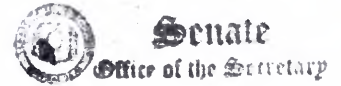


NINETEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
*First Regular Session* )



'22 JUL 27 P4 :49

**SENATE**  
**S. B. No. 912**

RECEIVED BY: \_\_\_\_\_

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Introduced by Senator SONNY ANGARA

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**AN ACT**  
**PROVIDING FOR A MAGNA CARTA FOR THE PHILIPPINE NATIONAL**  
**POLICE UNIFORMED AND NON-UNIFORMED PERSONNEL**

EXPLANATORY NOTE

It is espoused in Sections 4 and 5, Article II of the 1987 Philippine Constitution that, "the prime duty of the Government is to serve and protect the people" and that, "the maintenance of peace and order, the protection of life, liberty and property and promotion of the general welfare are essential for the enjoyment by all the people of the blessings of democracy." These duties are carried out by the country's premier police force, the Philippine National Police (PNP). This proposed Magna Carta for the PNP Uniformed and Non-Uniformed Personnel codifies and strengthens existing rights and benefits provided for in various laws, resolutions and other circulars concerning PNP.

To attract more qualified and competent law enforcers in the country, the Magna Carta seeks to establish a separate salary scale for the PNP, distinct from other agencies of the government, and provides for additional benefits such as cost of living, clothing, quarters and subsistence allowances, longevity pay, reasonable leaves and retirement programs.

Uniformed PNP personnel who accepts assignments in remote areas or isolated situations, and is exposed to hardship and combat situation or other hazard unusual to peacekeeping, crime prevention and investigation activities, will be compensated with a remote assignment allowance and special hardship allowance,

similar to combat pay of the Armed Forces of the Philippines. Meanwhile, families and beneficiaries of members of the PNP, who are killed in the line of duty, will be granted special financial, scholarship and employment assistance.

To foster a highly efficient and competent police force, this bill also aims to develop a holistic PNP development program which includes provisions on merit promotions, performance evaluation, in-service training, overseas and local scholarships, training grants, incentive award system, among others.

This proposed Magna Carta seeks to put dignity into the country's premiere police force for their commitment to preserve peace and order and protect the lives of Filipino people.

It is for this reason that the passage of this bill is urgently sought.



**SONNY ANGARA**  
70

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**AN ACT  
PROVIDING FOR A MAGNA CARTA FOR THE PHILIPPINE NATIONAL  
POLICE UNIFORMED AND NON-UNIFORMED PERSONNEL**

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

**TITLE I**

**THE PHILIPPINE NATIONAL POLICE**

**Chapter One**

**Preliminary Provisions**

1  
2  
3  
4  
5 SECTION 1. *Short Title.* – This Act shall be known as the "*Magna Carta for the*  
6 *Philippine National Police.*"

7 SEC. 2. *Declaration of Policies.* – It is a declared policy of the State to  
8 promote peace and order, maintain good business environment, support economic  
9 growth, and ensure public safety through the delivery of effective, efficient,  
10 competent, modern, professional and non-partisan police service. It recognizes the  
11 role of the police service in helping achieve the development of the nation. With this,  
12 the State shall promote and protect the physical, mental, as well as the emotional,  
13 moral, spiritual, intellectual faculties and social well-being of every Philippine  
14 National Police (PNP) personnel, with the goal of establishing a highly efficient and  
15 competent police force.

16 SEC. 3. *General Principles.* – The PNP shall be a community and service-  
17 oriented agency responsible for the maintenance of peace and order and public

1 safety. It shall be so organized to ensure accountability and uprightness in the  
2 exercise of discretion and achieve efficiency and effectiveness of its members and  
3 units in the performance of their functions.

## 4 **Chapter Two**

### 5 **Mandate of the PNP**

6 **SEC. 4. Powers and Functions.** – Pursuant to its institutional mandate, the  
7 PNP shall exercise the following powers and functions:

- 8 a) Enforce all laws and ordinances relative to the protection of lives and  
9 properties;
- 10 b) Maintain peace and order and take all necessary steps to ensure public  
11 safety;
- 12 c) Investigate and prevent crimes, effect the arrest of criminal offenders,  
13 bring offenders to justice and assist in their prosecution;
- 14 d) Exercise the general powers to make arrest, search and seizure in  
15 accordance with the Constitution and other pertinent laws;
- 16 e) Detain an arrested person for a period not beyond that which is prescribed  
17 by law, informing the person so detained of all his rights under the  
18 Constitution;
- 19 f) Issue licenses for the possession of firearms and explosives in accordance  
20 with law;
- 21 g) Supervise and control the training and operation of security agencies, and  
22 issue licenses to operate in favor of such security agencies, security  
23 guards, and private detectives for the exercise of their professions; and
- 24 h) Perform such other duties and exercise all other functions as may be  
25 provided by law.

## 26 **TITLE II**

### 27 **ORGANIZATIONAL COMPONENTS AND STRUCTURE**

#### 28 **Chapter One**

#### 29 **PNP Uniformed Personnel**

30 **SEC. 5. Organization.** – The PNP shall be headed by a Chief who shall be  
31 assisted by two (2) deputy chiefs, one (1) for Operations and one (1) for

1 Administration, both of whom shall be appointed by the President upon  
2 recommendation of the National Police Commission (NAPOLCOM) from among the  
3 most senior and qualified officers in the office: *Provided, however,* That in no case  
4 shall any officer who has retired or is due to retire within six (6) months from his  
5 compulsory retirement age be appointed as PNP Chief.

6 The PNP shall maintain its office in Metropolitan Manila, which shall house its  
7 National Staff Offices and National Support Units. It shall have regional offices,  
8 including that of the National Capital Region (NCR), the Cordillera Autonomous  
9 Region (CAR) and the Bangsamoro Autonomous Region in Muslim Mindanao  
10 (BARMM): *Provided,* That the creation of the PNP-BARMM Regional Office shall be in  
11 compliance with Republic Act No. 11054 or the "Organic Law for the Bangsamoro  
12 Autonomous Region in Muslim Mindanao". These regional offices shall be headed by  
13 a Regional Director.

14 The PNP shall have provincial offices, headed by a Provincial Director. In the  
15 case of large provinces, police districts, to be headed by a District Director, may be  
16 established by the NAPOLCOM, upon the recommendation of the PNP Chief.

17 There shall be PNP stations in the municipalities/cities, headed by a Chief of  
18 Police. In case of police stations in highly urbanized cities, its head shall have a  
19 position title of City Director. The determination of the rank of the head of police  
20 stations shall be subject to the existing rules and policies of the national  
21 headquarters of the PNP and the NAPOLCOM.

## 22 **A. Classifications of Officers**

23 SEC. 6. *Rank Classification.* – For purposes of efficient administration,  
24 supervision and control, the rank classification of the PNP uniformed personnel shall  
25 be as follows, as provided under Republic Act No. 11200:

- 26 Police General
- 27 Police Lieutenant General
- 28 Police Major General
- 29 Police Brigadier General
- 30 Police Colonel
- 31 Police Lieutenant Colonel



- 1 Police Major
- 2 Police Captain
- 3 Police Lieutenant
- 4 Police Executive Master Sergeant
- 5 Police Chief Master Sergeant
- 6 Police Senior Master Sergeant
- 7 Police Master Sergeant
- 8 Police Staff Sergeant
- 9 Police Corporal
- 10 Patrolman/Patrolwoman

11 SEC. 7. *Key Positions.* – The head of the PNP with the rank of Police General  
12 shall have the position title of Chief of the PNP. The second in command of the PNP  
13 with the rank of Police Lieutenant General shall be the Deputy Chief of the PNP for  
14 Administration. The third in command, also with the rank of Police Major General,  
15 shall be the Deputy Chief of the PNP for Operations.

16 At the National Office, the head of the National Staff Offices with the rank of  
17 Police Lieutenant General shall be referred to as Chief of Staff of the PNP, who shall  
18 be fourth in command of the PNP.

19 The heads of the various staff divisions in the National Staff Offices shall have  
20 the rank of Police Major General with the position title of Director of the National  
21 Staff Office of their respective functional divisions. The PNP shall maintain its  
22 National Support Units to be headed by a Director who shall have the rank of Police  
23 Brigadier General. To enhance police operational efficiency and effectiveness the  
24 Chief of the PNP may constitute such other support units as may be necessary  
25 subject to the approval of the NAPOLCOM; *Provided,* That no support unit headed by  
26 a chief superintendent or higher rank can be created unless provided by law.

27 The head of the NCR Police Office shall assume the position title of NCR Police  
28 Major General. The heads of the regional offices shall assume the position title of  
29 Regional Police Major General. The heads of the NCR district offices shall have the  
30 position title of District Director. The heads of the provincial offices shall have the  
31 position title of Police Provincial Director. The heads of the district offices shall have

1 the position title of District Director. The heads of the municipality or city offices  
2 shall be known as Chief of Police. In case of police stations in highly urbanized cities,  
3 its head shall have the position title of City Director.

4 The determination of the rank of the head of police stations shall be subjected  
5 to the existing rules and policies of the national headquarters of the PNP and the  
6 NAPOLCOM: *Provided*, That the ranks of the heads of regional, provincial and district  
7 offices may be upgraded upon the recommendation of the Chief of the PNP through  
8 the NAPOLCOM and subject to the approval of the President: *Provided, further*, That  
9 the upgrading of the ranks of the heads of police stations shall be approved by the  
10 NAPOLCOM.

11 *SEC. 8. Powers, Functions and Term of Office of the PNP Chief.* – The  
12 command and direction of the PNP shall be vested in the Chief of the PNP who shall  
13 have the power to direct and control tactical as well as strategic movements,  
14 deployment, placement, utilization of the PNP or any of its units and personnel,  
15 including its equipment, facilities and other resources. Such command and direction  
16 of the Chief of the PNP may be delegated to subordinate officials with respect to the  
17 units under their respective commands, in accordance with the rules and regulations  
18 prescribed by the NAPOLCOM.

19 The Chief of the PNP shall also have the power to issue detailed implementing  
20 policies and instructions regarding personnel, funds, properties, records,  
21 correspondence and such other matters as may be necessary to effectively carry out  
22 the functions, powers, and duties of the PNP. He shall be appointed by the  
23 President from among the senior officers down to the rank of brigadier general.  
24 *Provided*, That he shall serve a term of office not to exceed four (4) years: *Provided,*  
25 *further*, That in times of war or other national emergency declared by Congress, the  
26 President may extend such term of office.

27 *SEC. 9. Legal Affairs Service.* – There shall be established a Legal Affairs  
28 Service, which shall serve as the personal staff of PNP Chief on Legal Affairs. The  
29 Legal Affairs Service shall be headed by a PNP Uniformed Personnel with the title of  
30 Director who shall carry the rank of Police Brigadier General.

