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SENATE

Senate Bill No. 910

RECEIVED BY: 

INTRODUCED BY SEN. JINGGOY EJERCITO ESTRADA


EXPLANATORY NOTE

Public safety management is a reciprocal endeavor. While government policy demands the delivery of basic services from the Philippines National Police, there is an equally important obligation of government to lay down the framework and mechanism by which this may be done.

Thus, there is a need to modernize the PNP transforming it into an organization at par with the world's best. This can be achieved by having a PNP that is well equipped, well-trained and pro-active to the demands of modern Philippine society.

Thus, this measure will basically lay down the framework for the modernization of the Philippine National Police and will focus on several aspects such as organizational development, crime prevention and control doctrines development, human resource development, internal security and counterinsurgency capability development.

The approval of this measure is thus earnestly sought.


JINGGOY EJERCITO ESTRADA
Senator

10 JUL -8 09:08

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Senate Bill No. 910

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AN ACT
PROVIDING FOR THE PHILIPPINE NATIONAL POLICE MODERNIZATION
PROGRAM, AND FOR OTHER PURPOSES

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

SECTION 1. Short Title. This Act shall be known as the "**Philippine National Police Modernization Act of 2010**".

SEC. 2. Declaration of Policy. It is hereby declared the policy of the State to establish a highly efficient and competent police force which is national in scope and civilian in character. The Philippine National Police (PNP) is the primary government agency that is entrusted to promote peace and order, ensure public safety and effectively discharged its mandate of performing police functions. The PNP will primarily be a service-oriented agency responsible for internal security operation.

Towards, this end, a truly professional, efficient and highly motivated PNP shall actively employ mechanism to engage the support of the people at the community-level as well as the support of the other pillars of the criminal justice system and shall be realized through the PNP modernization program under this Act, the trust of which shall be:

- (a) The acquisition and upgrading of basic police equipment and law enforcement facilities;
- (b) The acquisition, construction, improvement and upgrading of buildings, facilities and/or offices as centers or headquarters for police operations in the local government units;
- (c) The upgrading of reforms in the recruitment, training, employment, and management of PNP personnel;
- (d) The development, validation or modification of PNP doctrines;
- (e) The acquisition and upgrading of appropriation technology and equipment, and
- (f) The promotion of a PNP National Strategic Action Plan (NSAP) which will focus on the following key result areas (KRA):
 - (1) Prevention and control of crimes primarily through the community-oriented Policing System (COPS);

- (2) Peace and order maintenance, internal security and peacekeeping;
- (3) Enforcement of the rule of the law;
- (4) Community support;
- (5) Coordination and cooperation with other government agencies, NGO's and the international police community;
- (6) Efficiency and effectiveness in the development and management of human and material resources.

SEC. 3. Objectives of the PNP Modernization Program. The PNP Modernization program shall be implemented in accordance with the following objectives:

- (a) To transform and develop the PNP into a service oriented agency in the performance of its police and internal security functions;
- (b) To enable the PNP to develop capabilities to foster human and ecological security;
- (c) To enhance its capability to assist other agencies in the enforcement of domestic and foreign policies as well as international covenants in coordination with international covenants in coordination with the international enforcement agencies;
- (d) To enhance the PNP's capabilities to assist the Armed Forces of the Philippines in the performance of the AFP's mandate; and
- (e) To develop its capabilities to support national development.

SEC. 4. Components of the PNP Modernization Program. The PNP Modernization Program shall consist of the following components:

- (1) Organization Development - the PNP modernization program on organization development shall consist of the restructuring and streamlining of unit and offices for economy and efficiency to avoid the overlapping of functions, simplify procedures and improve response time for crime prevention and control: *Provided that*, an internal affairs mechanism shall be devised which shall be insulated from unwarranted interference from within the organization: *Provided further*, that it shall conduct pro-active investigations on prospective and existing personnel to include the assessment, analysis and evaluation of character, behavior and other potential problems which may arise in the performance of their duties.

The organization development program shall likewise undertake the effective implementation of the manning levels mandate in R.A. No. 6975.

- (2) Human Resource Development – this component of the PNP modernization program pertains to the professionalization of its human resource, the transformation of its personnel into pro-country, pro-God proponents with a high level of spiritual and moral values and sincere regard for human rights. Correspondingly, this program shall have the following objectives:

- (a) to strengthen the civil service consciousness and respect for the rule of law; and
 - (b) to develop and transform the PNP into a primarily community-oriented police force.
- (3) Doctrine Development – This requires the rationalization of systems, standards and procedures in the administration of the PNP. Thus, towards this end, the NAPOLCOM and the Office of the PNP chief shall be responsible for the generalization, evaluation, consolidation and formalization of doctrines and the conduct of periodic review of doctrines through field application, testing and exercises as well as the dissemination of approved doctrines at all level of command.
 - (4) Infrastructure Development – This refers to the basic systems and support systems required to ensure that efficiency police services are rendered. The modernization program includes the acquisition and upgrading of basic facilities such as police stations to support facilities for administrative and operational services such as training, crime laboratory, information management systems, communications systems, medical and dental services, care in hospitals and dispensaries and housing.
 - (5) Equipment and facilities acquisition and modernization – this program involves the acquisition and upgrading of contemporary, modern and state-of-the-art equipment and system to enhance the capabilities of the police organization in the performance of its mandate.

The Secretary of the Department of the Interior and Local Government in coordination with the Chairman, National Police Commission shall formulate guidelines to implement this section in accordance with the objectives of the modernization program enumeration in the preceding section. '

SEC. 5. Priority Programs for Modernization. – In the performance of its duties and functions mandated by law, the PNP shall undertake the Modernization Program in the context of a PNP National Strategic Action Plan (NSAP), consistent with Section 3 and 4 of this Act, and shall specifically gear towards the improvement and development of the criminalistic aspects of its police functions. The following areas of activity shall thereafter be given priority:

- (a) Community-Oriented Policing Systems (COPS) – The rationalization of the police operations into a pro-active and community based policing system in place of the current reactive, precinct-based policing system.
- (b) Criminal Investigation – The enhancement of legal and scientific criminal investigation utilizing improve crime laboratory techniques, methodologies and responsive procedures.
- (c) Beat Patrol – The improved patrol coverage through the acquisition and upgrading of communications equipment and mobility equipage to improve response time and enhance crime prevention.
- (d) Civil Disturbance Control – The development of civil disturbance doctrines consistent with the Constitutional and statutory provisions on human rights as well as the acquisition of

equipment and devices necessary to implement these doctrines.

- (e) Anti-Terrorists Operations. The Promotion and utilization of the multilateral exchange of information with other police organization, to include the improvement of its institutional capabilities to deal with terrorist activities as may be defined by law.
- (f) Disaster Relief and Rescue Operations – The improvement of institutional capabilities to prepare and respond to all types of disaster to national emergencies as well as the development of the coordinated efforts with other government agencies and relief organization in responding to the same.
- (g) VIP and Airport Security - The development and upgrading of airport security measures and doctrines to world-class standards to include the creation of cooperation and coordination mechanisms with domestic and international law enforcement agencies.
- (h) Maritime Patrol – The development of capabilities concerning the performance of its duties of environment protection and conservation as well as ensuring ecological security. It shall likewise include the conduct of operations against illegal activities in the maritime areas such as illegal fishing, piracy, smuggling, illegal trafficking of contraband and the like.
- (i) Aerial Surveillance and Air Transport - the acquisition and upgrading of a modest air transport capabilities to convey its personnel and supplies over the entire length and breadth of the archipelago. This will necessitate the acquisition of multi-role aircrafts to function on public order and safety services such as observation, surveillance evacuation, and detection, among others.
- (j) Drug Abuse Suppression – The development of its capability in the enforcement of laws relating to drug abuse and the increased coverage in drug abuse suppression and administrative activities.
- (k) Integrated Communication System – the acquisition and/or upgrading of a centralized communication system for faster coordination, command and control of operational and administrative activities.
- (l) Intelligence Operation – The development and enhancement of the capability for information collection, processing and dissemination.
- (m) Integrated Logistic Support – The enhancement of PNP logistic capability for sustained law enforcement, public security and internal security operations throughout the country.
- (n) Internal Security Operation – The preparation and development of the capability to conduct internal security operations in anticipation of the eventual transfer from the AFP by statutory directives, the executive implement of a statutory directives or by operation of law.
- (o) Firearms Control and Private Security Agency Regulation – the development and enhancement of an electronic information management system and the standardization of training for security guards. The development of a comprehensive firearms control regulation mechanism shall be undertaken to address the proliferation of unlicensed and unregistered firearms.

