

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



SENATE
Office of the Secretary

22 JUL 18 A9:42

SENATE
S. No. 681

RECEIVED BY: _____

Introduced by Senator Jinggoy Ejercito Estrada

AN ACT
PROVIDING FREE LEGAL ASSISTANCE TO ANY OFFICER OR ENLISTED PERSONNEL OF THE ARMED FORCES OF THE PHILIPPINES AND THE PHILIPPINE NATIONAL POLICE ON ANY CHARGE BEFORE THE PROSECUTOR'S OFFICE, COURT OR ANY COMPETENT BODY ARISING FROM AN INCIDENT OR INCIDENTS RELATED TO THE PERFORMANCE OF OFFICIAL DUTY

EXPLANATORY NOTE

Under the proposed measure, any enlisted personnel of the Armed Forces of the Philippines (AFP) and the Philippine National Police (PNP) facing charges before the prosecutor's office, court/s, administrative or any competent body, arising from an incident or incidents related to the performance of their official duty, to be entitled to free legal assistance.

The tasks and duties of the members of our military and police force require them to be in dangerous situations and positions. In the course of the performance of their duties to promote peace and order in our country, members of our Armed Forces of the Philippines (AFP) and the Philippine National Police (PNP) are oftentimes accused of baseless charges. For them to perform their duties effectively without fear of any unwarranted litigation being launched against them, the State must do its part by providing free legal assistance to defend the innocence and rights of our men in uniform.

In this light, the immediate passage of this bill is highly recommended.



JINGGOY EJERCITO ESTRADA

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PROSECUTOR'S OFFICE, COURT OR ANY COMPETENT BODY ARISING FROM
AN INCIDENT OR INCIDENTS RELATED TO THE PERFORMANCE OF
OFFICIAL DUTY**

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

1 Section 1. Any officer or enlisted personnel of the Armed Forces of the
2 Philippines (AFP) and the Philippine National Police (PNP), who is facing before the
3 prosecutor's office, court, administrative or any competent body, any charge arising
4 from an incident of incidents related to the performance of official duty shall be entitled
5 to free legal assistance.

6 Sec. 2. Within twenty four (24) hours from the official receipt of the information
7 that the officer or enlisted personnel is charged, the Chief of Staff of the AFP, the
8 Chairperson of the National Police Commission (NAPOLCOM) or the Chief of the PNP
9 shall authorize the legal office of their respective agencies, with the assistance of the
10 Public Attorney's Office, to provide free legal assistance to any officer or enlisted
11 personnel of the AFP and the PNP, for the purpose of the immediately preceding
12 section.

1 Sec. 3. *Appropriations.* — The amount necessary for the effective
2 implementation of this Act shall be sourced from the Legal Defense Fund funded
3 through the General Appropriations Act.

4 Sec. 4. *Implementing Rules and Regulations.* — Within sixty (60) days from
5 the effectivity of this Act, the Public Attorney's Office, in coordination with the AFP,
6 NAPOLCOM and the PNP, shall issue the necessary rules and regulations to implement
7 this Act.

8 Sec. 5. *Effectivity.* — This Act shall take effect fifteen (15) days following its
9 complete publication in the *Official Gazette* or in two (2) national newspapers of
10 general circulation.

Approved,