Officers Course, Drug

1 Forensic Chemists Basic Training Course, PDEA Evidence Custodians Course, Security
2 Officers Course, and Administrative Officers Course.

3
4 Skills enhancement trainings and seminars shall refer to short-term trainings
5 that primarily aim to improve knowledge and hone the participants' skills in specific
6 areas or fields.

7
8 *Sec. 9. Basic Salary.* - The salary of PDEA officers and other personnel shall be
9 based on the Salary Standardization Law.

10
11 Basic salary shall exclude personnel economic relief allowance (PERA),
12 uniform/clothing allowance, quarters allowance, hazard duty pay, hardship pay and
13 other allowances as may be provided by existing laws.

14
15 *Sec. 10. Uniform or Clothing Allowance.* - PDEA officers and other personnel,
16 whether occupying regular, contractual or casual positions, who have been in the
17 service for at least six (6) months shall be entitled to uniform or clothing allowance
18 not exceeding Six Thousand Pesos (P6,000.00) or as provided by subsequent laws.

19
20 *Sec. 11. Hazard Duty Pay.* - All PDEA personnel shall be entitled to hazard duty
21 pay equivalent to thirty percent (30%) of the basic salary monthly salary.

22
23 *Sec. 12. Combat Pay.* - DEOs and other personnel exposed to hardship and
24 combat situations or assigned to and performing their duties and responsibilities in
25 strife-torn or embattled areas as determined and certified by the Secretary of National
26 Defense or by his authorized representative shall be entitled to twenty-five percent
27 (25%) of basic monthly salary. Combat pay shall only be granted for the duration of
28 such assignment.

29
30 *Sec. 13. Representation and Transportation Allowances.* - The following
31 officers, while in the actual performance of their respective functions, are hereby
32 authorized monthly commutable representation and transportation allowances,
33 charged against appropriations authorized for the purpose at the rates indicated below

1 or as prescribed by subsequent laws:

OFFICER	RA	TA
(a) Director General	P11,000.00	P11,000.00
(b) Deputy Director General for Administration/ Operation	10,000.00	10,000.00
(c) Service and Regional Directors	9,000.00	9,000.00
(d) Deputy Service Director or Assistant Regional Director	7,500.00	7,500.00
(e) Division Chiefs as identified in the Personal Services and Itemization and Plantilla of Personnel	5,000.00	5,000.00

2 Sec. 14. *Longevity Pay.* - PDEA personnel shall be entitled to an increase of
3 10% of basic monthly salary for every five (5) years of continuous, efficient, and
4 meritorious service in the government which shall be computed from the personnel's
5 first appointment in the government service: Provided, that the maximum longevity
6 pay shall not exceed fifty percent (50%) of the basic monthly salary.

7
8 Sec. 15. *Quarters Allowance.* - Officers who are transferred from one
9 assignment to another by virtue of PDEA policies on reshuffling or rotation of
10 personnel and do not own houses or other types of residence therein shall be provided
11 quarters within the office premises.

12
13 Where there is not enough space to be used as quarters, monthly allowance
14 shall be provided to the entitled officers, based on existing rental fees in the area of
15 assignment. Other officers and personnel not entitled under the above circumstances
16 may be allowed to use government quarters provided they shall be charged the
17 corresponding cost of rentals subject to the applicable rules.

18
19 Sec. 16. *Medical Allowance* - All PDEA personnel shall be provided with medical
20 allowance of not less than Fifteen Thousand Pesos (Php15,000) per year for any illness
21 or injury requiring hospitalization. This amount could also be used by any of the
22 dependents of the personnel for any illness or injury requiring hospitalization.

23
24 Sec. 17. *13th and 14th Month Pay and Cash Gift.* - Officers and employees shall be

1 entitled to mandatory 13th and 14th month pay equivalent to the monthly basic
2 compensation received by an employee, computed pro-rata according to the number
3 of months within a year that the employee has rendered service to the employer and
4 a cash gift amounting to five thousand pesos (Php5,000.00) or the amount which may
5 be prescribed by subsequent laws.

6
7 *Sec. 18. Medical and Dental Examinations and Stress Debriefing.* - Annual medical
8 and dental examinations shall be provided to every employee at the expense of the
9 PDEA.

10 Appropriate stress debriefing and management programs shall likewise be
11 provided to DEOs in a regular basis or as needed.

12
13 *Sec. 19. Survivorship Benefits.* - In case of death of PDEA Officials and employees,
14 the surviving legitimate spouse and dependent, or in their absence, the surviving
15 parents shall be entitled to receive all the retirement benefits that the deceased official
16 or employee was receiving or entitled to receive at the time of death. A "dependent"
17 means a legitimate, illegitimate, or legally adopted child which is chiefly dependent
18 with the deceased officials or employees if such dependent is not more than twenty-
19 one (21) years of age, unmarried and not gainfully employed, or if such dependent,
20 regardless of age, is incapable of self-support because of mental or physical defect.
21 The surviving legitimate spouse shall continue to receive such retirement benefits
22 during his or her lifetime or until he or she remarries; Provided, that if the surviving
23 legitimate spouse is receiving benefits under the existing retirement laws, the
24 surviving legitimate spouse shall only be entitled to the difference between the amount
25 provided for in this Act and the benefits the surviving spouse has been receiving.

26
27 *Sec. 20. Optional Early Retirement for DEOs.* - A DEO may opt to retire upon
28 reaching the age of fifty- five (55) and be paid retirement benefits in accordance with
29 existing law: Provided, that he has rendered at least fifteen (15) years of government
30 service. Provided, further, that those who have availed of this benefit shall not be
31 allowed re-entry, in any capacity, to PDEA.

32
33 *Sec. 21. Compulsory Retirement for DEOs.* - Upon attainment of the age of

1 fifty-six (56), a DEO shall retire from service and be paid retirement benefits in
2 accordance with existing law: Provided, that those who have compulsorily retired shall
3 not be allowed re-entry, in any capacity, to PDEA.

4
5 *Sec. 22. Optional Early Retirement for Non-DEOs.* - Upon attainment of the
6 age of sixty (60), non-DEOs including those occupying director positions may opt to
7 retire from service and be paid retirement benefits in accordance with existing law:
8 Provided, That in the case of officers occupying the positions of Director II or Director
9 III, the Commission may allow his retention in the service for an un-extendible period
10 of one (1) year; Provided, further, That those who have compulsorily retired shall not
11 be allowed re-entry, in any capacity, to PDEA.

12
13 *Sec. 23. Compulsory Retirement for Non- DEOs.* - Upon attainment of the age
14 of sixty-five (65), non- DEOs including those occupying director positions shall retire
15 from service and be paid retirement benefits in accordance with existing law: Provided,
16 that those who have compulsorily retired shall not be allowed re-entry, in any capacity,
17 to PDEA.

18
19 *Sec. 24. Appropriations.* - The amount needed for the initial implementation of
20 this Act shall be taken from the current year's appropriations of the PDEA. Thereafter,
21 such sums, as may be necessary for its continued implementation, shall be included
22 in the annual General Appropriations Act.

23
24 *Sec. 25. Implementing Rules and Regulations.* - The PDEA shall formulate and
25 prepare the Implementing Rules and Regulations of this Act within ninety (90) days
26 from approval of this Act. The IRR shall be immediately published in any newspaper
27 of general circulation and through other means the PDEA deem sufficient in order to
28 give general notice to the public and shall take effect fifteen (15) days after
29 publication.

30
31 *Sec. 26. Separability Clause.* - If any portion or provision of this Act is
32 subsequently declared invalid or unconstitutional, other provisions hereof which are not
33 affected thereby shall remain in full force and effect.

1
2 *Sec. 27. Repealing Clause.* — All other laws, acts, presidential decrees, executive
3 orders, presidential proclamations, issuances, rules and regulations, or parts thereof
4 which are contrary to or inconsistent with any of the provisions of this Act are hereby
5 repealed, amended, or modified accordingly.

6
7 *Sec. 28. Effectivity.* — This Act shall take effect fifteen (15) days after its
8 publication in the Official Gazette or in a newspaper of general circulation.

Approved,