

S. No. 2423

H. No. 8783

Republic of the Philippines
Congress of the Philippines

Metro Manila

Eighteenth Congress

Third Regular Session

Begun and held in Metro Manila, on Monday, the twenty-sixth
day of July, two thousand twenty-one.

[REPUBLIC ACT NO. **11917**]

AN ACT STRENGTHENING THE REGULATION OF THE
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:*

CHAPTER I

GENERAL PROVISIONS

SECTION 1. *Short Title.* – This Act shall be known as
"The Private Security Services Industry Act".

SEC. 2. *Declaration of Policies.* – The State recognizes
the vital role of the private sector in the protection of the

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

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

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

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

(b) *License to Operate (LTO)* refers to a permit issued by the Chief PNP or the duly authorized representative, certifying and authorizing a person to engage in employing and deploying security guards, K9 teams, protection agents, private detectives and other licensed specialized security personnel; or a juridical person to establish, engage, direct, manage or operate a private detective agency or private security agency or company guard force after payment of the prescribed dues or fair and reasonable fees and after complying with all the requirements as provided by the rules and regulations implementing this Act;

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

(d) *Private Security Agency (PSA)* refers to any person, natural or juridical, who contracts, recruits, furnishes or posts any security guard, to perform its functions or solicit individuals, businesses, firms, or private, public or government-owned or -controlled corporations (GOCCs) to engage its service

or those of its security guards, for hire, commission or compensation through subscription or as a consultant/trainer to any private or public corporation whose business or transactions involve national security or interest like the operation and/or management of domestic or ocean vessels, airplanes, helicopters, seaports, airports, heliports, landing strips among others or as consultant on any security related matter, or to provide highly specialized security, private escort, detective and investigation services like gangway security, catering security, passenger profiling, baggage examination, providing security on board vessels or aircraft, or other security needs that the PNP may approve;

(e) *Private Security Industry* refers to the industry that is engaged in providing security consultancy, management, administration, operation, and provision of private or company watchman, guarding, investigative work, security training, K9 security, armored vehicle security services, alarm system monitoring services, closed-circuit television (CCTV) suppliers and other providers of security hardware, security hardware operation, personal protection services, or security consultant;

(f) *Private Security Professional (PSP)* refers to a person who is issued a valid LESP of any classification or category, issued by the designated government agency after satisfying all the qualifications and requirements set forth by this law and its implementing rules and regulations. It includes security watchmen, security guards, security officers, personal security escorts, private investigators, training officers and directors, K9 handlers, K9 administrators, K9 evaluators, K9 trainers, kennel masters and other certified or licensed security service providers rendering or performing security, investigation, security escorting services, security hardware planners and systems designers, security hardware operators, security managers, security consultants whether employed by private security agencies, private corporations, government agencies or independently practicing or providing professional security services;

(g) *Private Security Services* refer to the act of providing or rendering security services for compensation pursuant to mutually agreed terms of reference and contract and shall include the act of providing or rendering services to watch an establishment, whether public or private, building,

compound/area or property, to conduct access control/denial in any form whether physically, manually or scientifically by electronic monitoring systems, for the purpose of securing such area/property and at the same time ensuring safety and protection of persons within such areas, to maintain peace and order within such areas, to conduct private security training, and/or to conduct investigation. It shall also include the act of contracting, recruiting, training, furnishing or posting any security guard, to do its functions or solicit individuals, businesses, firms, or private, public or GOCCs to engage its service or those of its security guards, for hire, commission or compensation through subscription or as a consultant/trainer to any private or public corporation;

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

(i) *Security Consultant* refers to a security professional authorized by law to provide security services such as design and formulation of a security plan, threat and vulnerability assessment, resiliency planning, security surveying, security auditing, risk management, travel security training, event security planning and management, emergency and incident planning and management, crisis management, business continuity and other services related to the formulation of security-related solutions other than providing guards and watchmen;

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

(k) *Security Hardware and Systems Designers and Planners* refer to the security professionals who specialize in the design of security systems using a combination of security software and hardware to address security requirements of a facility and the training for their operation and maintenance.

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 a license to operate a 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
- (f) Must be physically and mentally fit, and passed the neuro-psychiatric test and drug test administered by the PNP or other similar government centers and facilities:

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

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

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

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

SEC. 9. *Administrative Fee of PSAs.* – The minimum administrative fee that may be charged by PSAs to its clients shall not be less than twenty percent (20%) of the total contract cost, subject to adjustment by the Department of Labor and Employment: *Provided*, That additional fees shall be charged for the acquisition and maintenance of extraneous tools and equipment used for security operation by the agency or required by the clients and for the continuous deployment of PSPs in hazardous conditions.

SEC. 10. *Issuance of Firearms.* – A PSA shall be entitled to possess firearms after having successfully passed the requirements prescribed by the Chief PNP and in accordance with Republic Act No. 10591 or the “Comprehensive Firearms and Ammunition Regulation Act”: *Provided*, That a PSA shall only be allowed to possess small arms, not exceeding one (1) firearm for each PSP, to include single-post, in its employ: *Provided, further*, That possession of firearms by PSPs shall only be allowed during their tour of duty, in proper uniform, within the compound of the establishment, except when they escort and secure large amounts of cash or valuables, which firearms must be determined by the PNP: *Provided, finally*,

That inventory of firearms of PSAs shall be subject to periodic inspection by the PNP.

SEC. 11. *Uniform.* – The uniform of PSPs shall be different from the uniform worn and prescribed for members of the Armed Forces of the Philippines (AFP), the PNP and other law enforcement authorities. The PNP, through the authorized representative, shall prescribe the uniform, ornaments, equipment and paraphernalia to be worn by the PSPs while on duty.

