

SENATE

S. No. 966

Introduced by Senator Manuel "Lito" M. Lapid

EXPLANATORY NOTE

Presently, our law enforcement agencies have been criticized by a wide sector of society. Accusations against them range from being inefficient in the performance of their duties to being graft ridden. The customary target of these critiques from among our law enforcement agencies is the Philippine National Police. And one of the most serious criticisms is the allegation that some PNP personnel are involved in the drug trade or violations of the Dangerous Drugs Act.

Perhaps there may be truth to this imputation because there are a number of "Buy Bust Operations" conducted by our law enforcers where the culprits apprehended are active members of the police force. Could it be that the illegal drug trade is very lucrative that a member of our law enforcement agency who earns a measly amount of salary finds involvement in this drug trade very hard to resist? These members who are unable to resist temptation are the few "rotten eggs" who destroy the institution's reputation and who ought to be separated from the service. We must not allow the institution's reputation to go down the drain just because of a few undesirable members.

This proposed measure, therefore, seeks to restore the confidence of the people in the PNP by requiring its members to submit themselves to drug and psychiatric tests so as to set the record of the institution straight.

Aside from restoring the confidence reposed by the people, the institution can likewise eliminate the undesirables from its ranks who are found to be positive of using dangerous drugs or have failed the psychiatric tests.

In view of the foregoing, the passage of this measure is earnestly sought.


MANUEL "LITO" M. LAPID
Senator

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AN ACT
REQUIRING MEMBERS OF LAW ENFORCEMENT AGENCIES TO
UNDERGO MANDATORY DRUG AND PSYCHIATRIC TESTS ONCE
EVERY YEAR, AND BEFORE THEIR ENTRY INTO THE SERVICE, AND
FOR OTHER PURPOSES

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

SECTION 1. Mandatory Drug Testing. - The provisions of exiting laws, decrees, executive orders, rules and regulations and other issuances to the contrary notwithstanding, all members of the police agencies of the government such as the Philippine National Police (PNP), Armed Forces of the Philippines (AFP), Bureau of Jail Management and Penology (BJMP), Bureau of Corrections, Bureau of Immigrations, National Bureau of Investigation (NBI), and all other similar agencies of the government primarily tasked in the enforcement of our laws, as well as members of private security agencies, shall undergo drug and psychiatric tests once every year to be conducted by any Medico-Legal Officer duly authorized by the Dangerous Drugs Board.

SEC. 2. Mandatory Requirements to Required Applicants. - All applicants for employment in the police agencies of the government such as the Philippine National Police (PNP), Armed Forces of the Philippines (AFP), Bureau of Jail Management and Penology (BJMP), Bureau of Corrections, Bureau of Immigrations, National Bureau of Investigation (NBI), and all other similar agencies of the government primarily tasked in the enforcement of our laws, as well as members of private security agencies, shall undergo a mandatory drug and psychiatric tests to be conducted by any Medico-Legal Officer duly authorized by the Dangerous Drugs Board before their entry into service in the above-mentioned agencies.

SEC. 3. Penalties. – The penalty of suspension for six (6) months to dismissal from the service shall be imposed upon any member of the Philippine National Police (PNP), Armed Forces of the Philippines (AFP), Bureau of Jail Management and Penology (BJMP), Bureau of Corrections, Bureau of Immigrations, National Bureau of Investigation (NBI), and all other similar agencies of the government primarily tasked in the enforcement of our laws who shall be found to have violated any provisions of this law, at the discretion of the court.

Any applicant to the above-mentioned law enforcement agencies who refuses to undergo drug and psychiatric tests contrary to the provisions of this Act shall be denied entry into the service.

SEC. 4. Implementing Rules and Regulations (IRR). – Within ninety (90) days from the effectivity of this Act, the Philippine National Police (PNP), in close coordination with the Armed Forces of the Philippines (AFP), Bureau of Jail Management and Penology (BJMP), Bureau of Corrections, Bureau of Immigrations, National Bureau of Investigation (NBI), and all other similar agencies of the government primarily tasked in the enforcement of our laws, shall promulgate the necessary rules and regulations to effectively implement the provisions of this Act.

SEC. 5. Repealing Clause. – All laws, presidential decrees, executive orders, proclamations, rules and regulations which are inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 6. Separability Clause. – If, for any reason, any section or provision of this Act shall be held unconstitutional or invalid, the other section or provision not otherwise affected shall remain valid.

SEC. 7. Effectivity Clause. – This Act shall take effect fifteen (15) days from its publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved.