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

'19 JUL 16 A9 :04

SENATE
S. No. 514

RECEIVED BY:

Introduced by SENATOR RONALD "BATO" DELA ROSA

AN ACT
PROVIDING FOR THE MODERNIZATION OF THE PHILIPPINE NATIONAL POLICE AND FOR OTHER PURPOSES

EXPLANATORY NOTE

The Philippine National Police was established in 1991 to be a highly effective and competent police force that is national in scope and civilian in character. Republic Act No. 6975 mandated the PNP to enforce all laws and ordinances relative to the protection of lives and properties maintain peace and order and take all necessary steps to ensure public safety, among others. Considering the modern risks to our country's peace and order, there is a need to equip the PNP with modern equipment and competent personnel to ensure the continuous effective performance of PNP's constitutional and statutory functions.

As such, the proposed measure seeks to guarantee the establishment of PNP Modernization Program. The bill is anchored upon the objective of transforming and developing the PNP into a service oriented agency in the performance of its police and internal security functions and fulfilment of its mandates. Likewise, the bill also aims to enhance the PNP's capability to assist other agencies in the enforcement of domestic and foreign policies as well as international covenants in coordination with the international enforcement agencies;

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

RONALD "BATO" DELA ROSA

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

Section 1. *Short Title.* – This Act shall be known as the "PNP Modernization Act."

Sec. 2. *Declaration of Policy.* – It is the policy of the State to promote peace and order, ensure public safety and further strengthen local government capability aimed towards the effective delivery of the basic services to the citizenry through the establishment of a highly efficient and competent police force that is national in scope and civilian in character.

Toward this end, the State develop and modernize the capability of the police force to fulfill its mandate to protect the Filipino people and to achieve efficiency and effectiveness of its members in performance of their functions.

Sec. 3. *Objectives of the PNP Modernization Program.* – The Philippine National Police (PNP) Modernization program shall be implemented in accordance with the following objectives:

a) To transform and develop the PNP into a service oriented agency in the performance of its police and internal security functions;
b) To enable the PNP to develop capabilities to foster human and ecological security;

c) To enhance its capability to assist other agencies in the enforcement of domestic and foreign policies as well as international covenants in coordination with the international enforcement agencies;

d) To enhance the PNP's capabilities to assist the Armed Forces of the Philippines in the performance of the Armed Forces of the Philippines (AFP) mandate; and

e) To develop its capabilities to fulfill its constitutional and statutory mandates.

Sec. 4. *Components of the PNP Modernization Program.* – The PNP Modernization Program shall consist of the following:

1) Infrastructure Development. – This component shall entail basic systems and support systems required to ensure that efficiency police services are rendered. The program shall include the acquisition and upgrading of basic facilities such as police stations to support facilities for administrative and operational services such as training, crime laboratory, information management systems, communications systems, medical and dental services, care in hospitals and dispensaries and housing.

2) Capability, Material and Technology Development. – The program shall include the acquisition and upgrading of contemporary, modern and state-of-the-art equipment and system to enhance the capabilities of the police organization in the performance of its mandate: *Provided,* That the acquisition of new equipment and weapons systems, shall be synchronized with the phase-out of uneconomical and obsolete major equipment and weapons system in the PNP inventory.

Sec. 5. *Development of PNP Capabilities.* – In the performance of its duties and functions mandated by law, the PNP shall undertake the Modernization Program in the context of a PNP National Strategic Action Plan, consistent with Section 3 and 4 of this Act, and shall specifically gear towards the improvement and development of the criminalistics aspects of its police functions. The Modernization Program shall be geared towards the development of the following capabilities:

a) Community-Oriented Policing Systems. – The rationalization of the police operations into a pro-active and community based policing system in place of the current reactive, precinct-based policing system.

b) Criminal Investigation. – The enhancement of legal and scientific criminal investigation utilizing improve crime laboratory techniques, methodologies and responsive procedures.

c) Beat Patrol. – The improved patrol coverage through acquisition and upgrading of communications equipment and mobility equipage to improve response time and enhance crime prevention.

d) Civil Disturbance Control. – The development of civil disturbance doctrines consistent with the constitutional and statutory provisions on human rights as well as the acquisition of equipment and devices necessary to implement these doctrines.

e) Anti-Terrorists Operations. – The promotion and utilization of the multilateral exchange of information with other police organization, to include the improvement of its institutional capabilities to deal with terrorist activities as may be defined by law.

f) Disaster Relief and Rescue Operations. – The improvement of institutional capabilities to prepare and respond to all types of disaster to national emergencies as well as the development of the coordinated efforts with other government agencies and relief organization in responding to the same.

g) Aerial Surveillance and Air Transport. – The acquisition and upgrading of air transport capabilities to convey to its personnel and supplies over the entire length and breadth of the archipelago. This will necessitate the acquisition of multi-role aircrafts to function on public order and safety services such as observation, surveillance, evacuation and detection, among others.

h) Illegal Drugs Suppression – The development of its capability in the enforcement of laws relating to drug abuse and the increased coverage in illegal drugs suppression and administrative activities.

i) Intelligence Operation. – The development and enhancement of the capability for information collection, processing and dissemination.

