



SENATE

S. No. 2423

PREPARED BY THE COMMITTEE ON PUBLIC ORDER AND
DANGEROUS DRUGS WITH SENATOR DELA ROSA AS
AUTHOR THEREOF

AN ACT STRENGTHENING THE REGULATION OF
PRIVATE SECURITY SERVICES INDUSTRY,
REPEALING FOR THE PURPOSE, REPUBLIC ACT
NO. 5487, ENTITLED, "AN ACT TO REGULATE
THE ORGANIZATION AND OPERATION OF
PRIVATE DETECTIVE, WATCHMEN OR
SECURITY GUARD AGENCIES", AS AMENDED

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

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CHAPTER I

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GENERAL PROVISIONS

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SECTION 1. *Short Title.* – This Act shall be known as

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"The Private Security Services Industry Act".

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SEC. 2. *Declaration of Policies.* – The State recognizes

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the vital role of the private sector in the protection of the

1 people and safeguarding of property as well as
2 maintenance of peace and order in the country.

3 Towards this end, the State shall adopt measures to
4 strengthen the regulation of private security services
5 industry and establish quality standards to ensure
6 competent private security personnel and professionals
7 that complements our law enforcement authorities in
8 preservation of public order in the country.

9 *SEC. 3. Definition of Terms. – As used in this Act:*

10 (a) *License to Exercise Security Profession (LESP)*
11 refers to a permit issued by the Chief of the Philippine
12 National Police (PNP) or the duly authorized
13 representative, recognizing a natural person to be qualified
14 to perform the duties as security professional or training
15 personnel;

16 (b) *License to Operate (LTO)* refers to a permit issued
17 by the Chief PNP or the duly authorized representative,
18 certifying and authorizing a person to engage in employing
19 and deploying security guards, K9 teams, protection
20 agents, private detectives and other licensed specialized

1 security personnel; or a juridical person to establish,
2 engage, direct, manage or operate a private detective
3 agency or private security agency or company guard force
4 after payment of the prescribed dues or fair and reasonable
5 fees and after complying with all the requirements as
6 provided by the rules and regulations implementing this
7 Act;

8 (c) *Pre-Licensing Training Programs* refer to licensing
9 pre-requisite and pre-licensing training programs that
10 include all training and academic programs and courses
11 with the objective to indoctrinate the individual with the
12 basic skills and educational backgrounds necessary in the
13 effective exercise and performance of the security and
14 detective profession. These include, but are not limited to,
15 the Basic Security Guard Course and the Security Officers
16 Training Course;

17 (d) *Private Security Agency* refers to any person,
18 natural or juridical, who contracts, recruits, furnishes or
19 posts any security guard, to perform its functions or solicit
20 individuals, businesses, firms, or private, public or

1 government-owned or controlled corporations to engage its
2 service or those of his/its security guards, for hire,
3 commission or compensation thru subscription or as a
4 consultant/trainer to any private or public corporation
5 whose business or transactions involve national security or
6 interest like the operation and/or management of domestic
7 or ocean vessels, airplanes, helicopters, seaports, airports
8 heliports, landing strips etc., or as consultant on any
9 security related matter, or to provide highly specialized
10 security, private escort, detective and investigation
11 services like gangway security, catering security,
12 passenger profiling, baggage examination, providing
13 security on board vessels or aircraft, or other security
14 needs that PNP may approve;

15 (e) *Private Security Industry* refers to the industry
16 that is engaged in providing security consulting,
17 management, administration, operation, and provision of
18 private or company watchman, guarding, investigative
19 work, security training, K9 security, armored vehicle
20 security services, alarm system monitoring services,

1 closed-circuit television (CCTV) suppliers and other
2 providers of security hardware, security hardware
3 operation, personal protection services, security
4 consultant;

5 (f) *Private Security Professional* refers to a person
6 who is issued a valid LESP of any classification or
7 category, issued by the designated government agency
8 after satisfying all the qualifications and requirements set
9 for by this law and its implementing rules and regulations.
10 It includes Security Watchmen, Security Guards, Security
11 Officers, Personal Security Escorts, Private Investigator,
12 Training Officers and Directors, K9 Handlers, K9
13 Administrators, K9 Evaluators, K9 Trainers, Kennel
14 Masters and other Certified or Licensed Security Service
15 Providers rendering or performing security, Investigation,
16 Security Escorting Services, Security Hardware Planners
17 and Systems Designers, Security Hardware Operators,
18 Security Managers, Security Consultants whether
19 employed by private security agencies, private