1 SEC. 10. *Internal Affairs Service.* – Pursuant to the provisions of Republic Act  
2 No. 8551 or the “Philippine National Police Reform and Reorganization Act of 1998”,  
3 there shall be an Internal Affairs Service, the functions of which shall be consistent  
4 with the aforesaid Act that established said office.

5 **B. Appointment Qualifications**

6 SEC. 11. *General Qualifications for Appointment.* – No person shall be  
7 appointed as officer or member of the PNP unless he or she possesses the following  
8 minimum qualifications:

- 9 a) A citizen of the Philippines;  
10 b) A person of good moral conduct;  
11 c) Must have passed the psychiatric/psychological, drug and physical tests to  
12 be administered by the PNP or by any NAPOLCOM-accredited government  
13 hospital for the purpose of determining physical and mental health;  
14 d) Must possess a formal baccalaureate degree from a recognized institution  
15 of learning;  
16 e) Must be eligible in accordance with the standards set by the NAPOLCOM;  
17 f) Must not have been dishonorably discharged from military employment or  
18 dismissed for cause from any civilian position in the government;  
19 g) Must not have been convicted by final judgment of an offense or crime  
20 involving moral turpitude; and  
21 h) Must obtain the appropriate PNP Security Clearance.

22 For a new applicant, he must not be less than twenty-one (21) or more than  
23 thirty (30) years of age. Except for the last qualification, the above-enumerated  
24 qualifications shall be continuing in character and an absence of any one of them at  
25 any given time shall be a ground for separation or retirement from the service:  
26 *Provided,* That PNP members who are already in the service upon the effectivity of  
27 this Act shall be given at least two (2) more years to obtain the minimum  
28 educational qualification.

29 SEC. 12. *Prerequisite for the Appointment to the PNP.* – No applicant shall be  
30 qualified to undergo basic police training unless he has passed the pre-qualifying  
31 examination administered by the PNP Screening and Selection Board: *Provided,* That



1 no new graduates of basic police courses shall be absorbed on permanent status  
2 unless he has satisfactorily passed the six-month probationary period. The PNP shall  
3 set the standards for the implementation of this provision.

4 SEC. 13. *Manner of Appointment.* – The appointment of the officers and  
5 members of the PNP shall be effected in the following manner:

6 a) Patrolman/Patrolwoman to Police Executive Master Sergeant - Appointed  
7 by the PNP Regional Director for regional personnel or by the PNP Chief  
8 for the national headquarters personnel and attested by the NAPOLCOM;

9 b) Police Lieutenant to Police Lieutenant Colonel - Appointed by the PNP  
10 Chief, as recommended by their immediate superiors, and attested by  
11 the NAPOLCOM;

12 c) Police Colonel to Police Lieutenant General - Appointed by the President  
13 upon recommendation of the Chief PNP, with proper endorsement by  
14 the Chairman of the NAPOLCOM;

15 d) Police General - Appointed by the President from among the senior  
16 officers down to the rank of Police Brigadier General in the service:  
17 *Provided,* That the Chief PNP shall serve a tour of duty not to exceed  
18 four (4) years; *Provided, further,* That, in times of war or other national  
19 emergency declared by Congress, the President may extend such tour of  
20 duty.

### 21 **C. Prerequisites to Entry**

22 SEC. 14. *Field Training Program.* – All new uniformed PNP members shall  
23 undergo a Field Training Program for twelve (12) months involving actual experience  
24 and assignment in patrol, traffic, and investigation as a requirement for permanency  
25 of their appointment.

26 SEC. 15. *Examinations for Policemen.* – The NAPOLCOM shall administer the  
27 entrance and promotional examinations for policemen on the basis of the standards  
28 set by the same office.

29 SEC. 16. *Lateral Entry.* – In general, all original appointments of  
30 commissioned officers in the PNP shall commence with the rank of Police Lieutenant,  
31 including all those with highly technical qualifications applying for the PNP technical

1 services, such as dentists, optometrists, nurses, engineers, criminologists and  
2 graduates of forensic sciences. Doctors of medicine, members of the Bar, and  
3 Chaplains shall be appointed to the rank of Police Captain in their particular technical  
4 service. Graduates of the Philippine National Police Academy (PNPA) shall be  
5 automatically appointed to the initial rank of Police Lieutenant to fill up any vacancy  
6 after promotions from the ranks are completed.

## 7 **Chapter Two**

### 8 **General Benefits**

#### 9 **A. Status, Salaries and Allowances**

10 SEC. 17. *Status of PNP Personnel.* – The uniformed and non-uniformed  
11 personnel of the PNP shall be considered employees of the national government and  
12 shall draw their salaries therefrom. *Provided,* That PNP personnel in Metropolitan  
13 Manila, chartered cities, component cities and other municipalities may be paid  
14 financial incentive by the local government unit concerned subject to the availability  
15 of funds.

16 SEC. 18. *Salary Scale.* – The PNP shall have a salary scale separate and  
17 distinct from the other agencies of the government to attract the best and  
18 competent law enforcers. There shall be different salary scales for uniformed and  
19 non-uniformed personnel.

20 Salary scales of PNP personnel shall provide for a gradual progression from  
21 minimum to maximum salary by means of regular increments. The salary scale of  
22 the PNP shall be comparable to the average salary of law enforcement agencies in  
23 the ASEAN Region and other neighboring countries.

