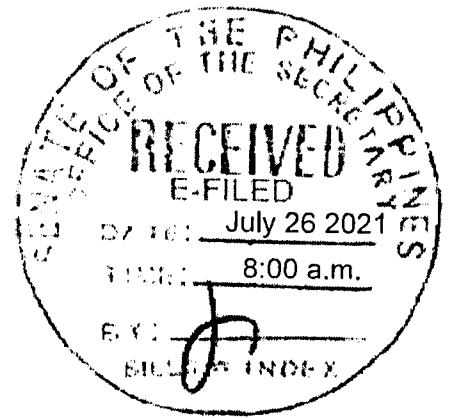


EIGHTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
Third Regular Session )

SENATE  
S. No. 2322



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Introduced by Senator Aquilino "Koko" Pimentel III

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AN ACT  
PROVIDING FOR THE ADMINISTRATIVE REFORM AND  
REORGANIZATION OF THE PHILIPPINE COAST GUARD, REVISING  
FOR THE PURPOSE REPUBLIC ACT NO. 9993, OTHERWISE KNOWN  
AS THE "PHILIPPINE COAST GUARD LAW OF 2009"

EXPLANATORY NOTE

The Philippine Coast Guard (PCG) was first established in 1967 through the issuance of Republic Act (RA) No. 5173<sup>1</sup>, which placed it under the Philippine Navy.

The PCG was transferred in 1998 to then Department of Communications and Transportation as an attached agency through the issuance of Executive Order (EO) No. 475<sup>2</sup> and EO No. 477<sup>3</sup>. These two executive orders embodied not just the transfer but the organization, administration and welfare of the personnel as well. These changes were supposed to be institutionalized in RA No. 9993<sup>4</sup>, which was promulgated in 2010, to reflect the intent and substance of the executive orders.

Unfortunately, more than a decade after its effectivity, several gaps were found in the personnel, administration and organization areas, which negatively impacted the agency, especially the pension of its personnel.

In 2019, the PCG was able to secure an opinion from the Department of Justice (DOJ) that the personnel benefits that the Department of Budget and Management (DBM) claims to no longer be available to the PCG are still rightfully due to the Coast Guard uniformed personnel. DOJ opined that RA No. 9993 should not be read on its own but in light of other issuances, such as the

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<sup>1</sup> An Act Creating a Philippine Coast Guard, Prescribing its Powers and Functions, Appropriating the Necessary Funds Therefor, and For Other Purposes. Approved: August 4, 1967.

<sup>2</sup> Transferring the Philippine Coast Guard from the Department Of National Defense to the Office of the President and For Other Purposes. Signed: March 30, 1998.

<sup>3</sup> Transferring the Philippine Coast Guard to the Department of Transportation and Communications. Signed: April 15, 1998.

<sup>4</sup> An Act Establishing the Philippine Coast Guard as an Armed and Uniformed Service Attached to the Department Of Transportation and Communications, Thereby Repealing Republic Act No. 5173, as Amended, and For Other Purposes. Approved: Feb 12, 2010.

executive orders that transferred the PCG, EO No. 475 and EO No. 477, where it was clearly provided in Section 6 of both executive orders that PCG uniformed personnel shall continue to be covered by PD No. 1638, as amended. Further, DOJ mentioned that in Section 14 of RA No. 9993, PCG uniformed personnel shall continue to receive salaries and other benefits as that enjoyed by their counterparts in the AFP until a personnel benefits law specific to PCG is enacted.

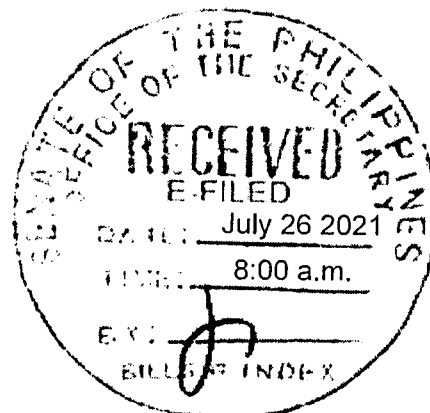
A reading of RA No. 9993 shows that the law is silent on the matter, and the provisions on administration and organization are indeed too vague. For these reasons, a comprehensive revision of RA No. 9993 is necessary to resolve the issues involved and to have an administrative and organizational reform in the agency.

This measure seeks to revise RA No. 9993 to enable the PCG to better accomplish its mandate and to best serve the Filipino people, considering the sensitivity and relevance of the maritime jurisdiction of the Philippines coupled with the challenges that the Government is facing regionally and internationally relating to the application of the United Nations Law of the Sea Convention.

In view of the foregoing, immediate approval of this bill is earnestly sought.

  
AQUILINO "KOKO" PIMENTEL III

EIGHTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
*Third Regular Session* )



SENATE  
S. No. 2322

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Introduced by Senator Aquilino “Koko” Pimentel III

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**AN ACT PROVIDING FOR THE ADMINISTRATIVE REFORM  
AND REORGANIZATION OF THE PHILIPPINE COAST GUARD,  
REVISING FOR THE PURPOSE REPUBLIC ACT NO. 9993,  
OTHERWISE KNOWN AS THE “PHILIPPINE COAST GUARD  
LAW OF 2009”**

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

1       **SECTION 1. Short Title.** - This Act shall be known as the  
2       *“Revised Philippine Coast Guard Law.”*  
3

4       **SEC. 2. Philippine Coast Guard.** - The Philippine Coast Guard  
5       (PCG), established under Republic Act No. 9993 as an armed and  
6       uniformed service attached to the Department of Transportation (DOTr)  
7       shall continue as such upon the effectivity of this Act:  
8       Provided, That in times of war, as declared by Congress, the PCG or parts  
9       thereof, shall be attached to the Department of National Defense (DND).  
10

11       **SEC. 3. Powers and Functions.** - The PCG shall have the following  
12       powers and functions:  
13

- 14       a) To enforce regulations in accordance with all relevant maritime  
15       international conventions, treaties or instruments and national  
16       laws for the promotion of safety of life and property at sea  
17       within the maritime jurisdiction of the Philippines and conduct  
18       port state control implementation;  
19       b) To conduct inspections on all merchant ships and vessels,  
20       including, but shall not be limited to, inspections prior to  
21       departure, to ensure and enforce compliance with safety