1 corporations, government agencies or independently
2 practicing or providing professional security services;

3 (g) *Private Security Services* refers to the act of
4 providing or rendering security services for compensation
5 pursuant to a mutually agreed terms of reference and
6 contract and shall include the act of providing or rendering
7 services to watch an establishment whether public or
8 private, building, compound/area or property, to conduct
9 access control/denial in any form whether physically,
10 manually or scientifically by electronic monitoring
11 systems, for the purpose of securing such area/property
12 and at the same time ensuring safety and protection of
13 persons within such areas, to maintain peace and order
14 within such areas, to conduct private security training,
15 and/or to conduct investigation. It shall also include the act
16 of contracting, recruiting, training, furnishing or posting
17 any security guard, to do its functions or solicit individuals,
18 businesses, firms, or private, public or government-owned
19 or controlled corporations to engage his/its service or those
20 of his/its security guards, for hire, commission or

1 compensation through subscription or as a
2 consultant/trainer to any private or public corporation;

3 (h) *Private Security Training Agency* (PSTA) refers to
4 any person, natural or juridical, who engages in the
5 business of providing training and academic programs and
6 courses duly approved and prescribed by the PNP and
7 adopted by the Technical Education and Skills
8 Development Authority (TESDA). It includes the training
9 for pre-licensing requirements of individual security
10 guards and other security professionals, the periodic and
11 non-periodic in-services skill refreshers for such security
12 personnel, and other specialized, individual or group,
13 private security personnel skills development.

14 (i) *Security Consultant* refers to a security
15 professional authorized by law to provide security services
16 such a designing and formulation of a Security Plan,
17 Threat and Vulnerability Assessment, Resiliency Planning,
18 Security Surveying, Security Auditing, Risk Management,
19 Travel Security Training, Event Security Planning and
20 Management, Emergency and Incident Planning and

1 Management, Crisis Management, Business Continuity
2 and other services related to the formulation of security-
3 related solutions other than providing guards and
4 watchmen;

5 (j) *Security Hardware* refers to any mechanical or
6 electrical device, which is designed and used for the
7 detection of an unauthorized entry into a facility, for
8 alerting others of the commission of an unlawful or
9 unauthorized act within a building, structure or facility,
10 identification and screening, control, repel and prevent
11 entry of persons and vehicles of person and materials,
12 recording and documentation of activities and events, repel
13 and prevent aggression to a person or a facility; and

14 (k) *Security Hardware and Systems Designers and*
15 *Planner* refer to the security professional who specializes
16 in the design of security systems using a combination of
17 security software and hardware to address security
18 requirements of a facility and the training for their
19 operation and maintenance.

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CHAPTER II

REGISTRATION AND LICENSING OF PRIVATE SECURITY

AGENCY

SEC. 4. *Private Security Agency (PSA)*. – Any Filipino citizen or juridical entity wholly owned and controlled by Filipino citizens may organize a private security agency and provide security services: *Provided*, That they shall not employ more than two thousand (2,000) private security professionals as defined in this Act.

SEC. 5. *PSA Operator or Licensee*. – No applicant shall be granted license to operate PSA unless the applicant possesses the following qualifications:

- (a) Must be at least twenty-five (25) years of age;
- (b) Must hold a bachelor's degree;
- (c) Must be a part owner of the company or in case of juridical entity, holder of at least one (1) share of stock with voting rights;
- (d) Must be of good moral character;
- (e) Must not have been convicted of any crime or offense involving moral turpitude; and

1 (f) Must be physically and mentally fit, and passed
2 the neuro-psychiatric test and drug test administered by
3 the PNP or other similar government centers and facilities:

4 *Provided*, That in case of juridical entity, the named
5 operator or licensee shall be its President or any of its
6 directors complying with the above requirements and duly
7 authorized by their Board of Directors.

8 SEC. 6. *License to Operate (LTO)* – A license to
9 operate (LTO) issued by the Chief PNP is required to
10 operate and manage a PSA and, PSTA: *Provided*, That
11 LTO for PSTA shall be granted only to a training school,
12 institute, academy, or educational institution which offers
13 courses prescribed and approved by the PNP or training
14 programs accredited by TESDA.

15 SEC. 7. *Period of Validity of LTO*. – LTO issued to
16 PSA and PSTA shall be valid for a maximum period of five
17 (5) years, subject to renewal: *Provided*, That the Chief PNP
18 may set a shorter validity period for LTO with applicable
19 fair and reasonable fees adjusted accordingly.