Sec. 6. *Period of Implementation.* – The modernization program under this Act shall be implemented over a period of ten (10) years: *Provided, however,* That payment for amortization of outstanding multi-year contracts incurred this Act may extend beyond this period.

Sec. 7. *Submission of the PNP Modernization Program.* – (a) Within ninety (90) days from the effectivity of this Act, the Chief of the Philippine National Police, in consultation with the National Police Commission, the Department of Interior and Local Government, the Department of Budget and Management, and the Department of Finance shall submit the PNP Modernization Program to Congress for its consideration and approval in a joint resolution of the House of Representatives and the Senate. The program shall indicate or show the following:

(1) The size and shape of the PNP in terms of personnel, equipment, and facilities during the various phases of the modernization program;

(2) The modernization projects under it, including the weapon and non-weapon equipment and technology acquisitions sought by the respective services and units of the PNP, any infrastructure construction or improvement to be made and the particular objectives, components and priorities under Sections 3, 4, and 5 respectively, of this Act to which such intended acquisition, construction or improvement belongs; and

(3) The priorities, schedules as well as estimated average cost of each modernization project or upgrading to be undertake.

(4) The PNP Modernization Program, as submitted to Congress, shall be the basis for subsequent executive and legislative actions to implement the PNP Modernization Program from year to year until its complete and full realization.

Sec. 8. *Appropriations for the PNP Modernization Program.* – The annual appropriations for the PNP Modernization Program shall include the amounts

necessary to support the funding requirements for all modernization projects submitted to Congress under the preceding section.

The funds to be appropriated by Congress under this Act shall be treated as a distinct and separate budget item from the regular appropriation for the PNP and shall be administered by the Chief of PNP.

The PNP Modernization Program shall be based on an amount of at least Fifty billion pesos (P50,000,000,000.00) for the first five (5) years.

Sec. 9. *Multi-year Contracts and Other Contractual Arrangements.* – (a) The Chief of PNP, pursuant to the PNP Modernization Program, projects and appropriations approved by Congress, may subject to the approval of the President, provisions of existing laws and regulations including those of the Commission on Audit and under such terms and conditions most favorable to the government, enter into a multi-year contracts, lease, and lease purchase agreement;

(b) For multi-year contracts, Congress shall, upon issuance of a multi-year obligational authority by the Department of Budget and Management (DBM), make the corresponding appropriation for the ensuing fiscal years: *Provided,* That the PNP and the DBM shall issue the implementing guidelines to ensure consistency with the PNP Modernization Program and existing guidelines in the contracting of multi-year projects;

(c) The Chief PNP shall submit to Congress, through the Chairpersons of the Senate Committees on Public Order and Dangerous Drugs and Finance and the Chairpersons of the House Committees on Public Order and Safety and Appropriations, copies of these multi-year contracts and other agreements/arrangements to enable Congress to appropriate funds.

Sec. 10. *PNP Modernization Act Trust Fund.* - There is hereby created a trust fund, to be known as the PNP Modernization Act Trust Fund. Said trust fund, which shall be used exclusively for the PNP modernization program, including all necessary expenses to implement the procurement of equipment such as expenses for pre-

selection and post-qualification stages, but not to include salaries and allowances, shall be funded out of the following:

(a) Appropriations for the PNP Modernization Program;

(b) Shares of the PNP from the proceeds of sale of Military Camps, lease, joint development, build-operate-transfer scheme and other schemes involving PNP real properties, including such immovable and other facilities as may be found therein;

(c) The proceeds from the disposal of excess and/or uneconomically repairable equipment and other movable assets of the PNP;

(d) Funds from budgetary surplus, if any, as may be authorized by Congress subject to the provisions of Section 8 of this Act;

(e) Donations coming from local and foreign sources, specifically earmarked to be used for the PNP Modernization Program; and

(f) All interest income of the trust fund.

Funds from the foregoing sources, regardless of income source, shall be directly deposited to a special account in the general fund created specifically for the PNP Modernization importation of the same by the APP shall likewise be exempt from the value-added tax and customs duties.

Sec. 11. *Congressional Oversight Committee.* – There is hereby created a Congressional Oversight Committee to monitor and oversee the implementation of the provisions of this Act. The Committee shall be composed of six (6) members from the Senate and six (6) members from the House of Representatives with the Chairpersons of the Senate Committee Public Order and Dangerous Drugs and House of Representative Committee on Public Order and Safety of both Houses as Joint Chairpersons. The five (5) other members from each Chamber shall be designated by the Senate President and the Speaker of the House of Representatives, respectively. The Minority shall have at least two (2) representatives from both Chambers.

Sec. 12. *Sunset Review.* – As the need arises or within five (5) years after its effectivity, the Congressional Oversight Committee shall conduct a sunset review of this Act. The term 'sunset review' shall mean a systematic evaluation of the

accomplishments and impact of this Act, as well as the performance and organizational structure of its implementing agencies, for purposes of determining remedial legislation.

Sec. 13. *Separability Clause.* – If any portion 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. 14. *Repealing Clause.* – Any law, presidential decree or issuance, executive order, letter of instruction, rule or regulation inconsistent with the provisions of this Act is hereby repealed or modified accordingly.

Sec. 15. *Effectivity.* – This Act shall take effect fifteen (15) days following its complete publication in a newspaper of general circulation.

Approved,