- 1 standards, rules and regulations;
- 2 c) To detain, stop or prevent a ship or vessel which does not comply  
3 with safety standards, rules and regulations from sailing or  
4 leaving port;
- 5 d) To conduct emergency readiness evaluation on merchant marine  
6 vessels;
- 7 e) Subject to the approval of the Secretary of the DOTr  
8 (Transportation), to issue and enforce rules and regulations for  
9 the promotion of safety of life and property at sea on all maritime-  
10 related activities;
- 11 f) To coordinate, develop, establish, maintain and operate aids to  
12 navigation, vessel traffic system, maritime communications and  
13 search and rescue facilities within the maritime jurisdiction of  
14 the Philippines;
- 15 g) To remove, destroy or tow to port, sunken or floating hazards to  
16 navigation, including illegal fish traps and vessels, at or close to  
17 sea lanes which may cause hazards to the marine environment;
- 18 h) To issue permits for the salvage of vessels and to supervise all  
19 marine salvage operations, as well as prescribe and enforce rules  
20 and regulations governing the same;
- 21 i) To render aid to persons and vessels in distress and conduct  
22 search rescue in marine accidents within the maritime  
23 jurisdiction of the Philippines, including the high seas, in  
24 accordance with applicable international conventions. In the  
25 performance of this function, the PCG may enlist the services of  
26 other government agencies and the merchant marine fleet;
- 27 j) To investigate and inquire into the causes of all maritime  
28 accidents involving death, casualties and damage to properties;
- 29 k) To assist in and implement the enforcement and maintenance of  
30 maritime security, prevention or suppression of terrorism at sea,  
31 and performance of law enforcement functions in accordance  
32 with pertinent laws, rules and regulations;
- 33 l) To assist in the enforcement of laws on fisheries, immigration,  
34 tariff and customs, forestry, firearms and explosives, human  
35 trafficking, dangerous drugs and controlled chemicals,  
36 transnational crimes and other applicable laws within the  
37 maritime jurisdiction of the Philippines;
- 38 m) To board and inspect all types of merchant ships and watercrafts  
39 in the performance of this functions;
- 40 n) To enforce laws and promulgate and administer rules and  
41 regulations for the protection of marine environment and  
42 resources from offshore sources of pollution within the maritime

- 1 jurisdiction of the Philippines;
- 2 o) To develop oil spill response, containment and recovery
- 3 capabilities against ship-based pollution;
- 4 p) To grant, within its capabilities and consistent with its mandate,
- 5 requests for assistance of other government agencies in the
- 6 performance of their functions;
- 7 q) To organize, train and supervise the PCG Auxiliary (PCGA) for
- 8 the purpose of assisting the PCG in carrying out its mandated
- 9 functions;
- 10 r) To perform such other functions that may be necessary in the
- 11 attainment of the objectives of this Act; and
- 12 s) To enhance its capability during emergencies, the PCG may
- 13 recommend to the President to issue rules and regulations
- 14 pertaining to assistance and support of the Philippine Navy in
- 15 the exercise of its functions.
- 16

17 **SEC. 4. The PCG Commandant.** – The PCG shall be headed by a

18 Commandant who shall have the rank of Admiral which shall be

19 equivalent to the rank and pay rate of the Chief of Staff of the Armed

20 Forces of the Philippines and the Chief of the Philippine National Police:

21 Provided, That he shall be appointed by the President from among the

22 Flag Officers in the Coast Guard service. He shall hold a command-at-

23 sea badge and must have served as District Commander and Functional

24 Service Commander. The Commandant shall have a maximum term of

25 (3) three years or upon reaching the age of fifty-six (56) years old

26 whichever comes earlier. However, if the maximum term is reached

27 before reaching the age of 56, the Commandant shall be compulsorily

28 retired at term's end with all the benefits appertaining thereto.

29

30 **SEC. 5. Powers and Functions of the Commandant.** - The

31 Commandant shall exercise the following powers and functions:

32

- 33 a) Under the authority and direction of the President, shall be
- 34 responsible for the elaboration and execution of national
- 35 maritime laws relating to the functions of the PCG;
- 36 b) Direct and control strategic as well as tactical movements,
- 37 deployment, placement, utilization of the PCG or any of its units
- 38 and personnel, including its equipment, facilities and other
- 39 resources: Provided, that the Commandant may delegate this
- 40 power to subordinate officials with respect to the units under the
- 41 latter's command, subject to the guidelines as the Commandant
- 42 may prescribe in accordance with existing laws, rules and

- 1 regulations;
- 2 c) Prescribe, in accordance to existing laws, the organization or re-
- 3 organization, powers, functions and duties of the various staff,
- 4 services, installation and other units of the PCG;
- 5 d) Issue policies and instructions regarding personnel, funds,
- 6 properties, records, correspondence and such other matters as
- 7 may be necessary to effectively carry out the functions,
- 8 powers and duties of the PCG, in accordance with existing laws,
- 9 rules and regulations;
- 10 e) Appoint, enlist and call to active duty any draftee, non-
- 11 commissioned officers, and call to active duty members of the
- 12 officers' corps;
- 13 f) Approve the recommendation of the different promotion and/or
- 14 assignment boards and ensure observance of merit and fitness in
- 15 the process of promotion and assignment;
- 16 g) Exercise disciplinary authority over all uniformed personnel and
- 17 civilian employees of the PCG; and
- 18 h) Perform any task or directive issued by the President.
- 19

20 Such command and direction of the Commandant may be delegated

21 to subordinate officials with respect to the units under their respective

22 commands, in accordance with the rules and regulation prescribed under

23 existing laws.

24

25 **SEC. 6. Organization.** – The PCG organizational structure shall be

26 headed by a Commandant with the rank of Admiral, assisted by the

27 Deputy Commandant for Operation and Deputy Commandant for

28 Administration both with the rank of Vice Admiral. It is divided into three

29 functional service commands, namely, maritime safety, marine

30 environmental protection and maritime security. Other service commands,

31 major and support units, are categorized as administrative support,

32 operating commands, operational support, technical services and special

33 service commands. They include the following:

34

- 35 a) Administrative support commands - Education and Training,
- 36 Internal Affairs, Surface Support Force, Human Resource
- 37 Management Service and Logistics and Finance;
- 38 b) The operational support commands - Weapons, Communications,
- 39 Electronics, Information System Service, Special Operations
- 40 Force, Aviation Force, and Canine Enforcement Force;
- 41 c) The technical services - the Judge Advocate General's Service
- 42 Command, Medical Service, Ecumenical Service, Dental Service,

1 Veterinary Service, Medical Administrative Corps, Nurse Corps,  
2 and other technical services that may or hereinafter be created as  
3 needed;