- (p) Traffic Law Enforcement – the development of a traffic law enforcement and management system for an improved capability for traffic control

SEC. 6. *Period of Implementation.* The modernization program under this Act shall be implemented over a period of five (5) years; *Provided however,* that payment for amortization of outstanding multi-year contract obligations incurred under this Act may extend beyond this period.

- (a) the Secretary of the Interior and Local Government, pursuant to the PNP Modernization Program Projects and Appropriations approved by Congress, may, subject to the approval of the President, and consistent with the provisions of existing laws and regulations including those of the Commission on Audit and under such terms and conditions most favorable to the Government, enter into multi-year contracts, and other contractual arrangements.
- (b) For multi-year contracts, Congress shall upon certification by the President, make the corresponding appropriation for the ensuing fiscal year: *Provided,* that Congress shall make appropriate only such funds as may be necessary to pay an unpaid amount where the funds appropriated for the current fiscal year is not sufficient or available to meet such payment in full or in part.
- (c) The Secretary of the interior and Local Government, shall submit to the Chairman of the Chairman of the Senate Committee National Defense and Security, the Secretary of Finance and the Chairman of the House of Committees on National Defense and Appropriations, copies of these multi-year contracts and other agreements to enable Congress to appropriate funds: *Provided that,* the funds to be appropriated for the PNP Modernization Program under this Act shall be treated as a distinct and separate budget item form the regular appropriations for the Department of the Interior and Local Government and the PNP and shall be administered by the Secretary of the Interior and Local Government.

SEC. 7. *Self-Reliance Program.* To implement modernization program, the PNP shall give preference to Filipino contractors and suppliers and secondly to foreign contractors or suppliers willing or able to locate a substantial portion of, if not the entire production process of the item(s) involved, within the Philippines: *Provided that,* the entire production process of the item(s) involved, within the Philippines: *Provided that,* the PNP shall first determine and publish the minimum requirements and standards for products, equipment and technology before the contract negotiation or bidding: *Provided further,* that such product, equipment and technology standards shall conform to established standards in the international community: *Provided finally,* that the spirit, intent and criteria set by the Flag Law shall be adopted in the determination of awards of contractual arrangements.

In order to generate local employment opportunities and enhance technology transfer to the Philippines and to minimize foreign exchange outflow, the Secretary of the Interior and Local Government, shall as far as feasible, incorporate in each contract/agreement, special foreign exchange reduction scheme such as counter-trade, in-country manufacture, co-production, or other innovative arrangements or combinations thereof.

The PNP shall likewise ensure that in negotiation applicable contracts of agreements, provisions are incorporated respecting the transfer to the PNP of the principal technology involved as well as the training of PNP personnel to operate and maintain such equipment or technology.

SEC. 8. *Procurement System.* In addition to the provisions of existing laws, rules and provisions regarding the procurement and acquisition of real estate, buildings, facilities and equipments, the PNP shall strengthen said systems and procedures taking into account the new requirements under the PNP modernization program.

SEC. 9. *Annual Report.* Not later than the end of the first quarter of the succeeding year.

- (a) the Secretary of the Interior and Local Government, shall submit to the President and Congress an annual report containing the progress of the implementation of the modernization program under the Act to include the PNP program activities implemented prior to the approval of this Act.

SEC. 10. *Separability Clause.* If any provision of this Act shall be held unconstitutional or invalid, the other provisions shall not be affected and shall remain in full force and effect.

SEC. 11. *Repealing Clause.* All laws executive orders, rules and regulations inconsistent with or contrary to this Act are thereby deemed accordingly repealed or amended.

SEC. 12. *Effectivity Clause.* This Act shall take effect fifteen (15) days from its publication in at least two (2) newspapers of national circulation.

Approved,