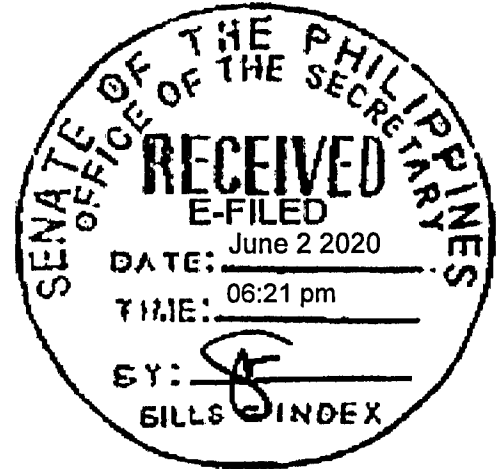


EIGHTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
First Regular Session )

SENATE

S. No. 1581




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Introduced by SENATOR RONALD "BATO" DELA ROSA

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**AN ACT  
ESTABLISHING THE NATIONAL POLICE CLEARANCE SYSTEM, PROVIDING  
FUNDS THEREFOR AND FOR OTHER PURPOSES**

**EXPLANATORY NOTE**

CRIME PREVENTION and police services should always be responsive to the needs of the society. Old methods should be replaced and upgraded to ensure efficiency and effectiveness.

At present, our local police databases are not integrated. A person’s police clearance varies across different police stations covering their respective jurisdiction. He may have a police clearance without annotation from one locality but might appear to be one of the persons alleged to have committed a crime in another. Clearly, a police clearance which is usually required by employers can easily be manipulated. A suspect or a criminal has the liberty to obtain a police clearance from a locality within which he knows he has a clean record. This should not be allowed.

To address this issue, there is a need to use information and communications technology to modernize the law enforcement tools of the Philippine National Police.

By maximizing the available technology, we can provide a more effective and efficient service to the public.

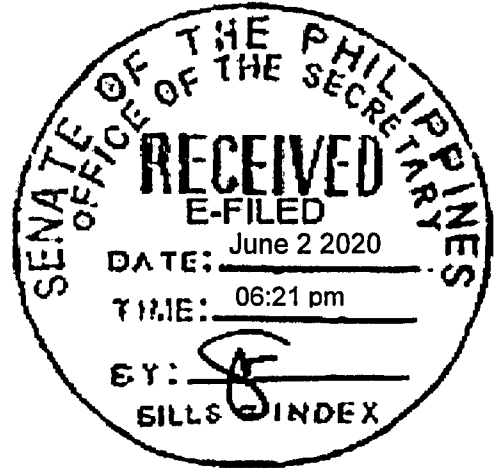
With the aid of modern technology, the proposed bill seeks to establish and institutionalize a National Police Clearance System (NPCS). The NPCS will consolidate and connect information into a centralized police clearance database. It is geared towards a centralized crime-related record checking nationwide which will result to a standardized and streamlined police clearance application, convenient online application portal and an integrated PNP's crime-related database.

In view of the foregoing, I earnestly seek the passage of this bill.

  
**RONALD "BATO" DELA ROSA**

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

**SENATE S. No. 1581**



Introduced by SENATOR RONALD "BATO" DELA ROSA

**AN ACT**  
**ESTABLISHING THE NATIONAL POLICE CLEARANCE SYSTEM, PROVIDING**  
**FUNDS THEREFOR AND FOR OTHER PURPOSES**

1 Be it enacted by the Senate and House of Representatives of the Philippines in  
 2 Congress assembled.

3  
 4 SECTION 1. Short Title. – This Act shall be known as the "National Police  
 5 Clearance System Act".

6 Sec. 2. Declaration of Policy. – It is hereby declared the policy of the State to  
 7 ensure public safety thru a highly efficient, effective, competent and modernized  
 8 police force and the use of information and communications technology. Furthermore,  
 9 the State shall improve efficiency in the delivery of service by reducing bureaucratic  
 10 red tape and preventing corruption while ensuring the protection of the fundamental  
 11 human right of privacy.

12 Sec. 3. National Police Clearance System. – The National Police Clearance  
 13 System (NPCS) is hereby established. The Philippine National Police shall be the  
 14 primary government agency responsible for the implementation of the NPCCS.

15 Pursuant to this mandate, the PNP shall formulate and adopt policies for the  
 16 effective operationalization of the NPCCS including but not limited to maintenance of a  
 17 national record of all reported crime incidents, warrants of arrest, pictures and  
 18 personal details of arrested and wanted persons, fingerprints and ballistic examination  
 19 records and other relevant information.

1           Sec. 4. Processing of Information. – The processing of information under the  
2 NPCS shall be subject to Section 11, 12 and 13 of Republic Act No. 10173, otherwise  
3 known as the “Data Privacy Act of 2012”.

4           Sec. 5. Issuance of National Police Clearance. – Any person may request for  
5 the issuance of their National Police Clearance from the PNP. In line with this, the PNP  
6 may determine, fix and collect reasonable amounts to be charged as fees for the  
7 issuance of the police clearance: Provided, That no fees and other charges shall be  
8 collected from first time jobseekers when obtaining such police clearance as mandated  
9 by Republic Act No. 11261, otherwise known as the “First Time Jobseekers Assistance  
10 Act.”

11           Sec. 6. Confidentiality. – The Philippine National Police shall ensure at all times  
12 the confidentiality of any personal information that comes to its possession or  
13 obtained as a requirement for the issuance of a Police Clearance under the preceding  
14 section.

15           Sec. 7. Penal Provision. – (a) Any person, who breach the confidentiality of  
16 information contained in the NPCS, whether by carelessness, improper behavior,  
17 behavior with malicious intent, and use of confidential information for profit, shall be  
18 penalized by imprisonment of three (3) months but not to exceed one (1) year and a  
19 fine of not less than Fifty Thousand Pesos (P50,000.00) but not more than One  
20 Hundred Thousand Pesos (P100,000.00), subject to the degree of breach of  
21 information;

22           (b) The unauthorized processing of National Police Clearance without the  
23 consent of the subject individual shall be penalized by imprisonment of three (3)  
24 months but not to exceed one (1) year and a fine of not less than Fifty Thousand  
25 Pesos (P50,000.00) but not more than One Hundred Thousand Pesos (P100,000.00).

26           Sec. 8. Appropriation. – The amount necessary for the effective  
27 implementation of the provisions of this Act shall be taken from the current year’s  
28 appropriation of the PNP. Thereafter, such sum as may be needed for the continued  
29 implementation of this Act shall be included in the annual General Appropriations Act.

30           Sec. 9. Implementing Rules and Regulations. – Within sixty (60) days from  
31 the effectivity of this Act, the PNP shall promulgate the rules and regulations  
32 necessary for the for the effective implementation of this Act.

1           Sec. 10. Separability Clause. – If any portion or provision of this Act is declared  
2 unconstitutional, the remainder of this Act or any provisions not affected thereby shall  
3 remain in force and effect.

4           Sec. 11. Repealing Clause. – All laws, decrees, orders, regulations and policies  
5 inconsistent with the provisions of this Act are hereby repealed and/or amended 4  
6 accordingly.

7           Sec. 12. Effectivity. – This Act shall take effect fifteen (15) days after its 6  
8 complete publication in at least two (2) newspapers of general circulation.

*Approved,*