- 4 d) Operating commands are the fifteen (15) districts located  
5 nationwide covering specific areas of responsibilities composed of  
6 stations which in turn have field offices called sub-stations down  
7 to detachments or posts. These coast guard districts are: National  
8 Capital Region-Central Luzon (CGD NCR-CL), Central Visayas  
9 (CGD CV), Southwestern Mindanao (CGD SWM), Southeastern  
10 Mindanao (CGD SEM), Palawan (CGD PAL), Western Visayas  
11 (CGD WV), Southern Tagalog (CGD STL), Northern Mindanao  
12 (CGD NM), Bicol (CGD BCL), Northwestern Luzon (CGD  
13 NWL), Eastern Visayas (CGD EV), Northeastern Luzon (CGD  
14 EL), Southern Visayas (CGD SV), Southern Mindanao (CGD  
15 SM), Northeastern Mindanao (CGD NEM); and  
16 e) The Special Services are the Legislative Liaison Affairs,  
17 Community Relations Service, Finance Service, Internal Audit,  
18 Center for Strategic Studies and Accounting Service.

19  
20 The foregoing is the basic structure of the PCG, although the  
21 Commandant may, in the interest of public service, create units and/or  
22 reorganize the units under the PCG that shall be forwarded to the  
23 Secretary of Transportation for adoption and submission to the  
24 Organization, Position Classification and Compensation Bureau (OPCCB)  
25 of the Department of Budget and Management (DBM); Provided, That the  
26 minimum manning level of the PCG shall be computed based on the total  
27 coastline of the Philippines with two (2) uniformed personnel per one (1)  
28 kilometer of coastline. Provided Further, That the functional commands,  
29 administrative support units, operational support units, operating units,  
30 technical services, and special services shall possess the authority and  
31 responsibilities and perform all duties and functions of the PCG within  
32 their individual area of responsibility including but not limited to  
33 discipline, finance and procurement. Provided, Finally, That the ranks of  
34 all uniformed personnel in the PCG whether officer or enlisted personnel  
35 shall be the same and equal as that used and observed in the AFP and PNP  
36 including in the pay grade/rate and benefits.

37  
38 **SEC. 7. – Personnel.** – The PCG shall consist of the following  
39 categories of personnel:

- 40  
41 a) *Officer* – refers to uniformed member of the PCG who is  
42 commissioned as officer by the President and belongs to the

- 1 officers' corps;
- 2 b) *Enlisted personnel* – general term for uniformed member of the
- 3 PCG with ranks below commissioned officers and performs jobs
- 4 specific to their occupational specialty. There are three categories
- 5 of enlisted personnel, namely, strikers for those in grades E-1 to E-
- 6 3, junior non-commissioned officers for those in grades E-4 to E6
- 7 and senior non-commissioned officers for ranks with equivalent
- 8 grades of E-7 to E-10;
- 9 c) *Civilian employee* – refers to the non-uniformed members of the
- 10 PCG who are appointed and employed under the Civil Service
- 11 laws, rules and regulations;
- 12 d) *Probationary Ensign* – refers to a person who is called to active
- 13 duty but awaiting commissionship into the PCG or awaiting
- 14 training;
- 15 e) *Draftee* – refers to a person who has completed basic training and
- 16 is awaiting enlistment into the PCG active service;
- 17 f) *Cadet* - refers to a person who is enrolled in service academies
- 18 under the sponsorship of the PCG;
- 19 g) *Candidate* – refers to a person who is undergoing basic training for
- 20 commissionship; and
- 21 h) *Trainee* – refers to a person who is undergoing training to qualify
- 22 as member of the enlisted personnel's corps of the PCG.

23

24 **SEC. 8. Rank Classification.** – The ranks/grades of PCG Officers

25 shall be as follows:

26

27 RANK	28 ACRONYM	29 PAY GRADE
30 Admiral	ADM	O-10
31 Vice Admiral	VADM	O-9
32 Rear Admiral	RADM	O-8
33 Commodore	COMMO	O-7
34 Captain	CAPT	O-6
35 Commander	CDR	O-5
36 Lieutenant Commander	LCDR	O-4
37 Lieutenant Senior Grade	LTSG	O-3
38 Lieutenant Junior Grade	LTJG	O-2
39 Ensign	ENS	O-1

40 **SEC. 9. Technical Officers.** – Following are the professionals that

41 may join the PCG service as technical officers:

- 42 a) Lawyers



- 1                   b) Doctors
- 2                   c) Priests, Pastors, Imam, and other certified clerics
- 3                   d) Dentists
- 4                   e) Nurses
- 5                   f) Clinical Psychologists
- 6                   g) Physical Therapists
- 7                   h) Chemists
- 8                   i) Medical Technologists

9

10           Other professions not listed may be included as part of the PCG  
 11 Technical Services should the need for them arise.

12

13           **SEC. 10. Officer Rank Distribution.** - The officer rank  
 14 distribution of the PCG shall be as follows: two per centum (2%) in the  
 15 Flag Officer rank; six per centum (6%) in the rank of Coast Guard  
 16 Captain; twelve per centum (12%) in the rank of Coast Guard  
 17 Commander; eighteen per centum (18%) in the rank of Coast Guard  
 18 Lieutenant Commander; Twenty per centum (20%) in the rank of Coast  
 19 Guard Lieutenant Senior Grade; and forty-two per centum (42%) in the  
 20 ranks of Coast Guard Lieutenant Junior Grade and Coast Guard Ensign;  
 21 Provided, That such distribution is based on the ratio between officer and  
 22 enlisted personnel which is one (1) officer to every seven (7) enlisted  
 23 personnel: Provided, finally, That if the actual number in a rank is less  
 24 than the number prescribed in a lower rank, the difference may be  
 25 applied as an increase to the number prescribed in the lower rank.

26

27           **SEC. 11. Distribution of Flag Officers.** - Other than the  
 28 Commandant who occupies the rank of Admiral, the total number of flag  
 29 ranks shall not exceed two percent (2%) of the total population of  
 30 officers distributed observing the pyramidal structure as hereunder  
 31 prescribed:

32

33                   Vice Admiral	0.15%
34                   Rear Admiral	0.35%
35                   Commodore	1.50%
36	
37 <i>Total</i>	2.00%

38

39           Provided, That if the actual number in a rank, except in the case of  
 40 Admiral and Vice Admiral, is less than the number herein prescribed,  
 41 the difference may be applied as an increase to the number prescribed  
 42 in the lower rank: Provided, finally, That no officer shall be promoted to

1 the rank of Coast Guard Commodore or higher unless there is an  
2 existing vacancy, and the officer is occupying a position in the table of  
3 organization that requires the rank of which he is being considered for  
4 promotion.

5  
6 **SEC. 12. Maximum Tenure in Rank.** – The maximum tenure of  
7 officers in the ranks of Captain and Flag Officers in the PCG are hereby  
8 prescribed as follows:

9

10	<b>Rank</b>	<b>Maximum Tenure in Rank</b>
11	Admiral	three (3) years
12	Vice Admiral	three (3) years
13	Rear Admiral	three (3) years
14	Commodore	five (5) years
15	Captain	ten (10) years

16

17 Unless earlier separated, retired, or promoted to the next higher rank  
18 or occupying a position calling for the higher rank in the PCG Table of  
19 Organization, Captains and Flag Officers shall be compulsorily retired  
20 upon the attainment of the maximum tenure in rank herein prescribed, or  
21 upon reaching the age of compulsory retirement whichever comes  
22 earlier: Provided, That Captains or flag officers who have not reached  
23 the age of retirement shall be retired due to attrition if they have at least  
24 twenty (20) years in service; otherwise, it shall be separation from  
25 service.

26  
27 **SEC. 13. Maximum Tenure in Position.** - Officers holding the  
28 following key positions are hereby limited to a maximum tenure of three  
29 (3) years, unless otherwise earlier relieved by competent authority or  
30 compulsorily retired under existing laws:

- 31
- 32 a) Commandant
  - 33 b) Deputy Commandant
  - 34 c) Functional Service Commander
- 35

36 Provided, That except for the Commandant, no other officer shall  
37 be assigned/designated to the aforementioned key positions or promoted  
38 to the rank of Commodore or higher if they have less than one (1) year of  
39 active service remaining prior to compulsory retirement.

40  
41 **SEC. 14. Ranks and Grades of Enlisted Personnel.** The  
42 ranks/grades of PCG enlisted personnel shall be as follows:

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13

<b>RANK</b>	<b>ACRONYM</b>	<b>PAY GRADE</b>
First Master Chief Petty Officer	FMCPPO	E-10
Master Chief Petty Officer	MCPO	E-9
Senior Chief Petty Officer	SCPO	E-8
Chief Petty Officer	CPO	E-7
Petty Officer First Class	PO1	E-6
Petty Officer Second Class	PO2	E-5
Petty Officer Third Class	PO3	E-4
Seaman/Seawoman First Class.	SN1/SW1	E-3
Seaman/Seawoman Second Class	SN2/SW2	E-2
Apprentice Seaman/Seawoman	ASN/ASW	E-1

**SEC. 15. Maximum Tenure in Rank for Enlisted Personnel.** – The maximum tenure of senior enlisted personnel in the ranks of Chief Petty Officer to First Master Chief Petty Officer in the PCG are as follows:

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25

<b>Rank</b>	<b>Maximum</b>
<b>Tenure in Rank</b>	
First Master Chief Petty Officer	Three (3) years
Master Chief Petty Officer	Three (3) years
Senior Chief Petty Officer	Five (5) years
Chief Petty Officer	Eight (8) years

Any personnel holding lower ranks than the above who stays in a rank for ten (10) years without being promoted to the next higher rank shall be evaluated by the Re-enlistment Fitness Board who shall verify suitability to continue in service and submit a recommendation for the approval of the Commandant: Provided, That the original enlistment term in the PCG shall be three (3) years, and subsequent re-enlistment shall be for the term of six (6) years, with the application for re-enlistment to be reviewed by the Re-enlistment Fitness Board for recommendation to the Commandant for approval: Provided, further, That the uniform allowance shall be payable every three (3) years after complying with the physical fitness test.

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**SEC. 16. Civilian Employees.** – There shall be civilian positions within every office of the PCG. The head of the civilian employees in the PCG shall occupy a rank of Director III. The civilian employees shall establish their own plantilla positions to complement the strength of the PCG uniformed personnel.

1  
2       **SEC. 17. Organization of a PCG Auxiliary (PCGA).** – The PCG  
3 shall continue to maintain, supervise, develop and train the PCGA as a  
4 civilian volunteer organization under the direct control and supervision of  
5 the PCG Commandant. The PCGA shall assist the PCG in the promotion  
6 of safety of life and property at sea, the preservation of the marine  
7 environment and its resources, the conduct of maritime search and  
8 rescue, the maintenance of aids to navigation and such other activities  
9 that enhance maritime community relations which include civic action,  
10 participation under the National Service Training Program, youth  
11 development, recreational safety and other related activities.

12  
13       **SEC. 18. Appointments.** – Appointments of PCG officers, which  
14 shall be in the initial rank of Coast Guard Ensign, shall be commissioned  
15 as such by the President upon the recommendation of the PCG  
16 Commandant.

17  
18       The initial entry ranks for technical officers like lawyers, medical  
19 doctors and ecumenical clerics shall be in the rank of Lieutenant Senior  
20 Grade, dentists and veterinarians shall be Lieutenant Junior Grade, while  
21 nurses and chemists shall be commissioned in the rank of Ensign.  
22 Appointment of other licensed professionals that may be required later  
23 shall be based on the ranking of licensure and courses issued by  
24 competent authority.

25  
26       The appointment of the PCG Commandant and Flag Officers shall  
27 be approved by the President upon the recommendation of the Secretary of  
28 Transportation. Appointments of all PCG enlisted personnel shall be made  
29 by the PCG Commandant. Appointments as well as the promotion of all  
30 non-uniformed PCG personnel shall be in accordance with the Civil  
31 Service Commission (CSC) laws, rules and regulations.

32  
33       **SEC. 19. Basic Qualification for Uniformed Personnel.** – To  
34 qualify as officer or enlisted personnel of the PCG, applicant shall possess  
35 the following at the time of application:

- 36  
37       a) A natural born citizen of the Philippines;  
38       b) A person of good moral conduct;  
39       c) Must have passed the psychiatric/ psychological, drug and  
40       physical tests to be administered by the PCG Medical  
41       Service or by any PCG accredited government hospital

1 for the purpose of determining physical and mental  
2 health;

- 3 d) Must possess a formal baccalaureate degree with  
4 appropriate license when applicable or professional civil  
5 service eligibility for appointment as officer and must  
6 have finished at least seventy-two (72) non-repetitive  
7 units of college education or senior high school graduate  
8 with six (6) months TESDA skills course related to the  
9 functions of PCG for appointment as enlisted personnel  
10 upon effectivity of this act; and  
11 e) Must not have been dishonorably discharged from  
12 military employment or dismissed for cause from any  
13 civilian position in the government.  
14

15 **SEC. 20. Lateral Entry.** – Active members of other uniformed  
16 services under the Armed Forces of the Philippines (AFP), Philippine  
17 National Police (PNP), Bureau of Fire Protection (BFP) and Bureau of Jail  
18 Management and Penology (BJMP) may join the PCG through lateral  
19 entry. The rank for officers eligible for such entry must not be higher than  
20 Lieutenant Commander and Petty Officer Second Class for enlisted  
21 personnel. Notwithstanding the corps they wish to join, all entrants shall  
22 only be accepted if, on or before time of entry, they: a) are not under  
23 investigation, b) are not on absence without leave (AWOL) status, c) are  
24 not serving sentence, whether administrative or criminal, d) have not been  
25 issued reprimand in the last two (2) years, or e) have not received an  
26 unfavorable rating in the latest performance rating.  
27

28 However, if an entrant possesses specific skills that may not be  
29 readily developed in new recruits, lateral entry may be allowed for ranks  
30 higher than those mentioned above: Provided, That the new entrant can  
31 serve at least ten (10) years in PCG active service prior to reaching the  
32 mandatory retirement age.  
33

34 **SEC. 21. Promotions of Officers and Enlisted Personnel.** – The  
35 promotion of PCG officers and enlisted personnel shall be based on merit  
36 and fitness in accordance with the following procedures:  
37

- 38 a) Officers shall only be promoted after undergoing  
39 deliberation before promotion boards: Provided, That  
40 promotion boards shall submit the results of their  
41 deliberation to the Commandant for approval and  
42 corresponding endorsement to the Secretary of

1           Transportation for transmittal to the President for  
2           approval; and

3           b) There shall also be appropriate promotion boards for  
4           enlisted personnel whose recommendation shall be  
5           submitted to the Commandant for approval.

6  
7           Provided, further, That at the time of promotion, the officer or  
8           enlisted personnel concerned shall possess all the qualifications and none  
9           of the disqualifications provided under pertinent laws, rules and  
10          regulations, specifically on the completion of the required career course,  
11          training, examination and minimum time-in-grade as applicable for  
12          specific ranks.

13  
14          **SEC. 22. Salaries and Other Benefits.** – The uniformed personnel  
15          of the PCG shall receive the same base pay, longevity pay, hazard pay  
16          and other benefits and allowances as are now or hereafter may be  
17          authorized for corresponding salary grades and ranks in the AFP until  
18          such time that a new law is enacted for the purpose. The salaries and  
19          allowances of the non-uniformed employees of the PCG shall be in  
20          accordance with Civil Service laws, rules and regulations.

21  
22          **SEC. 23. Longevity Pay and Allowances.** – Uniformed personnel  
23          of the PCG shall be entitled to a longevity pay of ten percent (10%) of  
24          their basic monthly salaries for every five (5) years of continuous active  
25          service, which shall be reckoned from the date of actual service in the  
26          PCG: Provided, That the totality of such longevity pay shall not exceed  
27          fifty percent (50%) of the basic pay. They shall also continue to enjoy the  
28          subsistence allowance, quarters allowance, clothing allowance, cost of  
29          living allowance, hazard pay, and other allowances but not limited to sea  
30          duty pay, flying pay, lawyers incentive pay, occupational specialty pay,  
31          magna carta for medical workers, specialization pay, instructors duty  
32          pay, combat pay for officers and enlisted personnel of the PCG  
33          performing combat duties/activities or engaged in actual performance of  
34          functions as defined in regulations to be issued by the Commandant and  
35          all other applicable allowances as provided by existing laws: Provided,  
36          further, That there shall be collateral allowances for specific duties  
37          actually performed for which the PCG shall also issue specific policy for  
38          approval of the President.

39  
40          **SEC. 24. Gender Sensitivity Program.** – Gender concerns should  
41          be addressed in all planning activities, setting of priorities, allocating of  
42          resources and identifying actions and activities of the PCG. It should also

1 incorporate a gender sensitive perspective in the implementation of such  
2 plans and programs.

3  
4 Gender sensitivity shall also be mainstreamed in all its internal  
5 policies, strategies, budget, projects, structures and mechanisms,  
6 including but not limited to hiring, promotions, assignment, training  
7 opportunities, pay and benefits. A gender perspective should likewise be  
8 integrated in all its training programs, especially for maritime search and  
9 rescue.

10  
11 **SEC. 25. Disciplinary System.** The PCG shall adopt the Military  
12 Justice System which shall be applicable to all its uniformed personnel.  
13 Civilian employees shall be covered under the disciplinary rules of the  
14 Civil Service. The Commandant shall be assisted by the Coast Guard  
15 Internal Affairs in enforcing discipline and order within its ranks though  
16 for disciplinary issues depending on gravity, unit commanders shall  
17 exercise disciplinary powers over personnel under their command. The  
18 PCG shall within six (6) months from the effectivity of this Act, issue  
19 policies, rules and procedures applying military justice system based on  
20 the provisions of Commonwealth Act No. 408, amended by RA No. 516,  
21 RA No. 242, PD No. 1968 and PD No.1166: Provided, That for civilian  
22 employees, the PCG shall issue rules and procedures implementing Book  
23 VII of EO No. 292 or the Administrative Code of 1987 and the Civil  
24 Service laws.”

25  
26 **SEC. 26. Disciplinary Authority.** The Commandant exercises  
27 disciplinary authority at any time over all personnel of the PCG. The  
28 authority to discipline shall also be exercised by unit commanders and  
29 Commanding Officers including Station Commanders, Sub-Station  
30 Commanders, head of Morning Report Carrying Units.

31  
32 **SEC. 27. Jurisdiction.** – A complaint or a charge filed against a  
33 PCG member shall be heard and decided exclusively by the disciplining  
34 authority who has acquired original jurisdiction over the case  
35 notwithstanding the existence of concurrent jurisdiction as regards the  
36 offense.

37  
38 **SEC. 28. Legal Assistance.** – The Secretary of the Department of  
39 Justice (Justice), the Secretary of Transportation, or the Commandant of  
40 the PCG may authorize lawyers of their respective agencies to provide  
41 legal assistance to any member of the PCG charged with an offense or  
42 crime resulting from the performance or on occasion of official duty. The

1 government lawyers so authorized shall have the power to administer  
2 oaths. The Secretary of Justice, the Secretary of Transportation, and the  
3 Commandant of the PCG shall jointly promulgate rules and regulations to  
4 implement the provisions of this section.

5  
6 **SEC. 29. Power to Administer Oaths.** – Officers of the PCG in the  
7 active service with the grade of O-5 or when designated with appropriate  
8 orders as administrative officer of a unit, shall have the power to  
9 administer oaths on matters which are connected with the performance of  
10 their official duties. Senior non-commissioned officers (grades E-7 to  
11 E10) who are designated through appropriate orders, as Chief-Master-At-  
12 Arms (CMAA) or unit master chief are also empowered to administer  
13 oaths.

14  
15 **SEC. 30. Coast Guard Internal Affairs Service (CGIAS).** – To  
16 maintain accountability in government service through discipline and  
17 efficiency, there shall be an Internal Affairs Service (IAS) in the PCG.  
18 The CGIAS shall foster and promote accountability in government  
19 service within the PCG and follow the basic principles of integrity,  
20 objectivity, independence, confidentiality, professionalism, competence,  
21 courage, trust, honesty, fairness, forthrightness, public accountability,  
22 and respect for others and themselves. It shall have the power to  
23 investigate and inquire into any and all activities of the PCG units and  
24 personnel, review processes, procedures and operations to determine if  
25 such were conducted effectively and efficiently.

26  
27 The personnel of the CGIAS, whether officer or enlisted personnel,  
28 who are performing actual investigative duties, shall be granted  
29 occupational specialty pay which shall not exceed fifty percent (50%) of  
30 their basic pay.

31  
32 **SEC. 31. Dismissal of PCG Personnel.** – The Commandant, after  
33 due notice and summary hearing, may immediately remove or dismiss  
34 any respondent PCG personnel and major unit commanders may  
35 recommend such in any of the following cases:

- 36  
37 a) In cases of drug abuse where subsequent confirmation  
38 test confirms the use of prohibited drugs;  
39 b) When the charge is serious and the evidence of guilt is  
40 strong;  
41 c) When the respondent is a recidivist or has been  
42 repeatedly charged and there are reasonable grounds to



1 believe that he is guilty of the charges; and  
2 d)When the respondent is guilty of a serious offense  
3 involving conduct unbecoming of a PCG personnel.  
4

5 An officer or enlisted personnel who is continuously absent without  
6 approved leave for at least thirty (30) calendar days shall be considered  
7 on absence without official leave (AWOL) and shall be separated from  
8 the service or dropped from the rolls without prior notice: Provided, That  
9 he shall be informed, by registered mail, at his address appearing on his  
10 201 file or its equivalent of his separation from the service not later than  
11 five (5) calendar days from the effectivity thereof.  
12

13 **SEC. 32. Separation.** – Separation from the Coast Guard service  
14 may be done through compulsory retirement, optional retirement upon  
15 reaching twenty (20) years in service, disability discharge, expiration of  
16 enlistment term, voluntary resignation, attrition, dismissal for cause, or  
17 death. The civilian employees are covered under the Civil Service law on  
18 the same matter.  
19

20 **SEC. 33. Attrition.** – There shall be established a system of  
21 attrition within the uniformed members of the PCG within one (1) year  
22 from the effectivity of this Act to be submitted by the PCG to the  
23 Secretary of Transportation for approval.  
24

25 **SEC. 34. Retirement.** – Upon attaining fifty-six (56) years of age  
26 or accumulation of thirty (30) years of continuous satisfactory active  
27 service, whichever comes later, a PCG uniformed personnel shall be  
28 compulsorily retired: Provided, That in case the disparity between  
29 attaining the length of service and retirement age mentioned above is  
30 more than a year, then tenure in service may be extended for a maximum  
31 of four (4) years, but in no case shall the personnel concerned serve  
32 beyond sixty (60) years of age.  
33

34 Any officer or enlisted personnel may choose to retire on their  
35 own option upon accumulating at least twenty (20) years in active  
36 service.  
37

38 The retirement and separation of civilian personnel of the PCG  
39 shall be governed by the Civil Service law, rules and regulations.  
40

41 **SEC. 35. Retirement Benefits.** - Monthly retirement pay of officers  
42 and enlisted personnel shall be fifty percent (50%) of base pay and

1 longevity pay of the next higher grade last held in case of twenty (20)  
2 years of active service, increasing by two and one-half percent (2 ½ %) for  
3 every year of service rendered beyond twenty (20) years to a maximum of  
4 ninety percent (90%) for thirty-six (36) years of active service and over.  
5 However, enlisted personnel who attain the rank of Chief Petty Officer,  
6 Senior Chief Petty Officer and of Master Chief Petty Officer shall, upon  
7 retirement, be entitled to the retirement pay and benefits of an  
8 Ensign: Provided, That a Master Chief Petty Officer, shall receive a  
9 gratuity equivalent to that of an Ensign, plus one-half (1/2) of the  
10 difference between the gratuity of an Ensign and a Chief Petty Officer,  
11 and a Senior Chief Petty Officer shall receive a gratuity equivalent to that  
12 of an Ensign, plus one-half (1/2) of the difference between the gratuity of  
13 a Master Chief Petty Officer and a Chief Petty Officer. The First Master  
14 Chief Petty Officer shall be retired with the rank of Ensign but with the  
15 retirement pay and benefits of a Lieutenant Junior Grade (O-2): Provided,  
16 further, that the retirement pay of all PCG retirees shall be subject to  
17 adjustment on the prevailing scale of base pay of personnel in the active  
18 service. For additional matters pertaining to retirement and pension as  
19 provided in the foregoing, the retirement system of the AFP shall be under  
20 PD No. 1638, as amended, RA No. 8220 and RA No. 9365, until such  
21 time as a new retirement system be issued by Government.

22  
23 The retirement benefits of civilian personnel shall be governed by  
24 Civil Service Law and the Government Service Insurance System (GSIS)  
25 Law.

26  
27 **SEC. 36. Survivors.** – The family of the officer or enlisted  
28 personnel who are alive and may claim benefits after such uniformed  
29 personnel dies in line of duty or the pensioner dies. The following criteria  
30 shall apply:

- 31  
32 a) Surviving spouse if married to the deceased prior to the  
33 latter's retirement/separation and not legally separated by  
34 judicial decree from the deceased issued on grounds not  
35 attributable to said spouse: Provided, That entitlement of  
36 benefits shall terminate upon the re-marriage of said  
37 spouse;
- 38 b) Surviving children of an officer or enlisted personnel born  
39 of his marriage contracted prior to his  
40 retirement/separation from the service, legally adopted,  
41 acknowledged or recognized, while the deceased parent  
42 was still on active military service: Provided, That

1 entitlement to benefits shall terminate when such children  
2 attain twenty-one (21) years of age or upon marriage; and  
3 c) In default of those mentioned in paragraph (a) and (b), the  
4 surviving parent or parents.  
5

6 The survivor (s) of an officer or enlisted personnel shall be  
7 entitled to a monthly life annuity equivalent to seventy-five percent  
8 (75%) of his monthly retirement pay which he was receiving to be  
9 divided among them in equal shares and with the right of accretion.  
10

11 As regards question of filiation involving survivors-  
12 claimant, the same shall be submitted first by the claimants to the  
13 competent court for resolution before benefits can be given.  
14

15 **SEC. 37. Permanent Physical Disability.** – An officer or enlisted  
16 personnel who is permanently and totally disabled as a result of injuries  
17 suffered or sickness contracted in the performance of duty as duly  
18 certified by the PCG shall be entitled to one year's salary and to lifetime  
19 pension equivalent to forty percent (40%) of their last salary, in addition  
20 to other benefits as provided under existing laws: Provided, That that the  
21 extent of the disability or sickness renders such member unfit or unable  
22 to further perform the duties of the position held as certified by the  
23 appropriate Government hospital like the Philippine General Hospital.  
24

25 Should such member who has been retired under permanent total  
26 disability under this section die, his surviving legal spouse or, if there be  
27 none, the surviving dependent legitimate children shall be entitled to the  
28 pension for a period of three (3) years from the date of retirement or the  
29 remainder thereof as the case may be.  
30

31 The civilian personnel of the PCG shall be covered by the GSIS  
32 law, rules and regulations.  
33

34 **SEC. 38. Death and Disability Benefits.** – A uniformed personnel  
35 or his/her heirs shall be entitled to all benefits relative to the death or  
36 permanent incapacity of said personnel, as provided for under this Act  
37 and other existing laws.  
38

39 a) An officer or enlisted personnel with less than five (5)  
40 years of active service who dies in line of duty or on  
41 account of any wound, injury or illness contracted in line  
42 of duty or incurs permanent total physical disability in

1 line of duty shall be considered separated from service in  
2 the next higher grade and shall be entitled to a separation  
3 pay equivalent to one year's salary based on the  
4 separation grade.

5 b) Any cadet or trainee who dies during training or by reason  
6 thereof or is permanently and totally disabled as a result  
7 of injuries suffered or sickness contracted directly related  
8 to training that the extent of the disability or sickness  
9 renders such cadet or trainee unfit or unable to continue  
10 training shall be considered separated from service and  
11 shall be entitled to separation pay equivalent to six (6)  
12 month's salary based on pay grade they are entitled.  
13

14 Any matters pertaining to the rights and benefits for death and/or  
15 disability, pertinent existing laws followed by the AFP and/or other  
16 existing laws regarding military or uniformed personnel's pension and  
17 gratuity shall apply: Provided, That, civilian personnel of the PCG shall be  
18 covered by the GSIS law, rules and regulations.  
19

20 **SEC. 39. Old-Age Pension Eligibility.** – A retired PCG uniformed  
21 personnel who is at least 65 years of age shall be entitled to old-age  
22 pension amounting to Five Thousand Pesos (Php5,000.00) monthly  
23 increasing by Five Thousand Pesos (Php5,000.00) every five (5) years.  
24 This shall be available to any retired PCG uniformed personnel who shall  
25 have been honorably discharged or retired after at least twenty (20) years  
26 total PCG active service or sooner separated while in the active service in  
27 the PCG due to disability arising or incurred in actual operations or  
28 performance of duties.  
29

30 **SEC. 40. Exemption from Attachment and Taxes.** – All  
31 retirement benefits granted by this Act, including benefits received from  
32 a duly instituted provident fund and mutual benefit association shall not  
33 be subject to attachment, levy, execution or any tax of whatever nature.  
34

35 **SEC. 41. Uniformed Personnel Missing in Action.** – Any officer  
36 or enlisted personnel who, while in the performance of duty, is officially  
37 confirmed missing in action, kidnapped or captured by lawless elements  
38 shall, while so absent, be entitled to receive or to have credited to his  
39 account in favor of his legal dependents as may be determined, the same  
40 pay and allowances to which such officer or enlisted personnel was  
41 entitled at the time of his/her disappearance: Provided, That the  
42 compulsory retirement of an absentee, in applicable cases, shall be

1 processed to allow the members of the next of kin to enjoy the retirement  
2 benefits: Provided, further, That should the Commandant, upon the  
3 recommendation of the proper authority or immediate supervisor,  
4 subsequently determine that the officer or enlisted personnel concerned  
5 have been absent from duty without authority, such member or his/her  
6 heirs shall reimburse the PCG all such amount and allowances that have  
7 been received in accordance with this section and the succeeding section.  
8

9 **SEC. 42. Incentives and Awards.** – There shall be established an  
10 incentives and awards system which shall be administered by a board  
11 under such rules, regulations and standards as may be promulgated by the  
12 Department: Provided, That equivalent awards shall be given by the  
13 Department for every award duly given by respectable civic  
14 organizations in a nationwide selection for outstanding achievement  
15 and/or performance of any member: Provided, Further, That the civilian  
16 employees of the PCG shall follow the Civil Service laws, rules and  
17 regulations on incentives and awards.  
18

19 **SEC. 43. Coast Guard Reserve Force.** There is hereby created and  
20 established a Philippine Coast Guard Reserve Force, the purpose of which  
21 is to augment the PCG force in the event of national emergency or  
22 catastrophe as declared by appropriate Government entity. The PCG  
23 Reservists shall undergo regular training and shall be organized, trained,  
24 equip and administered by a PCG Reserve Command under the direction  
25 of the Commandant and whose members may be called to active duty in  
26 the exigency of the service on aforementioned circumstances duly  
27 declared by appropriate authority. The PCG may also participate in the  
28 Reserve Officers' Training Course program as an alternative offering  
29 focus in maritime safety, marine environmental protection and search and  
30 rescue: Provided, That, the PCG shall, within six (6) months from the  
31 issuance of this law, draft pertinent policies on the management and  
32 particulars of the Coast Guard Reserve Force for the approval and  
33 signature of the President.  
34

35 **SEC. 44. Office of the Presidential Adviser on Coast Guard**  
36 **Affairs.** - An Office of the Presidential Adviser on Coast Guard Affairs is  
37 hereby created under the Office of the President to assist and provide  
38 advice to the President on maritime enforcement and security matters,  
39 facilitate policy formulation and decision-making in maritime issues.  
40

41 **SEC. 45. Authority to Create Mutual Benefit Association.** - The  
42 PCG is hereby authorized to create a mutual benefit association where

1 membership is voluntary to provide life and non-life insurance services for  
2 the benefits of its members including its dependents which are vital to the  
3 morale and welfare of PCG members and their families. The management,  
4 operation, and control of such association shall be under the direct control  
5 and supervision of the Commandant. Such mutual benefit association shall  
6 be exempt from all kinds of taxes and shall be issued a certificate of  
7 exemption. This is without prejudice to the requirement of SEC  
8 registration and of other regulatory government agencies.

