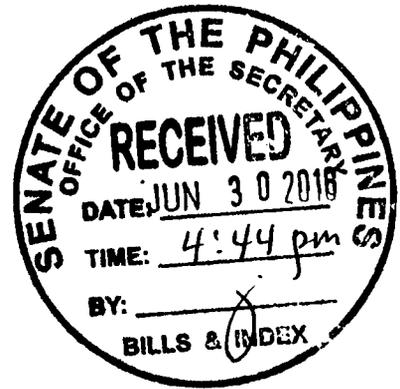


SEVENTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
First Regular Session )



SENATE

S.B. No. 138

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Introduced by Senator SONNY ANGARA

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**AN ACT  
PROVIDING FOR A MAGNA CARTA FOR THE PHILIPPINE NATIONAL POLICE**

**EXPLANATORY NOTE**

It is espoused in Art. II, Sec. 4 and 5 of the 1987 Philippine Constitution that, "the prime duty of the Government is to serve and protect the people..." and that, "the maintenance of peace and order, the protection of life, liberty and property and promotion of the general welfare are essential for the enjoyment by all the people of the blessings of democracy." This duty is carried out by the country's premier police force, the Philippine National Police (PNP). This proposed Magna Carta for the PNP Uniformed and Non-Uniformed Personnel codifies and strengthens existing rights and benefits provided for in various laws, resolutions and other circulars concerning PNP.

To attract more qualified and competent law enforcers in the country, the Magna Carta seeks to establish a separate salary scale for the PNP, distinct from the other agencies of the government, and provides for additional benefits such as cost of living, clothing, quarters and subsistence allowances, longevity pay, reasonable leaves and retirement programs.

Uniformed PNP personnel who accepts assignments in remote areas or isolated situations, and is exposed to hardship and combat situation or other hazard unusual to peacekeeping, crime prevention and investigation activities, will be compensated with a remote assignment allowance and special hardship allowance, similar to combat pay of the Armed Forces of the Philippines. Meanwhile, families and beneficiaries of members of the PNP, who are killed in the line of duty, will be granted special financial, scholarship and employment assistance.

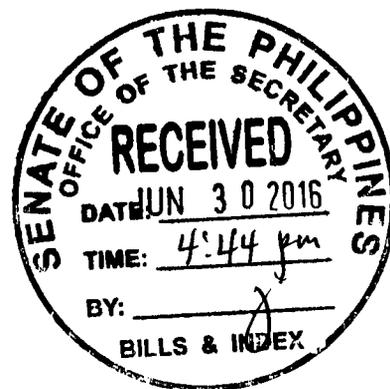
To foster a highly efficient and competent police force, this bill also aims to develop a holistic PNP development program which includes provisions on merit promotions, performance evaluation, in-service training, overseas and local scholarships, training grants, incentive award system, among others.

This proposed Magna Carta seeks to put dignity into the country's premiere police force for their commitment to preserve peace and order and protect the lives of Filipino people.

It is for this reason that the passage of this bill is urgently sought.

  
SONNY ANGARA

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



SENATE  
S.B. No. 133

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Introduced by Senator SONNY ANGARA

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**AN ACT  
PROVIDING FOR A MAGNA CARTA FOR THE PHILIPPINE NATIONAL POLICE**

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

**TITLE I  
THE PHILIPPINE NATIONAL POLICE**

**Chapter One  
Preliminary Provisions**

**SECTION 1. Title.** This Act shall be known as the "*Magna Carta for the Philippine National Police Uniformed And Non-Uniformed Personnel.*"

**Chapter Two  
General Provisions**

**SEC. 2. Declaration of Policies.** It is a declared policy of the State to promote peace and order, maintain good business environment, support economic growth, ensure public safety through the delivery of effective, efficient, competent, modern, professional and non-partisan police service. It recognizes the role of the police service in helping achieve the development of the nation. With this, the State shall promote and protect the physical, mental, as well as the emotional, moral, spiritual, intellectual faculties and social well-being of every Philippine National Police (PNP) personnel, with the goal of establishing a highly efficient and competent police force.

**SEC. 3. General Principles.** The PNP shall be a community and service-oriented agency responsible for the maintenance of peace and order and public safety. It shall be so organized to ensure accountability and uprightness in the exercise of discretion and achieve efficiency and effectiveness of its members and units in the performance of their functions.

**Chapter Three  
Mandate of the PNP**

**SEC. 4. Powers and Functions.** Pursuant to its institutional mandate, the PNP shall exercise the following powers and functions:

- a) Enforce all laws and ordinances relative to the protection of lives and properties;



1 **A. Classifications of Officers**

2  
3 **SEC. 6. Rank Classification.** For purposes of efficient administration, supervision and control,  
4 the rank classification of the PNP uniformed personnel shall be as follows:

- 5  
6 Police Director General  
7 Police Deputy Director General  
8 Police Director  
9 Police Chief Superintendent  
10 Police Senior Superintendent  
11 Police Superintendent  
12 Police Chief Inspector  
13 Police Senior Inspector  
14 Police Inspector  
15 Senior Police Officer IV  
16 Senior Police Officer III  
17 Senior Police Officer II  
18 Senior Police Officer I  
19 Police Officer III  
20 Police Officer II  
21 Police Officer I  
22

23 **SEC. 7. Key Positions.** The head of the PNP with the rank of Police Director General shall  
24 have the position title of Chief of the PNP. The second in command of the PNP with the rank of  
25 Police Deputy Director General shall be the Deputy Chief of the PNP for Administration. The  
26 third in command, also with the rank of Police Deputy Director General, shall be the Deputy  
27 Chief of the PNP for Operations.

28  
29 At the National Office, the head of the National Staff Offices with the rank of Police  
30 Deputy Director General shall be referred to as Chief of Staff of the PNP, who shall be fourth in  
31 command of the PNP.

32  
33 The heads of the various staff divisions in the National Staff Offices shall have the rank  
34 of Police Director with the position title of Director of the National Staff Office of their respective  
35 functional divisions. The PNP shall maintain its National Support Units to be headed by a  
36 Director who shall have the rank of Police Chief Superintendent. To enhance police operational  
37 efficiency and effectiveness the PNP Chief may constitute such other support units as may be  
38 necessary subject to the approval of the NAPOLCOM; *Provided*, That no support unit headed  
39 by a chief superintendent or higher rank can be created unless provided by law.

40  
41 The head of the NCR Police Office shall assume the position title of NCR Police  
42 Director.

43  
44 The heads of the regional offices shall assume the position title of Police Regional  
45 Director.

46  
47 The heads of the NCR district offices shall have the position title of District Director.

48  
49 The heads of the provincial offices shall have the position title of Police Provincial  
50 Director.

1 The heads of the district offices shall have the position title of District Director.

2  
3 The heads of the municipality or city offices shall be known as Chief of Police. In case of  
4 police stations in highly urbanized cities, its head shall have the position title of City Director.

5  
6 The determination of the rank of the head of police stations shall be subjected to the  
7 existing rules and policies of the national headquarters of the PNP and NAPOLCOM.

8  
9 *Provided That*, The ranks of the heads of regional, provincial and district offices may be  
10 upgraded upon the recommendation of the Chief of the PNP through the NAPOLCOM and  
11 subject to the approval of the President; *Provided, further, That* the upgrading of the ranks of  
12 the heads of police stations shall be approved by the NAPOLCOM.

13  
14 **SEC. 8. Powers, Functions, and Term of Office of the PNP Chief.** The command and  
15 direction of the PNP shall be vested in the PNP Chief who shall have the power to direct and  
16 control tactical as well as strategic movements, deployment, placement, utilization of the PNP or  
17 any of its units and personnel, including its equipment, facilities and other resources. Such  
18 command and direction of the PNP Chief may be delegated to subordinate officials with respect  
19 to the units under their respective commands, in accordance with the rules and regulations  
20 prescribed by the NAPOLCOM.

21  
22 The PNP Chief shall also have the power to issue detailed implementing policies and  
23 instructions regarding personnel, funds, properties, records, correspondence and such other  
24 matters as may be necessary to effectively carry out the functions, powers, and duties of the  
25 PNP. He shall be appointed by the President from among the senior officers down to the rank  
26 of chief superintendent. *Provided*, That he shall serve a term of office not to exceed four (4)  
27 years; *Provided, further*, That in times of war or other national emergency declared by  
28 Congress, the President may extend such term of office.

29  
30 **SEC. 9. Legal Affairs Service.** There shall be established a Legal Affairs Service, which shall  
31 serve as the personal staff of PNP Chief on Legal Affairs. The Legal Affairs Service shall be  
32 headed by a PNP Uniformed Personnel with the title of Director who shall carry the rank of  
33 Police Chief Superintendent.

34  
35 **SEC. 10. Internal Affairs Service.** Pursuant to the provisions of Republic Act No. 8551, there  
36 shall be an Internal Affairs Service, functions of which shall be consistent with the aforesaid Act  
37 that established the office.

## 38 39 40 **B. Appointment Qualifications**

41  
42 **SEC. 11. General Qualifications for Appointment.** No person shall be appointed as officer or  
43 member of the PNP unless he or she possesses the following minimum qualifications:

- 44  
45 a) A citizen of the Philippines;  
46  
47 b) A person of good moral conduct;

1 c) Must have passed the psychiatric/psychological, drug and physical tests to be  
2 administered by the PNP or by any NAPOLCOM-accredited government hospital for the  
3 purpose of determining physical and mental health;

4  
5 d) Must possess a formal baccalaureate degree from a recognized institution of learning;

6  
7 e) Must be eligible in accordance with the standards set by the NAPOLCOM;

8  
9 f) Must not have been dishonorably discharged from military employment or dismissed  
10 for cause from any civilian position in the government;

11  
12 g) Must not have been convicted by final judgment of an offense or crime involving moral  
13 turpitude;

14  
15 h) Must obtain the appropriate PNP Security Clearance; and  
16

17 For a new applicant, he must not be less than twenty-one (21) or more than thirty (30)  
18 years of age. Except for the last qualification, the above-enumerated qualifications shall be  
19 continuing in character and an absence of any one of them at any given time shall be a ground  
20 for separation or retirement from the service: *Provided*, That PNP members who are already in  
21 the service upon the effectivity of this Act shall be given at least two (2) more years to obtain the  
22 minimum educational qualification.  
23

24 **SEC. 12. Prerequisite for the Appointment to the PNP.** No applicant shall be qualified to  
25 undergo basic police training unless he has passed the pre-qualifying examination administered  
26 by the PNP Screening and Selection Board: *Provided*, That no new graduates of basic police  
27 courses shall be absorbed on permanent status unless he has satisfactorily passed the six-  
28 month probationary period. The PNP shall set the standards for the implementation of this  
29 provision.  
30

31 **SEC. 13. Manner of Appointment.** The appointment of the officers and members of the PNP  
32 shall be effected in the following manner:  
33