CHAPTER III

PRIVATE SECURITY PROFESSIONALS

SEC. 12. *License to Exercise Security Profession (LESP).* – No applicant shall be granted license to exercise private security profession unless the applicant possesses the following qualifications:

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

For purposes of securing an LESP, a letter of authority to conduct training must be issued by the Supervisory Office for Security and Investigation Agency (SOSIA). Such training includes the pre-licensing requirements of the individual PSPs, periodic and non-periodic in-service skill refreshers for such security personnel, and other specialized, individual or group, PSP skills development: *Provided*, That the Chief PNP shall provide for additional qualifications for security consultant and security officers based on the industry requirements and practice.

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

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

SEC. 15. *Ladderized Training and Education.* – The PNP, in partnership with private security training institutions or public institutions duly accredited by the government to provide such training education to private security professionals, shall develop ladderized training and education which include basic security guard courses, specialized security guard courses, security officers training courses, detective training courses, and candidate protection agent courses. It shall also include enhancement trainings, such as but not limited to, supervisory trainings, personal upliftment and other specialized trainings to place the security professional a level up from his current position.

CHAPTER IV

PENAL PROVISIONS

SEC. 16. *Penalties.* – Any violation of the provisions of this Act shall, after due notice and hearing, be subject to the corresponding penalties herein provided:

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

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

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

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

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

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

(6) It acted with gross negligence in dealing with violations, or mistakes of its members, or incompetency in its ranks;

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

(8) It violates any provision of Presidential Decree No. 442, otherwise known as the "Labor Code of the Philippines", as amended, including its implementing rules and regulations; and

(9) It acted in a manner which renders the PSA a detriment to the maintenance of peace and order;

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

(c) Any PSA or any entity which operates with an expired LTO shall suffer the penalty of a fine of not less than Fifty thousand pesos (P50,000.00) and not more than One hundred thousand pesos (P100,000.00) at the discretion of the Chief PNP;

(d) Any person practicing private security profession without a valid license or with only an expired license shall suffer the penalty of a fine of not less than Fifty thousand pesos (P50,000.00) and not more than One hundred thousand pesos (P100,000.00) at the discretion of the Chief PNP. The same penalty shall be imposed upon a PSA who shall deploy any person practicing private security profession without a valid license or with only an expired license;

(e) Any person who offers to render or renders services to persons or places conducting illegal activities shall suffer the penalty of imprisonment of not less than twelve (12) years and one (1) day to twenty (20) years, and a fine of One million pesos (P1,000,000.00), at the discretion of the court, without prejudice to criminal prosecution under other laws; and

(f) Any person who violates any of the provisions of this Act not mentioned in the preceding subsections shall suffer the penalty of imprisonment of not less than six (6) months and one (1) day to six (6) years, or a fine of One million pesos (P1,000,000.00), or both, at the discretion of the court, and cancellation or suspension of its license with forfeiture of the bond without prejudice to criminal prosecution under other laws.

If the offender is a juridical entity, the penalty shall be imposed upon the officer or officers of the juridical entity who participated in the decision that led to the violation of any provision of this Act, without prejudice to the cancellation of their license issued by the PNP.

CHAPTER V

MISCELLANEOUS PROVISIONS

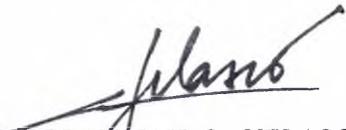
SEC. 17. *Implementing Rules and Regulations (IRR)*. – The PNP, in consultation with stakeholders and other national private security associations, representatives of private security cooperatives and other stakeholders of the security industry, and subject to the provisions of existing laws, shall promulgate the rules and regulations necessary to implement the provisions of this Act within ninety (90) days from its effectivity. Furthermore, the Chief PNP shall consult with the said stakeholders prior to the issuance of all regulations and issuances related to and affecting the private security services industry. The PNP is mandated to review the IRR every three (3) years.

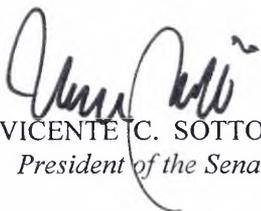
SEC. 18. *Separability Clause*. – If any part or provision of this Act is declared unconstitutional, the remainder of this Act or any provisions not affected thereby shall remain in force and effect.

SEC. 19. *Repealing Clause*. – Republic Act No. 5487 is hereby repealed. All other laws, presidential decrees or issuances, executive orders, letters of instruction, rules, regulations and administrative orders inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

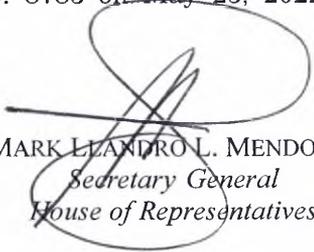
SEC. 20. *Effectivity.* – This Act shall take effect fifteen (15) days after its complete publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,


LORD ALLAN JAY Q. VELASCO
*Speaker of the House
of Representatives*


VICENTE C. SOTTO III
President of the Senate

This Act was passed by the Senate of the Philippines as Senate Bill No. 2423 on May 23, 2022 and adopted by the House of Representatives as an amendment to House Bill No. 8783 on May 23, 2022.


MARK LEANDRO L. MENDOZA
*Secretary General
House of Representatives*


MYRA MARIE D. VILLARICA
Secretary of the Senate

Approved:

~~Lapsed into law on ^{JUL 30 2022} without the signature of the President, in accordance with Article VI, Section 27 (1), of the Constitution.~~

RODRIGO ROA DUTERTE
President of the Philippines

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