24 SEC. 19. *Criteria for Salary.* – The salaries of all uniformed PNP personnel  
25 shall correspond to the following criteria:

- 26 a) Salary shall be comparably equal to those paid in other occupations or  
27 professions requiring equivalent or similar qualifications, training and  
28 abilities regardless of rank positions;
- 29 b) Salary scale shall ensure that the lowest rank and position receive an  
30 amount that will ensure him and his family to afford a reasonable and  
31 decent standard of living; and

1 c) Basic monthly salary shall exclude the subsistence allowance, cost of  
2 living allowance, quarters allowance, clothing allowance, hazard pay,  
3 amelioration pay, health care pay, and all other allowances as may be  
4 provided under existing laws.

5 SEC. 20. *Payment of Salary.* – The salaries of PNP personnel shall be paid in  
6 legal tender of the Philippines or the equivalent in checks or treasury warrants:  
7 *Provided, That* such checks or treasury warrants shall be convertible to cash in any  
8 national, provincial, city or municipal treasurer’s office or any banking institution  
9 operating under the laws of the Republic of the Philippines.

10 Salaries shall be released on time and without undue delay. No deduction  
11 shall be allowed from the salaries due to all PNP personnel except under specific  
12 provisions of applicable laws authorizing such deductions: *Provided, That* written  
13 authority of the PNP personnel concerned shall first be obtained.

14 SEC. 21. *Longevity Pay.* – PNP personnel shall be entitled to a longevity pay  
15 of ten percent (10%) of their basic monthly pay for every five (5) years of  
16 continuous, efficient, and meritorious service in the government, which shall be  
17 computed from the date of the member’s first appointment in the government  
18 service: *Provided, That* the maximum longevity pay shall not exceed fifty percent  
19 (50%) of the member’s basic monthly pay.

20 SEC. 22. *Cost of Living Allowance.* – The salaries of PNP personnel shall be  
21 based on the prevailing cost of living. Salaries shall automatically follow changes in  
22 cost-of-living index determined and established by the NAPOLCOM after due  
23 consultation with appropriate government agencies.

24 SEC. 23. *Clothing Allowance.* – PNP personnel who are required to wear  
25 uniforms shall be entitled to a clothing allowance equivalent to three hundred pesos  
26 (P300.00) per month: *Provided, That* this rate shall be reviewed periodically and  
27 increased accordingly, taking into account existing laws and prevailing practices.

28 SEC. 24. *Quarters Allowance.* – Uniformed PNP personnel shall be entitled to  
29 monthly quarters allowance based on existing scheme which shall be reviewed  
30 periodically and increased accordingly taking into account existing laws and  
31 prevailing practices.



1           SEC. 25. *Remote Assignment Allowance.* – Uniformed PNP personnel who  
2 accepts assignments in remote areas or isolated stations, which have not been filled  
3 for the last two years prior to the assignment due to distance or hard accessibility,  
4 shall be entitled to an incentive bonus in the form of Remote Assignment Allowance  
5 equivalent to fifty (50%) of their basic pay, and shall be entitled to reimbursement  
6 of the cost of reasonable transportation to and from such remote post or station,  
7 upon assuming or leaving such position during official trips.

8           SEC. 26. *Subsistence Allowance.* – Uniformed PNP personnel shall be entitled  
9 to full subsistence allowance of three (3) meals, which shall be computed in  
10 accordance with prevailing market price.

11           SEC. 27. *Special Hardship Allowance.* – In areas wherein a uniformed PNP  
12 Personnel is exposed to hardship and combat situation or other hazard unusual to  
13 peacekeeping, crime prevention and investigation activities and established to be  
14 peculiar to any given area or place of assignment, as determined by the PNP, he  
15 shall be compensated with a special hardship allowance, similar to combat pay of  
16 the Armed Forces of the Philippines, equivalent to at least fifty percent (50%) of his  
17 monthly basic salary.

## 18   **B. Entitlement to Leave Benefits**

19           SEC. 28. *Vacation Leave.* – All PNP personnel who has rendered at least one  
20 year of service shall earn fifteen (15) day vacation leave credits.

21           SEC. 29. *Sick Leave.* – A fifteen (15) day sick leave credits shall be granted to  
22 all PNP personnel for every year of service. A sick leave of absence shall be granted  
23 to any ailing PNP personnel for a period necessary for his treatment.

24           An indefinite sick leave of absence shall be granted to an ailing uniformed  
25 PNP member whose nature of illness demands a long treatment that will exceed one  
26 year.

27           SEC. 30. *Mandatory Leave.* – A PNP personnel is entitled to a mandatory  
28 leave with full pay for seven (7) days, which is not chargeable to his leave credits.

29           SEC. 31. *Maternity Leave.* – Married women in the Philippine National Police  
30 shall, in addition to the sick and vacation leaves granted to them, be entitled to a  
31 maternity leave of one hundred five (105) days with full pay and an option to extend



1 for an additional thirty (30) days without pay, in accordance to Republic Act No.  
2 11210 or the "105-Day Expanded Maternity Leave Law" and its Implementing Rules  
3 and Regulations.

4 SEC. 32. *Paternity Leave.* – Any male PNP personnel shall be entitled to seven  
5 (7) days of paternity leave with pay commencing from the day of the delivery of his  
6 legal spouse.

7 SEC. 33. *Study Leaves.* – In addition to the leave privileges enjoyed under  
8 this Act and other existing laws, uniformed PNP personnel shall be entitled to study  
9 leaves not exceeding one (1) year with pay: *Provided,* That no grantee shall be  
10 allowed to accumulate more than one (1) year of study leave except when he needs  
11 an extra semester to complete and defend his thesis for a graduate study in a  
12 degree relevant to his being a member of the police service.

13 SEC. 34. *Christmas and New Year's Break.* – All PNP personnel shall be  
14 granted a maximum of seven (7) days break during the Christmas and New Year  
15 holidays for them to spend time with their families.