34 a) Police Officer I to Senior Police Officer IV - Appointed by the PNP Regional Director  
35 for regional personnel or by the PNP Chief for the national headquarters personnel and attested  
36 by the NAPOLCOM;

37  
38 b) Inspector to Superintendent – Appointed by the PNP Chief, as recommended by their  
39 immediate superiors, and attested by the NAPOLCOM;

40  
41 c) Senior Superintendent to Deputy Director General - Appointed by the President upon  
42 recommendation of the PNP Chief, with proper endorsement by the Chairman of the  
43 NAPOLCOM.  
44

45 d) Director General – Appointed by the President from among the senior officers down to  
46 the rank of Chief Superintendent in the service: *Provided*, That the PNP Chief shall serve a tour  
47 of duty not to exceed four (4) years; *Provided, further*, That, in times of war or other national  
48 emergency declared by Congress, the President may extend such tour of duty.  
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### C. Pre-requisites to Entry

3 **SEC. 14. Field Training Program.** All new uniformed PNP members shall undergo a Field  
4 Training Program for twelve (12) months involving actual experience and assignment in patrol,  
5 traffic, and investigation as a requirement for permanency of their appointment.

7 **SEC. 15. Examinations for Policemen.** The NAPOLCOM shall administer the entrance and  
8 promotional examinations for policemen on the basis of the standards set by the Commission.

10 **SEC. 16. Lateral Entry.** In general, all original appointments of commissioned officers in the  
11 PNP shall commence with the rank of Inspector, to include all those with highly technical  
12 qualifications applying for the PNP technical services, such as dentists, optometrists, nurses,  
13 engineers, criminologists and graduates of forensic sciences. Doctors of medicine, members of  
14 the Bar, and Chaplains shall be appointed to the rank of Senior Inspector in their particular  
15 technical service. Graduates of the Philippine National Police Academy (PNPA) shall be  
16 automatically appointed to the initial rank of Inspector to fill up any vacancy after promotions  
17 from the ranks are completed.

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## Chapter Two General Benefits

23  
24

### A. Status, Salaries and Allowances

25 **SEC. 17. Status of PNP Personnel.** The uniformed and non-uniformed personnel of the PNP  
26 shall be considered employees of the national government and shall draw their salaries  
27 therefrom. *Provided*, That PNP personnel in Metropolitan Manila, chartered cities, component  
28 cities and other municipalities may be paid financial incentive by the local government unit  
29 concerned subject to the availability of funds.

31 **SEC. 18. Salary Scale.** The PNP shall have a salary scale separate and distinct from the other  
32 agencies of the government to attract the best and competent law enforcers. There shall be  
33 different salary scales for uniformed and non-uniformed personnel.

35 Salary scales of PNP personnel shall provide for a gradual progression from minimum to  
36 maximum salary by means of regular increments. The salary scale of the PNP shall be  
37 comparable to the average salary of law enforcement agencies in the ASEAN Region and other  
38 neighboring countries.

40 **SEC. 19. Criteria for Salary.** The salaries of all uniformed PNP personnel shall correspond to  
41 the following criteria:

43 a) Salary shall be comparably equal to those paid in other occupations or professions  
44 requiring equivalent or similar qualifications, training and abilities regardless of rank positions;

46 b) Salary scale shall ensure that the lowest rank and position receive an amount that will  
47 ensure him and his family to afford a reasonable and decent standard of living; and

49 c) Basic monthly salary shall exclude the subsistence allowance, cost of living  
50 allowance, quarters allowance, clothing allowance, hazard pay, amelioration pay, health care  
51 pay and all other allowances as may be provided under existing laws.

1 **SEC. 20. *Payment of Salary.*** The salaries of PNP personnel shall be paid in legal tender of the  
2 Philippines or the equivalent in checks or treasury warrants; *Provided, however,* That such  
3 checks or treasury warrants shall be convertible to cash in any national, provincial, city or  
4 municipal treasurer's office or any banking institution operating under the laws of the Republic of  
5 the Philippines.  
6

7 Salaries shall be released on time and without undue delay. No deduction shall be  
8 allowed from the salaries due to all PNP personnel except under specific provisions of  
9 applicable laws authorizing such deductions: *Provided,* That written authority of the PNP  
10 personnel concerned shall first be obtained.  
11

12 **SEC. 21. *Longevity Pay.*** PNP personnel shall be entitled to a longevity pay of ten (10%)  
13 percent of their basic monthly pay for every five (5) years of continuous, efficient, and  
14 meritorious service in the government, which shall be computed from the date of the member's  
15 first appointment in the government service: *Provided,* That the maximum longevity pay shall  
16 not exceed fifty percent (50%) of the basic monthly pay.  
17

18 **SEC. 22. *Cost of Living Allowance.*** The salaries of PNP personnel shall be based on the  
19 prevailing cost of living. Salaries shall automatically follow changes in cost-of-living index  
20 determined and established by the NAPOLCOM after due consultation with appropriate  
21 government agencies.

22 **SEC. 23. *Clothing Allowance.*** PNP personnel who are required to wear uniforms shall be  
23 entitled to a clothing allowance equivalent to three hundred (P300.00) pesos per month:  
24 *Provided,* That this rate shall be reviewed periodically and increased accordingly, taking into  
25 account existing laws and prevailing practices.  
26

27 **SEC. 24. *Quarters Allowance.*** Uniformed PNP personnel shall be entitled to monthly quarters  
28 allowance based on existing scheme which shall be reviewed periodically and increased  
29 accordingly taking into account existing laws and prevailing practices.  
30

31 **SEC. 25. *Remote Assignment Allowance.*** Uniformed PNP personnel who accepts  
32 assignments in remote areas or isolated stations, which have not been filled for the last two  
33 years prior to the assignment due to distance or hard accessibility, shall be entitled to an  
34 incentive bonus in the form of Remote Assignment Allowance equivalent to fifty (50%) of their  
35 basic pay, and shall be entitled to reimbursement of the cost of reasonable transportation to and  
36 from such remote post or station, upon assuming or leaving such position during official trips.  
37

38 **SEC. 26. *Subsistence Allowance.*** Uniformed PNP personnel shall be entitled to full  
39 subsistence allowance of three (3) meals, which shall be computed in accordance with  
40 prevailing market price.  
41

42 **SEC. 27. *Special Hardship Allowance.*** In areas wherein a uniformed PNP Personnel is  
43 exposed to hardship and combat situation or other hazard unusual to peacekeeping, crime  
44 prevention and investigation activities and established to be peculiar to any given area or place  
45 of assignment, as determined by the PNP, he shall be compensated with a special hardship  
46 allowance, similar to combat pay of the AFP, equivalent to at least fifty (50%) percent of his  
47 monthly basic salary.  
48  
49  
50

1 **B. Entitlement to Leave Benefits**

2  
3 **SEC. 28. Vacation Leave.** All PNP personnel who has rendered at least one year of service  
4 shall earn fifteen (15) days vacation leave credits.

5  
6 **SEC. 29. Sick Leave.** A fifteen (15) day sick leave credits shall be granted to all PNP personnel  
7 for every year of service. A sick leave of absence shall be granted to any ailing PNP personnel  
8 for a period, as may be necessary for his treatment.

9  
10 An indefinite sick leave of absence shall be granted to an ailing uniformed PNP member  
11 whose nature of illness demands a long treatment that will exceed one year.

12  
13 **SEC. 30. Mandatory Leave.** A PNP personnel is entitled to a mandatory leave with full pay for  
14 seven (7) days, which is not chargeable to his leave credits.

15  
16 **SEC. 31. Maternity Leave.** Married women in the Philippine National Police shall, in addition to  
17 the sick and vacation leaves granted to them, be entitled to maternity leave of 60 days with full  
18 pay.

19  
20 It is understood that enjoyment of maternity leave cannot be deferred but should be  
21 enjoyed within the actual period of delivery in a continuous and uninterrupted manner not  
22 exceeding sixty (60) calendar days.

23  
24 Maternity leaves shall be granted to female married PNP personnel in every instance of  
25 pregnancy irrespective of its frequency.

26  
27 **SEC. 32. Paternity Leave.** Any male PNP personnel shall be entitled to seven (7) days of  
28 paternity leave with pay commencing from the day of the delivery of his legal spouse.

29  
30 **SEC. 33. Study Leaves.** In addition to the leave privileges enjoyed under this Act and other  
31 existing laws, uniformed PNP personnel shall be entitled to study leaves not exceeding one (1)  
32 year with pay: *Provided*, That no grantee shall be allowed to accumulate more than one (1) year  
33 of study leave except when he needs an extra semester to complete and defend his thesis for a  
34 graduate study in a degree relevant to his being a member of the police service.

35  
36 **SEC. 34. Christmas and New Year's Break.** All PNP personnel shall be granted a maximum of  
37 seven (7) days break during the Christmas and New Year holidays for them to spend time with  
38 their families.

39  
40  
41 **C. Retirement Program**

42  
43 **SEC. 35. Early Retirement Program.** Any PNP personnel who has reached the age of fifty five  
44 (55) years may avail of this program and be paid separation benefits in accordance with  
45 prevailing scheme: *Provided*, That he/she has rendered at least fifteen (15) years of continuous  
46 service in the PNP organization. *Provided, further*, That those who have availed of this benefit  
47 shall not be allowed re-entry into the PNP.

1 **SEC. 36. *Optional Retirement.*** Upon accumulation of at least twenty (20) years of satisfactory  
2 service, a PNP personnel, at his own request and with the approval of the NAPOLCOM, shall be  
3 retired from the service and entitled to receive benefits provided for by law.  
4

5 **SEC. 37. *Compulsory Retirement.*** Compulsory retirement, for officer and non-officer, shall be  
6 upon the attainment of age fifty-six (56) years old: *Provided*, That in case of any officer with the  
7 rank of Chief Superintendent, Director, or Deputy Director General, the Commission may allow  
8 his retention in the service for an inextensible period of one (1) year.  
9

10 **SEC. 38. *Highest Basic Salary Upon Retirement.*** A retired PNP personnel shall automatically  
11 be granted one (1) salary range or grade higher than his/her basic salary and his/her retirement  
12 benefit thereafter, computed on the basis of his/her highest salary, which shall be given in effect  
13 three (3) months prior to the compulsory retirement: *Provided*, that said personnel has reached  
14 the age fifty of five (55) years old and fulfilled service requirements under existing laws.  
15