1 SEC. 8. *Fees and Bond to be Paid* – Every application
2 for LTO shall be accompanied by a bond issued by
3 competent or reputable surety, fidelity or insurance
4 company, duly accredited by the Insurance Commission.
5 The bond shall be used to answer to any valid and legal
6 claim against the agency by its clients or employees. The
7 amount of bond to be determined by the Chief PNP must
8 be reasonable and should depend on the number of PSPS
9 employed.

10 SEC. 9. *Administrative Fee of Private Security*
11 *Agencies.* – The minimum administrative fee that may be
12 charged by PSAs to its clients shall not be less than twenty
13 per cent (20%) of the total contract cost, subject to
14 adjustment by the Department of Labor and Employment:
15 *Provided,* That additional fees shall be charged for the
16 acquisition and maintenance of extraneous tools and
17 equipment used for security operation by the agency
18 required by the clients and for the continuous deployment
19 of private security professionals in hazardous conditions.

1 SEC. 10. *Issuance of Firearms.* – PSA shall be
2 entitled to possess firearms after having successfully
3 passed the requirements prescribed by the Chief PNP and
4 in accordance with Republic Act No. 10591, entitled “An
5 Act Providing for a Comprehensive Law on Firearms and
6 Ammunition and Providing Penalties Thereof”: *Provided,*
7 That PSA shall only be allowed to possess small arms, not
8 exceeding one (1) firearm for each PSP, to include single-
9 post, in its employ: *Provided, further,* That possession of
10 firearms by PSPs shall only be allowed during its tour of
11 duty, in proper uniform, within the compound of the
12 establishment, except when they escort and secure large
13 amounts of cash or valuables, which firearms must be
14 determined by the PNP: *Provided, finally,* That inventory
15 of firearms of PSAs shall be subject to periodic inspection
16 by the PNP.

17 SEC. 11. *Uniform.* – The uniform of private security
18 personnel shall be different from the uniform worn and
19 prescribed for members of the Armed Forces of the
20 Philippines (AFP), the PNP and other law enforcement

1 authorities. The PNP, through the authorized
2 representative, shall prescribe the uniform, ornaments,
3 equipment and paraphernalia to be worn by the private
4 security professionals while on duty.

5 CHAPTER III

6 PRIVATE SECURITY PROFESSIONALS

7 SEC. 12. *License to Exercise Private Security*
8 *Profession (LESP)*. – No applicant shall be granted license
9 to exercise Private Security Profession unless the applicant
10 possesses the following qualifications:

- 11 (a) Must be of legal age;
- 12 (b) Must be a Filipino citizen;
- 13 (c) Must be physically and mentally fit;
- 14 (d) Must be of good moral character; and
- 15 (e) Must not have been convicted of any crime
16 involving moral turpitude.

17 For purposes of securing an LESP, a letter of
18 authority to conduct training must be issued by the
19 Supervisory Office for Security and Investigation Agency
20 (SOSIA). Such training includes the pre-licensing

1 requirements of the individual private security
2 professionals, periodic and non-periodic in-service skill
3 refreshers for such security personnel, and other
4 specialized, individual or group, private security personnel
5 skills development: *Provided*, That the Chief PNP shall
6 provide for additional qualifications for Security
7 Consultant and Security Officers based on the industry
8 requirements and practice.

9 SEC. 13. *Period of Validity of LESP.* – The LESP of
10 duly qualified private security professionals shall be valid
11 for a period of five (5) years from the date of its issuance.

12 SEC. 14. *Pre-Licensing Training.* – No person shall be
13 granted LESP without undergoing Pre-Licensing Training
14 Program as defined in this Act. *Provided*, That the PNP
15 shall encourage opening of local and regional security
16 training centers to provide pre-licensing trainings to
17 applicants.

18 SEC. 15. *Ladderized Training and Education.* – The
19 PNP, in partnership with private security training
20 institution or public institutions duly accredited by the

1 government to provide such training education to private
2 security professionals, shall develop ladderized training
3 and education which include basic security guard courses,
4 specialized security guard courses, security officers
5 training courses, detective training courses, and candidate
6 protection agent courses. It shall also include enhancement
7 trainings, such as but not limited to, supervisory trainings,
8 personal upliftment and other specialized trainings to
9 place the security professional a level up from his current
10 position.

11 CHAPTER IV

12 PENAL PROVISIONS

13 SEC. 16. *Penal Clause.* – Any violation of the
14 provisions of this Act, after due notice and hearing, shall
15 suffer the corresponding penalties herein provided:

16 (a) A license to operate of PSA may be cancelled,
17 revoked or suspended by the Chief PNP when:

18 (1) It takes part in an armed conflict against the
19 government;

1 (2) It uses force or the threat of force or those it
2 represents in a national or local electoral contest;

3 (3) It uses its authority to be involved in human
4 rights violations;

5 (4) It is used as a privately-owned and operated para-
6 military organization operating outside of the regulatory
7 framework established by this law and the implementing
8 rules and regulations adopted by the PNP;

9 (5) It intentionally and maliciously makes use of
10 electronic security devices or remote video surveillance in a
11 manner that violates the privacy of civilians;

12 (6) It acted grossly negligent in dealing with
13 violations, or mistakes of its members, or incompetency in
14 its ranks;

15 (7) Its named operator or licensee is convicted by final
16 judgement of any crime or felony;

17 (8) It violates any provision of the Labor Code of the
18 Philippines, as amended, including its implementing rules
19 and regulations; and

1 (9) It acted in a manner which renders the private
2 security agency a detriment to the maintenance of peace
3 and order.

4 (b) Any PSAs or any entity which operates without a
5 valid LTO shall suffer the penalty of fine of not less than
6 One million pesos (P1,000,000.00) and not more than Five
7 million pesos (P5,000,000.00) at the discretion of the Chief
8 PNP;

9 (c) Any PSAs or any entity which operates with an
10 expired LTO shall suffer the penalty of fine of not less than
11 Fifty thousand pesos (P50,000.00) and not more than One
12 hundred thousand pesos (P100,000.00) at the discretion of
13 the Chief PNP.

14 (d) Any person practicing Private Security Profession
15 without a valid license or expired license shall suffer the
16 penalty of fine of not less than Fifty thousand pesos
17 (P50,000.00) and not more than One hundred thousand
18 pesos (P100,000.00) at the discretion of the Chief PNP. The
19 same penalty shall be imposed upon a PSA who shall

1 deploy any person practicing Private Security Profession
2 without a valid or expired license;

3 (e) Any person who offers to render or renders
4 services to persons or places conducting illegal activities
5 shall suffer the penalty of imprisonment of not less than
6 twelve (12) years and one day to twenty (20) years, and a
7 fine of One million pesos (P1,000,000.00), at the discretion
8 of the court, without prejudice to criminal prosecution
9 under other laws;

10 (f) Any person who violates any of the provisions of
11 this Act not mentioned in the preceding subsections shall
12 suffer the penalty of imprisonment of not less than six (6)
13 months and one day to six years, or a fine of One million
14 pesos (P1,000,000.00), or both, at the discretion of the
15 court, and cancellation or suspension of its license with
16 forfeiture of the bond without prejudice to criminal
17 prosecution under other laws.

18 If the offender is a juridical entity, the penalty shall
19 be imposed upon the officer or officers of the juridical
20 entity who participated in the decision that led to the

1 violation of any provision of this Act, without prejudice to
2 the cancellation of their license issued by the PNP.

3 CHAPTER V

4 MISCELLANEOUS PROVISIONS

5 SEC. 17. *Implementing Rules and Regulations (IRR).* –

6 The PNP, in consultation with stakeholders and other
7 national private security associations, representations of
8 private security cooperatives and other stakeholders of the
9 security industry, and subject to the provisions of existing
10 laws, shall promulgate the rules and regulations necessary
11 to implement the provisions of this Act within ninety (90)
12 days from its effectivity. Furthermore, the Chief PNP shall
13 consult with the said stakeholders prior to the issuance of
14 all regulations and issuances related to and affecting the
15 private security services industry. The PNP is mandated to
16 review the IRR every three (3) years.

17 SEC. 18. *Separability Clause.* – If any part or
18 provision of this Act is declared unconstitutional, the

1 remainder of this Act or any provisions not affected
2 thereby shall remain in force and effect.

3 SEC. 19. *Repealing Clause.* – Republic Act 5487 is
4 hereby repealed. All other laws, presidential decree or
5 issuance, executive order, letter of instruction, rules,
6 regulations and administrative orders inconsistent with
7 the provisions of this Act are hereby repealed or modified
8 accordingly.

9 SEC. 20. *Effectivity.* – This Act shall take effect fifteen
10 (15) days after its complete publication in the *Official*
11 *Gazette* or in a newspaper of general circulation.

Approved,