### 16 **C. Retirement Program**

17 SEC. 35. *Early Retirement Program.* – Any PNP personnel who has reached  
18 the age of fifty-five (55) years may avail of this program and be paid separation  
19 benefits in accordance with prevailing scheme: *Provided,* That he/she has rendered  
20 at least fifteen (15) years of continuous service in the PNP organization: *Provided,*  
21 *further,* That those who have availed of this benefit shall not be allowed re-entry  
22 into the PNP.

23 SEC. 36. *Optional Retirement.* – Upon accumulation of at least twenty (20)  
24 years of satisfactory service, a PNP personnel, at his own request and with the  
25 approval of the NAPOLCOM, shall be retired from the service and be entitled to  
26 receive benefits provided for by law.

27 SEC. 37. *Compulsory Retirement.* – Compulsory retirement, for officer and  
28 non-officer, shall be upon the attainment of age fifty-six (56) years old: *Provided,*  
29 That in case of any officer with the rank of Police Brigadier General, Police Major  
30 General, or Police Lieutenant General, the NAPOLCOM may allow his retention in the  
31 service for an inextensible period of one (1) year.

1           SEC. 38. *Highest Basic Salary Upon Retirement.* – A retired PNP personnel  
2 shall automatically be granted one (1) salary grade higher than his/her basic salary  
3 and his/her retirement benefit thereafter, computed on the basis of his/her highest  
4 salary, which shall be given in effect three (3) months prior to the compulsory  
5 retirement: *Provided,* That said personnel has reached the age fifty of five (55) and  
6 fulfilled the service requirements under existing laws.

7           SEC. 39. *Monthly Retirement Pay.* – The monthly retirement pay of a PNP  
8 Personnel shall be fifty percent (50%) of the base pay and longevity pay of the  
9 retired rank in case the retiree has rendered at least twenty (20) years of continuous  
10 active service, increasing by two and one-half percent (2.5%) for every year of  
11 active service rendered beyond twenty (20) years to a maximum of ninety percent  
12 (90%) for thirty-six (36) years of active service and over: *Provided,* That the retiree  
13 shall have the option to receive in advance a lump sum of his retirement pay  
14 equivalent to the first five (5) years of his retirement pay as it accrues: *Provided,*  
15 *further,* That payment of the retirement benefits in lump sum shall be made on the  
16 effectivity date of retirement. It shall be incumbent upon the concerned units to  
17 provide the completion of all documentary requirements in support of the payment  
18 of the retiree’s retirement pay as the retiree is not required to perform additional  
19 tasks other than to receive the fruits of his service. Any personnel who intentionally  
20 and/or maliciously delays or causes the delay in the processing of the retiree’s just  
21 claim for money and/or other emoluments shall be liable for an administrative  
22 offense amounting to grave misconduct and act prejudicial to the interest of the  
23 service as defined by existing laws: *Provided, finally,* That retirement pay of all  
24 uniformed members shall be subject to adjustments based on the prevailing scale of  
25 base pay of police personnel still in active service.

26           **D. Special Financial and Scholarship Assistance Program**

27           SEC. 40. *Special Financial Assistance.* – The family or beneficiary of any PNP  
28 personnel, who is killed or becomes totally and permanently incapacitated while in  
29 the line of duty or by reason of his office or position shall be entitled to the special  
30 financial assistance provided for in this Act in addition to whatever compensation,  
31 donation, insurance, gift, pension, grant or any form of benefit which said deceased

1 or totally incapacitated person or his family may receive or be entitled to: *Provided,*  
2 That he has not committed any crime or human rights violation by final judgment on  
3 such occasion.

4 SEC. 41. *Tax Exemption* – The special financial assistance referred to in the  
5 immediately preceding section shall be equivalent to six (6) months salary, including  
6 allowances and bonuses, during the last twelve (12) months preceding the death of  
7 any PNP personnel which shall not be considered a part of the estate of the  
8 deceased and which shall be exempt from attachment, garnishment or execution  
9 and from income and other taxes.

10 SEC. 42. *Duty of the Cashier.* – It shall be the duty of the cashier from whom  
11 the deceased or permanently incapacitated PNP personnel used to receive his salary,  
12 within three (3) days from receipt of a written certification from the station or unit  
13 commander of the fact of death and the circumstances thereof, to deliver to the  
14 beneficiaries such special financial assistance as provided under Section 40 hereof.  
15 In case of permanent disability, a certification by the proper medical officer  
16 designated by the Chief of the Philippine National Police is necessary for the  
17 payment of the aforesaid financial assistance. After said payment, a report with the  
18 formal certificate of death or permanent incapacity shall be submitted to the Chief of  
19 the Philippine National Police.

20 SEC. 43. *Sources of Special Financial Assistance.* – In order to assure the  
21 payment of the special financial assistance referred to in this Act, without any need  
22 of any appropriation act, the payment shall come from the expected salary,  
23 allowances and bonuses of the deceased or permanently incapacitated PNP  
24 personnel for the next six (6) months after his death or incapacity: *Provided,* That  
25 the position left vacant by the deceased or permanently incapacitated PNP personnel  
26 on account of his death or incapacity shall not be filled during that period of six (6)  
27 months: *Provided, further,* That if the public welfare and interest so demand, as  
28 determined by the Chief of the Philippine National Police, the position left vacant by  
29 the deceased personnel, or permanently incapacitated personnel may be filled  
30 without waiting for the expiration of the six (6) months period, in which case, the  
31 funds out of which the special financial assistance already received by the family of



1 the deceased or permanently incapacitated police personnel by the family of the  
2 deceased or permanently incapacitated police personnel shall be replenished out of  
3 the emergency savings of the PNP, upon the direction in writing by the Chief of the  
4 Philippine National Police to their respective treasurers or cashiers: *Provided, finally,*  
5 That, in the event that there are no emergency savings, the Regional Director or the  
6 Provincial Director, as the case may be, may request for augmentation of personnel  
7 from other PNP units.

8         SEC. 44. *Hospitalization Expenses.* – If any PNP personnel is injured or  
9 wounded or in any manner suffers any injury in the performance of his official  
10 duties, the hospitalization expenses of such personnel shall be shouldered by the  
11 office where he belongs, chargeable against the salary savings of such office without  
12 the need of any appropriation act.

13         SEC. 45. *Employment Priority of Dependents.* – The surviving spouse of the  
14 deceased or permanently incapacitated PNP personnel shall be given priority in  
15 employment in a government agency or office where his/her qualifications are fitted:  
16 *Provided,* That if the spouse is already employed or not employable or if he/she  
17 waives availment of said privilege, an employable son or daughter may enjoy said  
18 privilege.

19         SEC. 46. *Scholarship Privileges for Dependents.* – All surviving children of the  
20 deceased or permanently incapacitated PNP personnel shall be extended scholarship  
21 up to college in a non-exclusive institution, subject to the policies of said institution:  
22 *Provided,* That dependents of the personnel in active duty may be entitled to  
23 seventy-five percent (75%) of the scholarship granted to dependents of the  
24 deceased or incapacitated member, while dependents of non-uniformed personnel  
25 may be entitled to fifty percent (50%) scholarship subject to availability of funds:  
26 *Provided, however,* That if funds are not sufficient to support the scholarship of all  
27 qualified dependents, priority shall be given to the dependents of the deceased or  
28 incapacitated PNP personnel than the dependents of their active uniformed and non-  
29 uniformed members.

30         SEC. 47. *Utilization of Firearms License Fees.* – The license fees collected by  
31 the PNP Firearms and Explosive Office shall be used solely for the scholarship



1 program of the dependents of the police: *Provided*, That the Chief of the PNP, may  
2 utilize a portion of said fees to fund the other needs of the PNP: *Provided, further*,  
3 That the Chief of the PNP may utilize other fees which they are authorized to collect  
4 to generate additional source of funding for the scholarship program.

5 SEC. 48. *Funds Management and Administration.* – The said funds collected  
6 from the firearms licensing fees shall be managed and administered by the PNP  
7 through the Scholarship Board composed of a chairman and four (4) other members  
8 who shall be designated by the PNP Chief. The PNP Chief is authorized to invest the  
9 fund for the purpose of generating additional revenue for the benefit of the  
10 scholarship program.

11 SEC. 49. *Penalty for Delaying Payments.* – Any person who unduly delays,  
12 refuses or in any manner prevents the payment of the special financial assistance or  
13 the scholarship assistance defined in this act to the person or persons entitled  
14 thereto shall be dismissed from the office if found guilty in an appropriate  
15 administrative case.

16 SEC. 50. *Interpretation.* – Nothing in this Act shall be construed to prejudice  
17 and diminish whatever benefits PNP personnel is entitled to receive under existing  
18 laws.

### 19 Chapter Three

#### 20 PNP Non-Uniformed Personnel

##### 21 A. Appointment of Non-Uniformed Personnel

22 SEC. 51. *Human Resource Development for Non-Uniformed Personnel.* –  
23 There shall be established a Human Resource Development Program at the PNP for  
24 non-uniformed personnel including, but not limited to, the provisions on merit  
25 promotion, performance evaluation, in-service training grants, incentive and award  
26 system. The program shall conform to the rules and regulations of the NAPOLCOM.

27 Where there are no specific applicable provisions in the rules and regulations  
28 of the NAPOLCOM, the existing rules and regulations promulgated by the CSC shall  
29 apply.

30 SEC. 52. *Screening and Selection for Appointment.* – Applicants for the non-  
31 uniformed personnel position shall undergo a screening process to be conducted by

1 a duly appointed Selection and Promotion Board based on qualification standards set  
2 by the NAPOLCOM: *Provided, That*, in addition thereto, the applicant shall undergo  
3 an on-the-job training for a period of three (3) months to determine his fitness and  
4 competence to assume the responsibilities of the position to be occupied.

5 SEC. 53. *Application of the Civil Service Laws.* – Except when otherwise  
6 provided for in this Act and in other existing laws, the provisions of Executive Order  
7 No. 292, otherwise known as or the “Administrative Code of 1987”, and other Civil  
8 Service Laws shall be made to apply to all non-uniformed personnel of the PNP.

9 **B. Work Benefits**

10 SEC. 54. *Hours of Work, Salaries, and Other Remuneration.* – The non-  
11 uniformed personnel of the PNP shall be provided with benefits and welfare services,  
12 as follows:

- 13 a) *Normal Hours of Work.* The normal hours of work of any NUP shall not  
14 exceed more than eight (8) hours a day or forty (40) hours a week.  
15 Hours worked shall include: i) all the time during which NUP is required to  
16 work or to be at a prescribed workplace; and ii) all the time during which  
17 NUP is permitted to work.
- 18 b) *Overtime Work.* Where the exigencies of the service so require, any non-  
19 uniformed personnel may be required to render service beyond the  
20 regular eight (8) hours a day: *Provided, That* they shall be paid additional  
21 compensation in accordance with existing laws: *Provided, further, That*  
22 the total additional compensation shall not exceed fifty percent (50%) of  
23 the basic pay.
- 24 c) *Longevity Pay.* Non-uniformed personnel, regardless of their unit of  
25 assignment, shall be entitled to a longevity pay of ten percent (10%) of  
26 their basic monthly pay for every five (5) years of continuous, efficient,  
27 and meritorious service in the government, which shall be computed from  
28 the date of his original appointment in the government service: *Provided,*  
29 *That* the maximum longevity pay shall not exceed fifty percent (50%) of  
30 the basic monthly pay.

1 d) *Compensation for Rest Day, Saturday and Sunday, or Holiday.* Non-  
2 uniformed personnel shall be paid his/her regular daily wage even during  
3 regular holidays. Any personnel who is required or permitted to work on  
4 a regular holiday or in any special public holiday, local or national, shall be  
5 paid compensation equivalent to twice his/her regular rate.

6 e) *Hazard Pay.* In specific assignments where they are exposed to  
7 occupational hazards unusual to peacekeeping, crime prevention and  
8 investigation activities and established to be peculiar to any given area or  
9 place of assignment, as determined by the PNP, non-uniformed personnel  
10 shall also be compensated with a special hazard pay equivalent to at least  
11 twenty-five percent (25%) of his/her monthly basic salary.

12 f) *Medical and Dental Services.* An annual compulsory medical examination  
13 shall be provided free of charge to non-uniformed personnel during their  
14 tenure of employment. Non-uniformed personnel shall be accorded with  
15 free medical and dental services: *Provided,* That the cost shall be included  
16 as automatic appropriation in the PNP annual budget.

#### 17 **D. Fund Appropriation**

18 SEC. 55. *Appropriations.* – To ensure the effective implementation of the  
19 provisions of Chapter Two and Three under this Title, the Congress shall include  
20 such necessary funding necessary to support the foregoing provisions in the PNP  
21 annual appropriations.

### 22 **TITLE III**

#### 23 **PNP DEVELOPMENT PROGRAM**

#### 24 **Chapter One**

#### 25 **Career and Personnel Development**

26 SEC. 56. *Organizational Career Planning and Management Plan.* – To hasten  
27 professionalization of the police service, two separate and distinct organizational  
28 career planning and development system shall be established by the NAPOLCOM, in  
29 consultation with the PNP. One system shall solely center on the uniformed  
30 personnel, police commissioned and police non-commissioned officer. The other  
31 system on the non-uniformed personnel of the PNP.



1 In view of the distinctive nature of their work and of the need to provide  
2 equitable opportunities for professional advancement of the PNP members thereof in  
3 relation to PNP line personnel, the following sub-groups in the PNP shall have  
4 distinct career management and development programs: Professional Technical  
5 Personnel, such as but not limited to the members of the Legal, Health, Engineering,  
6 Chaplain and Criminology Services; and Internal Affairs Service Personnel.

7 The comprehensive organizational career planning and development system  
8 shall include provisions on merit promotions, performance evaluation, in-service  
9 training, overseas and local scholarships, training grants, incentive award system,  
10 and other similar services and human resource development interventions, such as  
11 but not limited to, on the job training, counseling, coaching, job rotation,  
12 secondment, and job swapping.

13 *SEC. 57. Professionalization of the PNP.* – To sustain the professionalization of  
14 PNP personnel, training shall be done intensively and extensively. For this purpose,  
15 regional training academies shall be established and directly managed by the  
16 Regional Commanders as part of their mandate to train all police personnel within a  
17 given region.

18 *SEC. 58. Local Training Programs.* – The PNP shall establish and maintain  
19 continuing local training programs aimed at enhancing the professional growth of  
20 PNP personnel. Such local training programs, undertaken in coordination with other  
21 government and non-government agencies, shall provide managerial, technical,  
22 administrative and operational courses such as logistics and fiscal management,  
23 including training on professional services and criminal procedures.

24 *SEC. 59. In-service Training.* – The PNP shall regularly conduct enhancement  
25 programs and in-service training programs aimed towards the development of the  
26 skills of PNP personnel and the improvement of their capabilities. All uniformed  
27 personnel assigned at the station levels shall be given preference in the entitlement  
28 to such programs. The program shall include, but not be limited to, Police Rookies  
29 Orientation; Specialized Courses on Investigation, Traffic Enforcement, and Drug  
30 Enforcement; Gender Sensitivity Training; and Firearms Proficiency.



1           SEC. 60. *Moral Recovery Programs.* – To develop in each member a strong  
2 moral fiber, the PNP shall conduct Moral Recovery Programs, which shall primarily  
3 focus on the PNP Code of Professional Conduct and Ethical Standards.

4           SEC. 61. *Physical and Mental Fitness Programs.* – The PNP shall formulate  
5 policies and guidelines on physical fitness and sports development programs and  
6 shall conduct periodic physical fitness test among its personnel.

7           For the purpose of ensuring the physical and mental health, as well as the  
8 non-use of prohibited drugs, the PNP, in coordination with the NAPOLCOM-  
9 accredited government hospital, shall conduct regular psychiatric/psychological,  
10 drug, and physical tests randomly and without notice.

## 11                                 **Chapter Two**

### 12                                 **Evaluation and Promotion**

13           SEC. 62. *Performance Evaluation System.* – There shall be established a  
14 performance evaluation system which shall be administered in accordance with the  
15 standards, rules and regulations, and code of conduct promulgated by the  
16 NAPOLCOM for members of the PNP. Such performance evaluation system shall be  
17 administered in such a way as to foster the improvement of individual efficiency and  
18 behavioral discipline as well as the promotion of organizational effectiveness and  
19 respect for the constitutional and human rights of citizens, democratic principles,  
20 and the ideals and supremacy of civilian authority over the military.

21           SEC. 63. *Rationalized Promotion System.* – There shall be a system of  
22 promotion for uniformed and non-uniformed personnel of the PNP, which shall be  
23 based on merit and fitness. Such system shall ensure that all members of the PNP,  
24 regardless of gender, shall enjoy equal opportunity for promotion.

25           It shall further be observed that:

26           a) No member of the PNP shall be eligible for promotion to the next higher  
27           rank unless he had successfully passed the corresponding promotional  
28           examination. He must have completed the required schooling and  
29           training relevant to said position, based on approved NAPOLCOM  
30           resolutions and other relevant laws;

1 b) The pendency of any administrative or minor criminal or civil case arising  
2 from service-related acts or omissions before any court, body or tribunal  
3 shall not be a bar for promotion or assignment; and

4 c) Uniformed personnel assigned in remote areas shall be given priority in  
5 promotion or assignment to better areas after exhibiting satisfactory  
6 performance of his duties. Their tour of duties in remote areas shall not  
7 exceed two (2) years, except when the exigency of their assignment is  
8 involved, when there are no positions for their transfer, or when they  
9 prefer to stay in such posts in excess of two (2) years.

#### 10 **TITLE IV**

#### 11 **DISCIPLINARY MEASURES**

12 SEC. 64. *Disciplinary Mechanisms.* – The PNP shall have a disciplinary  
13 mechanism and the disciplining powers shall be exercised by disciplinary authorities  
14 provided for in Republic Act No. 6975 or the “Department of the Interior and Local  
15 Government Act of 1990”, Republic Act No. 8551 or the “Philippine National Police  
16 Reform and Reorganization Act of 1998”, and other pertinent laws and regulations.

17 SEC. 65. *Safeguards in Disciplinary Procedures.* – In every disciplinary  
18 proceeding, the uniformed PNP personnel shall have:

- 19 a) The right to be informed in writing of the charges against him;  
20 b) The right to pre-charge investigation in administrative cases;  
21 c) The right to full access to the evidence in the case;  
22 d) The right to defend himself or to be defended by a representative of his  
23 own choice or his organization. Adequate time shall be afforded for the  
24 preparation of his defense;  
25 e) The right to confront witnesses presented against him and summon  
26 witnesses in his behalf including the right to cross-examination;  
27 f) The right to appeal, when available;  
28 g) The right to claim reimbursement for the reasonable expenses incurred in  
29 his defense in cases of exoneration or dismissal of charges; and  
30 h) Such other rights that ensure fairness and impartiality during proceedings.





1 of his being a member of the police service or is kidnapped or captured by the  
2 enemy shall be entitled to receive the same pay and allowances and other benefits  
3 to which he is entitled to at the time of the incident which gave rise to his  
4 disappearance or capture: *Provided*, That should it be known later that his  
5 disappearance was not on the occasion of a legitimate police activity or without any  
6 authority, the salaries, allowances and other benefits received by him or his  
7 immediate heirs, relatives, and dependents in accordance with this Act and other  
8 existing and relevant laws shall be returned to the PNP.

9 *SEC. 73. Compensation for Member Who is Missing in Action.* – In case any  
10 uniformed member has been officially declared as missing in action under the  
11 circumstances enumerated under the preceding section, the PNP Chief shall direct  
12 the payment of the missing uniformed member’s monthly salary and allowances and  
13 other emoluments to his heirs, relatives and dependents for their support for a  
14 period of one (1) year from the time of his reported disappearance or capture by the  
15 enemy, as the case may be. A member who is officially declared missing in action  
16 as adjudicated by the NAPOLCOM shall be presumed dead for all legal intents and  
17 purposes after a period of four (4) years from the date of his reported  
18 disappearance or capture.

19 Upon the termination of the one (1) year period, the missing uniformed  
20 personnel shall be automatically terminated. In the event said personnel shall  
21 thereafter be found to have been alive and is not entitled to the benefits paid under  
22 the preceding sections, said benefits shall be reimbursed to the State within six (6)  
23 months from the discovery of the fact or from his reappearance. However, if his  
24 continued disappearance was fraudulent or made in bad faith, he shall, together  
25 with his co-conspirators, be prosecuted in accordance with law.

26 **TITLE VI**

27 **FINAL PROVISIONS**

28 *SEC. 74. Appropriations* – The PNP Chief shall submit to Congress, through  
29 the DILG Secretary, the annual budgetary estimates to implement the provisions of  
30 this Act, which shall be included in the General Appropriations Act.



1           SEC. 75. *Implementing Rules and Regulations.* – The NAPOLCOM shall  
2 formulate and prepare the rules and regulations necessary to implement the  
3 provisions of this Act. All rules and regulations shall be liberally construed in favor of  
4 the PNP member. Rules and regulations implementing this Act shall take effect  
5 fifteen (15) days after publication in a newspaper of general circulation.

6           SEC. 76. *Separability Clause.* – If any provision or part of this Act is declared  
7 invalid or unconstitutional, the remaining parts or provisions not affected shall  
8 remain in full force and effect.

9           SEC. 77. *Repealing Clause.* – All laws, rules, regulations, orders, circulars and  
10 other issuances or parts thereof which are inconsistent with the provisions of this Act  
11 are hereby repealed, amended or modified accordingly.

12           SEC. 78. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after  
13 its publication in the *Official Gazette* or in a newspaper of general circulation.

*Approved,*