16 **SEC. 39. *Monthly Retirement Pay.*** The monthly retirement pay of a PNP Personnel shall be  
17 fifty percent (50%) of the base pay and longevity pay of the retired rank in case the retiree has  
18 rendered at least twenty (20) years of continuous active service, increasing by two and one-half  
19 percent (2.5%) for every year of active service rendered beyond twenty (20) years to a  
20 maximum of ninety percent (90%) for thirty-six (36) years of active service and over: *Provided*,  
21 That the retiree shall have the option to receive in advance a lump sum of his retirement pay  
22 equivalent to the first five (5) years of his retirement pay as it accrues: *Provided, further*, That  
23 payment of the retirement benefits in lump sum shall be made on the effectivity date of  
24 retirement. It shall be incumbent upon the concerned units to provide the completion of all  
25 documentary requirements in support of the payment of the retiree's retirement pay as the  
26 retiree is not required to perform additional tasks other than to receive the fruits of his service.  
27 Any personnel who intentionally and/or maliciously delays or causes the delay in the processing  
28 of the retiree's just claim for money and/or other emoluments shall be considered to have  
29 incurred an administrative offense amounting to grave misconduct and an act prejudicial to the  
30 interest of the service as defined by existing laws. *Provided, finally*, That retirement pay of all  
31 uniformed members shall be subject to adjustments based on the prevailing scale of base pay  
32 of police personnel still in active service.  
33  
34

#### 35 **D. Special Financial and Scholarship Assistance Program**

36  
37 **SEC. 40. *Special Financial Assistance.*** The family or beneficiary of any PNP personnel, who  
38 is killed or becomes totally and permanently incapacitated while in the line of duty or by reason  
39 of his office or position shall be entitled to the special financial assistance provided for in this Act  
40 in addition to whatever compensation, donation, insurance, gift, pension, grant or any form of  
41 benefit which said deceased or totally incapacitated person or his family may receive or be  
42 entitled to; *Provided*, That he has not committed any crime or human rights violation by final  
43 judgment on such occasion.  
44

45 **SEC. 41. *Tax Free.*** The special financial assistance referred to in the immediately preceding  
46 section shall be equivalent to six (6) months salary, including allowances and bonuses, during  
47 the last twelve (12) months preceding the death of any PNP personnel which shall not be  
48 considered a part of the estate of the deceased and which shall be exempt from attachment,  
49 garnishment or execution and from income and other taxes.  
50

1 **SEC. 42. Duty of the Cashier.** It shall be the duty of the cashier from whom the deceased or  
2 permanently incapacitated PNP personnel used to receive his salary, within three (3) days from  
3 receipt of a written certification from the station or unit commander of the fact of death and the  
4 circumstances thereof, to deliver to the beneficiaries such special financial assistance as stated  
5 in the preceding Section hereof. In case of permanent disability, a certification by the proper  
6 medical officer designated by the Chief of the Philippine National Police is necessary for the  
7 payment of the aforesaid financial assistance. After said payment, a report with the formal  
8 certificate of death or permanent incapacity shall be submitted to the Chief of the Philippine  
9 National Police.

10  
11 **SEC. 43. Sources of Special Financial Assistance.** In order to assure the payment of the  
12 special financial assistance referred to in this Act, without any need of any appropriation act or  
13 ordinance, the payment shall come from the expected salary, allowances and bonuses of the  
14 deceased or permanently incapacitated PNP personnel for the next six (6) months after his  
15 death or incapacity: *Provided*, That the position left vacant by the deceased or permanently  
16 incapacitated PNP personnel on account of his death or incapacity shall not be filled during that  
17 period of six (6) months: *Provided, further*, That if the public welfare and interest so demand, as  
18 determined by the Chief of the Philippine National Police, the position left vacant by the  
19 deceased personnel, or permanently incapacitated personnel may be filled without waiting for  
20 the expiration of the six (6) months period earlier mentioned, in which case, the funds out of  
21 which the special financial assistance already received by the family of the deceased or  
22 permanently incapacitated police personnel by the family of the deceased or permanently  
23 incapacitated police personnel shall be replenished out of the emergency savings of the PNP,  
24 upon the direction in writing by the Chief of the Philippine National Police to their respective  
25 treasurers or cashiers: *Provided, finally*, That, in the event that there are no emergency savings  
26 as provided herein exist, the Regional Director or the Provincial Director, as the case may be,  
27 may request augmentation personnel from other PNP units.

28  
29 **SEC. 44. Hospitalization Expenses.** If any PNP personnel is injured or wounded or in any  
30 manner suffers any injury in the performance of his official duties, the hospitalization expenses  
31 of such personnel shall be shouldered by the office where he belongs, chargeable against the  
32 salary savings of such office without the need of any appropriation act or ordinance.

33  
34 **SEC. 45. Employment Priority of Dependents.** The surviving spouse of the deceased or  
35 permanently incapacitated PNP personnel shall be given priority in employment in a  
36 government agency or office where his/her qualifications are fitted: *Provided*, that if the spouse  
37 is already employed or not employable or if he/she waives he/she employment privilege, then  
38 an employable son or daughter shall be granted the said privilege.

39  
40 **SEC. 46. Scholarship Privileges for Dependents.** All surviving children of the deceased or  
41 permanently incapacitated PNP personnel shall be extended scholarship up to college in a non-  
42 exclusive institution, subject to the policies on the tuition of said institution: *Provided*, that  
43 dependents of the personnel in active duty may be entitled to seventy-five (75%) percent of the  
44 scholarship granted to dependents of the deceased or incapacitated member, while dependents  
45 of non-uniformed personnel may be entitled to fifty percent (50%) scholarship subject to the  
46 availability of funds; *Provided, however*, that if funds are not sufficient to support the scholarship  
47 of all qualified dependents, priority shall be given to the dependents of the deceased or  
48 incapacitated PNP personnel than the dependents of their active uniformed and non-uniformed  
49 members.

1 **SEC. 47. Utilization of Firearms License Fees for Scholarship Program.** The license fees  
2 collected by the PNP Firearms and Explosive Office shall be used solely for the scholarship  
3 program of the dependents of the police: *Provided*, that the Chief of the PNP, may utilize part or  
4 some amount of the said funds to other needs of the PNP: *Provided, further*, that the Chief of  
5 the PNP may generate additional source for scholarship program coming from other fees which  
6 they are authorized to collect to further increase the funds.