9  
10 **SEC. 46. Emergency and Medical Assistance.** - The PCG shall  
11 have an emergency medical assistance fund, sourced from the PCG's  
12 Annual Budget Plan as reflected in the General Appropriations Act (GAA)  
13 for hospitalization, operation, medication and rehabilitation for personnel  
14 arising from injuries suffered on occasion or resulting from the  
15 performance of legitimate, official and hazardous operations. Provided,  
16 That PCG personnel shall be given thirty percent (30%) discount in  
17 hospitals nationwide to include their primary dependents.

18  
19 **SEC. 47. Active Service.** – For purposes of this Act, active service  
20 of the uniformed personnel shall refer to services rendered as an officer  
21 and enlisted personnel, cadet, trainee or draftee in the PCG and services  
22 rendered as a civilian official or employee in the Philippine Government  
23 prior to the date of separation or retirement from the PCG: Provided, That,  
24 for purposes of retirement, the personnel shall have rendered at least ten  
25 (10) years of active service as officer or enlisted personnel in the PCG:  
26 Provided, Further, That no period of such civilian government service be  
27 longer than the active coast guard service shall be credited for purposes of  
28 retirement. Service rendered as cadet in any service academy in the  
29 Philippines or abroad under sponsorship of the PCG such as the Philippine  
30 Merchant Marine Academy, probationary officer, draftee or trainee are  
31 credited for retirement purposes.

32  
33 **SEC. 48. PCG Insignia, Decorations and Awards.** – The PCG  
34 shall have its own insignia and badges to denote rank, specialty and  
35 assignment including uniforms, decorations and awards, all of which  
36 shall be submitted to the National Historical Institute for registration in  
37 the flags and heraldic list: Provided, That there shall be an established  
38 awards system which shall be administered by the PCG under such rules  
39 and regulations as may be promulgated with the approval of the Secretary  
40 of Transportation.

41  
42 **SEC. 49. Special Account.** – The PCG shall maintain a special

1 account under the General Fund, in which receivables from local or  
2 foreign entities shall be credited including proceeds or excess of grants,  
3 fees or charges, dues, fines and rentals generated in the regular conduct of  
4 service: Provided, That PCG shall have the authority to use one hundred  
5 percent (100%) of this fund for capability enhancement.

6  
7 **SEC. 50. Collection of Revenues.** – The PCG shall collect fees,  
8 dues, charges, and fines relevant to the exercise of its various functions:  
9 Provided, That the thirty percent (30%) shall be credited to the special  
10 account, while the remaining seventy percent (70%) will go to the  
11 national fund.

12  
13 **SEC. 51. PCG Properties and Lighthouse Reservations.** – The  
14 PCG shall continue to exercise exclusive ownership, possession, control  
15 and supervision over all properties transferred to it by virtue of EO No.  
16 475 dated 30 March 1998 and EO No. 477 dated 15 April 1998, such as  
17 inter alia, vessels, watercrafts, firearms, armaments, munitions,  
18 communications and electronic equipment, vehicles, buildings, real estate  
19 and lighthouse reservations.

20  
21 **SEC. 52. Establishment and Expansion of Coast Guard Bases  
22 and Facilities.** – In accordance with other appropriate government  
23 agencies, the PCG shall develop and enhance its capabilities in the  
24 performance of its mandated functions and establish its strategic  
25 presence.

26  
27 **SEC. 53. Implementing Rules and Regulations.** – Within one  
28 hundred twenty (120) days from the effectivity of this Act, the Philippine  
29 Coast Guard, subject to the approval of the Secretary of Transportation,  
30 shall promulgate the Implementing Rules and Regulations to carry out  
31 the provisions of this Act.

32  
33 **SEC. 54. Appropriations.** – The amount necessary to carry out the  
34 provisions of this Act is hereby authorized to be appropriated in the  
35 General Appropriations Act of the year following its enactment into law  
36 and thereafter.

37  
38 **SEC. 55. Transitory Provisions.** – The provisions of this Act, as far  
39 as the computation of rate is concerned, shall have retroactive effect on the  
40 retirement benefits of enlisted personnel whose retirement were affected  
41 by the implementation of Republic Act No. 9993, and the discrepancy as a  
42 result of applying this Act and Republic Act No. 9993 shall be returned to

1 the retiree. The same shall also be retroactively applicable to indexation of  
2 pension to base pay scale adjustments affected by Republic Act No. 9993:  
3 Provided, That for the ranks of Admiral and Vice Admiral, adversely  
4 affected by Congress Joint Resolution (CJR) No. 4 s. 2008 and CJR No. 1  
5 s. 2018, they shall be adjusted in pay grade the same as its contemporary  
6 ranks of General and Lieutenant General in the AFP and PNP: Provided,  
7 Further, that those affected by the Joint Resolutions be repaid the  
8 difference in pay and allowance as a result of the issuance of the said  
9 Resolutions for retired officers and enlisted personnel.

10  
11 **SEC. 56. Separability Clause.** – Should any provision or part of  
12 this Act be declared unconstitutional or invalid, the other provisions and  
13 parts hereof, insofar as they are separable from the invalid ones, shall  
14 remain in full force and effect.

15  
16 **SEC. 57. Repealing Clause.** – Republic Act No. 9993 is hereby  
17 repealed. All laws, decrees, orders, issuances, rules and regulations, or  
18 parts thereof which are inconsistent with this Act are hereby repealed or  
19 modified accordingly.

20  
21 **SEC. 58. Effectivity.** - This Act shall take effect fifteen (15) days  
22 after its complete publication in the *Official Gazette* or in at least two (2)  
23 newspapers of general circulation.

*Approved,*