7  
8 **SEC. 48. Funds Management and Administration.** The said funds collected from the firearms  
9 licensing fees shall be managed and administered by the PNP through the Scholarship Board  
10 composed of a chairman and four (4) other members who shall be designated by the PNP  
11 Chief. The PNP Chief is authorized to invest so much of the fund for the purpose of generating  
12 additional revenue for the benefit of the scholarship program.

13  
14 **SEC. 49. Penalty for Delaying Payments.** Any person who unduly delays, refuses or in any  
15 manner prevents the payment of the special financial assistance or the scholarship assistance  
16 defined in this act to the person or persons entitled thereto shall be dismissed from the office if  
17 found guilty in an appropriate administrative case.

18  
19 **SEC. 50. Interpretation.** Nothing in this Act shall be construed to prejudice and diminish  
20 whatever benefits PNP personnel is entitled to receive under existing laws.

21  
22 **SEC. 51. Implementing Rules and Guidelines.** The NAPOLCOM in coordination with the PNP  
23 and the DILG shall prepare and issue the necessary rules and regulations for the effective  
24 implementation of this act.

25  
26  
27 **Chapter Three**  
28 **PNP Non-Uniformed Personnel**

29  
30 **A. Appointment of Non-Uniformed Personnel**

31  
32 **SEC. 52. Human Resource Development for Non-Uniformed Personnel.** There shall be  
33 established a Human Resource Development Program at the PNP for non-uniformed personnel  
34 including, but not limited to, the provisions on merit promotion, performance evaluation, in-  
35 service training grants, incentive and award system. The program shall conform to the rules  
36 and regulations of the NAPOLCOM.

37  
38 Where there are no specific applicable provisions in the rules and regulations of the  
39 NAPOLCOM, the existing rules and regulations promulgated by the CSC shall apply.

40  
41 **SEC. 53. Screening and Selection for Appointment.** Applicants for the non-uniformed  
42 personnel position shall undergo a screening process to be conducted by a duly appointed  
43 Selection and Promotion Board based on qualification standards set forth by the NAPOLCOM:  
44 *Provided*, That, in addition thereto, the applicant shall undergo an on-the-job training for a  
45 period of three (3) months to determine his fitness and competence to assume the  
46 responsibilities of the position to be occupied.

1 **SEC. 54. Application of the Civil Service Laws.** Except when otherwise provided for in this  
2 Act and in other existing laws, the provisions of Executive Order No. 292 and other Civil Service  
3 Laws shall be made to apply to all non-uniformed personnel of the PNP.  
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#### 6 **B. Work Benefits**

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8 **SEC. 55. Hours of Work, Salaries, and Other Remuneration.** The non-uniformed personnel  
9 of the PNP shall be provided with benefits and welfare services, as follows:  
10

11 a) **Normal Hours of Work.** The normal hours of work of any NUP shall not exceed more  
12 than eight (8) hours a day or forty (40) hours a week. Hours worked shall include: a) all the time  
13 during which NUP is required to work or to be at a prescribed workplace; and b) all the time  
14 during which NUP is permitted to work.  
15

16 b) **Overtime Work.** Where the exigencies of the service so required, any non-uniformed  
17 personnel may be required to render service beyond the regular eight (8) hours a day: *Provided,*  
18 That they shall be paid additional compensation in accordance with existing laws: *Provided,*  
19 *further,* That the total additional compensation shall not exceed fifty (50%) percent of the basic  
20 pay.  
21

22 c) **Longevity Pay.** Non-uniformed personnel, regardless of their unit of assignment,  
23 shall be entitled to a longevity pay of ten (10%) percent of their basic monthly pay for every five  
24 (5) years of continuous, efficient, and meritorious service in the government, which shall be  
25 computed from the date of his original appointment in the government service: *Provided,* That  
26 the maximum longevity pay shall not exceed fifty percent (50%) of the basic monthly pay.  
27

28 d) **Compensation for Rest Day, Saturday and Sunday, or Holiday.** Non-uniformed  
29 personnel shall be paid his/her regular daily wage even during regular holidays. Any personnel  
30 who is required or permitted to work on a regular holiday or in any special public holiday, local  
31 or national, shall be paid compensation equivalent to twice his/her regular rate.  
32

33 e) **Hazard Pay.** In specific assignments where they are exposed to occupational hazards  
34 unusual to peacekeeping, crime prevention and investigation activities and established to be  
35 peculiar to any given area or place of assignment, as determined by the PNP, non-uniformed  
36 personnel shall also be compensated with a special hazard pay equivalent to at least twenty five  
37 (25%) percent of his/her monthly basic salary.  
38

39 h) **Medical and Dental Services.** An annual compulsory medical examination shall be  
40 provided free of charge to non-uniformed personnel during their tenure of employment. Non-  
41 uniformed personnel shall be accorded with free medical and dental services, *Provided,* That  
42 the cost shall be included as automatic appropriation in the PNP annual budget.  
43  
44

#### 45 **D. Fund Appropriation**

46

47 **SEC. 56. Fund Appropriations.** To ensure the effective implementation of the provisions of  
48 Chapter Two and Three under this Title, the Congress shall include such necessary funding  
49 necessary to support the foregoing provisions in the PNP annual appropriations.

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TITLE III  
PNP DEVELOPMENT PROGRAM

Chapter One  
Career and Personnel Development

**SEC. 57. *Organizational Career Planning and Management Plan.*** To hasten professionalization of the police service, two separate and distinct organizational career planning and development system shall be established by the NAPOLCOM, in consultation with the PNP. One system shall solely center on the uniformed personnel, police commissioned and police non-commissioned officer. The other system on the non-uniformed personnel of the PNP.

In view of the distinctive nature of their work and of the need to provide equitable opportunities for professional advancement of the PNP members thereof in relation to PNP line personnel, the following sub-groups in the PNP shall have distinct career management and development programs: Professional Technical Personnel, such as but not limited to the members of the Legal, Health, Engineering, Chaplain and Criminology Services; and Internal Affairs Service Personnel.

The comprehensive organizational career planning and development system shall include provisions on merit promotions, performance evaluation, in-service training, overseas and local scholarships, training grants, incentive award system, and other similar services and human resource development interventions, such as but not limited to, on the job training, counseling, coaching, job rotation, secondment, and job swapping.

**SEC. 58. *Sustaining the Professionalization of the PNP.*** To sustain the professionalization of police personnel, training shall be done intensively and extensively. For this purpose, regional training academies shall be established and directly managed by the Regional Commanders as part of their mandate to train all police personnel within a given region.

**SEC. 59. *Local Training Programs.*** The PNP shall establish and maintain continuing local training programs aimed at enhancing the professional growth of PNP personnel. Such local training programs, undertaken in coordination with other government and non-government agencies, shall provide managerial, technical, administrative and operational courses such as logistics and fiscal management, including training on professional services and criminal procedures.

**SEC. 60. *In-service Training.*** The PNP shall regularly conduct enhancement programs and in-service training programs aimed towards the development of the skills of PNP personnel and the improvement of their capabilities. All uniformed personnel assigned at the station levels shall be given preference in the entitlement to such programs.

Such in-service training programs provided for in this section shall include, but not be limited to, Police Rookies Orientation; Specialized Courses on Investigation, Traffic Enforcement, and Drug Enforcement; Gender Sensitivity Training; and Firearms Proficiency.

**SEC. 61. *Moral Recovery Programs.*** To develop in each member a strong moral fiber, the PNP shall conduct Moral Recovery Programs, which shall primarily focus on the PNP Code of Professional Conduct and Ethical Standards.

1 **SEC. 62. *Physical and Mental Fitness Programs.*** The PNP shall formulate policies and  
2 guidelines on physical fitness and sports development programs and shall conduct periodic  
3 physical fitness test among its personnel.  
4

5 For the purpose of ensuring the physical and mental health, as well as the non-use of  
6 prohibited drugs, the PNP, in coordination with the NAPOLCOM-accredited government  
7 hospital, shall conduct regular psychiatric/psychological, drug, and physical tests randomly and  
8 without notice.  
9

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11 **Chapter Two**  
12 **Performance Evaluation**  
13

14 **SEC. 63. *Performance Evaluation System.*** There shall be established a performance  
15 evaluation system which shall be administered in accordance with the standards, rules  
16 regulations, and code of conduct promulgated by the Commission for members of the PNP.  
17 Such performance evaluation system shall be administered in such a way as to foster the  
18 improvement of individual efficiency and behavioral discipline as well as the promotion of  
19 organizational effectiveness and respect for the constitutional and human rights of citizens,  
20 democratic principles, and the ideals and supremacy of civilian authority over the military.  
21

22  
23 **Chapter Three**  
24 **Promotion System**  
25

26 **SEC. 64. *Rationalized Promotion System.*** There shall be a system of promotion for uniformed  
27 and non-uniformed personnel of the PNP, which shall be based on merit and fitness. Such  
28 system shall ensure that all members of the PNP, regardless of gender, shall enjoy equal  
29 opportunity for promotion.  
30

31 It shall further be observed that:  
32

33 (a) No member of the PNP shall be eligible for promotion to the next higher rank position  
34 unless he had successfully passed a corresponding promotional examination. He must have  
35 completed the required schooling and training relevant to said position, based on approved  
36 NAPOLCOM Resolutions and other relevant laws;  
37

38 (b) The pendency of any administrative or minor criminal or civil case arising from  
39 service-related acts or omissions before any court, body or tribunal shall not be a bar for  
40 promotion or assignment.  
41

42 (c) Uniformed personnel assigned in remote areas shall be given priority in promotion or  
43 assignment to better areas after exhibiting satisfactory performance of his duties. Their tour of  
44 duties in remote areas shall not exceed two (2) years, except when the exigency of their  
45 assignment is involved, when there are no positions for their transfer, or when they prefer to  
46 stay in such posts in excess of two (2) years.  
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**TITLE IV  
DISCIPLINARY MEASURES**

4 **SEC. 65. *Disciplinary Mechanisms.*** The PNP shall have a disciplinary mechanism and the  
5 disciplining powers shall be exercised by legitimate disciplinary authorities as provided for in  
6 Republic Act No. 6975, Republic Act No. 8551 and other pertinent laws and regulations.

8 **SEC. 66. *Safeguards in Disciplinary Procedures.*** In every disciplinary proceeding, the  
9 uniformed PNP personnel shall have:

- 11 a) The right to be informed in writing of the charges against him;
- 13 b) The right to pre-charge investigation in administrative cases;
- 15 c) The right to full access to the evidence in the case;
- 17 d) The right to defend himself or to be defended by a representative of his own choice or  
18 his organization. Adequate time shall be afforded for the preparation of his defense;
- 20 e) The right to confront witness presented against him and summon witness in his behalf  
21 including the right to cross-examination;
- 23 f) The right to appeal to designated authorities;
- 25 g) The right to claim reimbursement for the reasonable expenses incurred in his defense  
26 in cases of exoneration or dismissal of charges; and
- 28 h) Such other rights that ensures fairness and impartiality during proceedings.

30 **SEC. 67. *Prohibition against Discrimination.*** Unless otherwise expressly provided by this Act,  
31 existing laws and pertinent rules and regulations, the enjoyment of privileges, rights and welfare  
32 benefits afforded to the PNP personnel shall not be affected by gender, civil status, religion,  
33 political belief, or ethnic group to which one belongs to.

35 **SEC. 68. *Complaints and Grievances.*** Every PNP personnel shall have the right to present his  
36 complaints and grievances to his superior officers for the immediate redress thereof. The  
37 exercise of this right shall not be used as a ground for discrimination nor as bar for the exercise  
38 of other privileges, rights, and benefits afforded by law.

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**TITLE V  
DISABILITY AND DEATH BENEFITS**

45 **SEC. 69. *Entitlement.*** The heirs and dependents of a PNP personnel shall be entitled to all  
46 benefits relative to the member's death and/or disability, as provided in this Act and other  
47 existing laws.

49 **SEC. 70. *Compensation for Physical and Mental Injuries Sustained in the Course of Duty.***  
50 A PNP personnel shall be protected against the consequences of employment injuries.

1 Physical and psychological stresses affecting the health condition of the personnel shall be  
2 recognized as compensable occupational disease in accordance with existing laws.

3  
4 **SEC. 71. *Permanent Physical Disability.*** A uniformed member who incurs a total permanent  
5 disability in the line of duty and has rendered a total of twenty (20) years of continuous active  
6 duty in the police service shall be compulsorily retired: *Provided*, That upon his compulsory  
7 retirement, he shall be entitled to the payment of a retirement pay equivalent to one and one-  
8 fourth (1¼) month base pay for every year of service or a fraction thereof, computed based on  
9 the next higher rank and longevity pay based on the last permanent grade held.

10  
11 **SEC. 72. *Disability Benefits.*** Any member and his dependents shall be entitled to all benefits  
12 relative to the member's permanent incapacity, as may be provided for under this Act or other  
13 existing laws.

14  
15 **SEC. 73. *Uniformed Member Missing in Action.*** Any uniformed member who is officially  
16 confirmed to be missing in action while in the performance of his duty or by reason of his being  
17 a member of the police service or is kidnapped or captured by the enemy shall be entitled to  
18 receive the same pay and allowances and other benefits to which he is entitled to at the time of  
19 the incident which gave rise to his disappearance or capture: *Provided*, That should it be known  
20 later that his disappearance was not on the occasion of a legitimate police activity or without any  
21 authority, the salaries, allowances and other benefits received by him or his immediate heirs,  
22 relatives, and dependents in accordance with this Act and other existing and relevant laws shall  
23 be returned to the PNP.

24  
25 **SEC. 74. *Payment of Salary and Allowances to the Heirs, Relatives and Dependents of***  
26 ***the Uniformed Member Who is Missing in Action.*** In case any uniformed member has been  
27 officially declared as missing in action under the circumstances enumerated under the  
28 preceding section, the PNP Chief shall direct the payment of the missing uniformed member's  
29 monthly salary and allowances and other emoluments to his heirs, relatives and dependents for  
30 their support for a period of one (1) year from the time of his reported disappearance or capture  
31 by the enemy, as the case may be. A member who is officially declared missing in action as  
32 adjudicated by the NAPOLCOM shall be presumed dead for all legal intents and purposes after  
33 a period of four (4) years from the date of his reported disappearance or capture.

34  
35 **SEC. 75. *Finding of Death and Termination of Payment of Salary and Allowances.*** Upon  
36 the termination of the one (1) year period as specified in the preceding section, the missing  
37 uniformed personnel shall be automatically terminated. In the event said personnel shall  
38 thereafter be found to have been alive and is not entitled to the benefits paid under the  
39 preceding sections, said benefits shall be reimbursed to the State within six (6) months from the  
40 discovery of the fact or from his reappearance. However, if his continued disappearance was  
41 fraudulent or made in bad faith, he shall, together with his co-conspirators, be prosecuted  
42 according to law.

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45 **TITLE VI**  
46 **FINAL PROVISIONS**

47  
48 **SEC. 76. *Implementing Rules and Regulations.*** The NAPOLCOM shall formulate and  
49 prepare the rules and regulations necessary to implement the provisions of this Act. All rules  
50 and regulations shall be liberally construed in favor of the PNP member. Rules and regulations

1 implementing this Act shall take effect fifteen (15) days after publication in a paper of general  
2 circulation or through any other means the NAPOLCOM shall deem sufficient in order to give  
3 notice to the general public.

4  
5 **SEC. 77. Budgetary Estimates.** The PNP Chief shall submit to Congress, through the DILG  
6 Secretary, the annual budgetary estimates to implement the provisions of this Act, which shall  
7 be included in the General Appropriations Act.

8  
9 **SEC. 78. Separability Clause.** If any provision of this Act is declared  
10 unconstitutional or invalid, other parts or provisions hereof not affected thereby shall  
11 continue to be in full force and effect.

12 **SEC. 79. Repealing Clause.** All laws, decrees, executive orders, rules and regulations and  
13 other issuances inconsistent with this Act are deemed repealed, amended, or modified  
14 accordingly.

15  
16 **SEC. 80. Effectivity.** The provisions of this Act shall take effect after fifteen (15) days of  
17 publication in a newspaper of general circulation.

18  
19 Approved,