

**[ REPUBLIC ACT NO. 8551, February 25, 1998 ]**

**AN ACT PROVIDING FOR THE REFORM AND REORGANIZATION OF THE PHILIPPINE NATIONAL POLICE AND FOR OTHER PURPOSES, AMENDING CERTAIN PROVISIONS OF REPUBLIC ACT NUMBERED SIXTY-NINE HUNDRED AND SEVENTY-FIVE ENTITLED, "AN ACT ESTABLISHING THE PHILIPPINE NATIONAL POLICE UNDER A REORGANIZED DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT, AND FOR OTHER PURPOSES"**

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

**TITLE I**

**TITLE AND DECLARATION OF POLICY**

SECTION 1. *Title.* - This Act shall be known as the "Philippine National Police Reform and Reorganization Act of 1998."

SEC. 2. *Declaration of Policy and Principles.* - It is hereby declared the policy of the State to establish a highly efficient and competent police force which is national in scope and civilian in character administered and controlled by a national police commission.

The Philippine National Police (PNP) shall be a community and service oriented agency responsible for the maintenance of peace and order and public safety.

The PNP shall be so organized to ensure accountability and uprightness in police exercise of discretion as well as to achieve efficiency and effectiveness of its members and units in the performance of their functions.

**TITLE II**

**THE ROLE OF THE PNP IN COUNTER-INSURGENCY FUNCTIONS**

SEC. 3. Section 12 of Republic Act No. 6975 is hereby amended to read as follows:

"SEC. 12. *Relationship of the Department with the Department of National Defense.* - The Department of the Interior and Local Government shall be relieved of the primary responsibility on matters involving the suppression of insurgency and other serious threats to national security. The Philippine National Police shall, through information gathering and performance of its ordinary police functions, support the Armed Forces of the Philippines on

matters involving suppression of insurgency, except in cases where the President shall call on the PNP to support the AFP in combat operations.

"In times of national emergency, the PNP, the Bureau of Fire Protection, and the Bureau of Jail Management and Penology shall, upon the direction of the President, assist the armed forces in meeting the national emergency."

### **TITLE III**

#### **THE NATIONAL POLICE COMMISSION**

SEC. 4. Section 13 of Republic Act No. 6975 is hereby amended to read as follows:

"SEC. 13. *Creation and Composition.* - A National Police Commission, hereinafter referred to as the Commission, is hereby created for the purpose of effectively discharging the functions prescribed in the Constitution and provided in this Act. The Commission shall be an agency attached to the Department for policy and program coordination. It shall be composed of a Chairperson, four (4) regular Commissioners, and the Chief of PNP as ex officio member. Three (3) of the regular commissioners shall come from the civilian sector who are neither active nor former members of the police or military, one (1) of whom shall be designated as vice chairperson by the President. The fourth regular commissioner shall come from the law enforcement sector either active or retired: Provided, That an active member of a law enforcement agency shall be considered resigned from said agency once appointed to the Commission: Provided, further, That at least one (1) of the Commissioners shall be a woman. The Secretary of the Department shall be the ex officio chairperson of the Commission, while the vice chairperson shall act as the executive officer of the Commission."

SEC. 5. Section 14 of Republic Act No. 6975 is hereby amended to read as follows:

"SEC. 14. *Powers and Functions of the Commission.* - The Commission shall exercise the following powers and functions:

- a. Exercise administrative control and operational supervision over the Philippine National Police which shall mean the power to:
  1. Develop policies and promulgate a police manual prescribing rules and regulations for efficient organization, administration, and operation, including criteria for manpower allocation, distribution and deployment, recruitment, selection, promotion and retirement of personnel and the conduct of qualifying entrance and promotional examinations for uniformed members;
  2. Examine and audit, and thereafter establish the standards for such purposes on a continuing basis, the performance, activities, and facilities of all police agencies throughout the country;
  3. Establish a system of uniform crime reporting;
  4. Conduct an annual self-report survey and compile statistical data for the accurate assessment of the crime situation and the proper evaluation of the efficiency and effectiveness of all police units in the country;

5. Approve or modify plans and programs on education and training, logistical requirements, communications, records, information systems, crime laboratory, crime prevention and crime reporting;
  6. Affirm, reverse or modify, through the National Appellate Board, personnel disciplinary actions involving demotion or dismissal from the service imposed upon members of the Philippine National Police by the Chief of the Philippine National Police;
  7. Exercise appellate jurisdiction through the regional appellate boards over administrative cases against policemen and over decisions on claims for police benefits;
  8. Prescribe minimum standards for arms, equipment, and uniforms and, after consultation with the Philippine Heraldry Commission, for insignia of ranks, awards, and medals of honor. Within ninety (90) days from the effectivity of this Act, the standards of the uniformed personnel of the PNP must be revised which should be clearly distinct from the military and reflective of the civilian character of the police;
  9. Issue subpoena and subpoena duces tecum in matters pertaining to the discharge of its own powers and duties and designate who among its personnel can issue such processes and administer oaths in connection therewith;
  10. Inspect and assess the compliance of the PNP on the established criteria for manpower allocation, distribution, and deployment and their impact on the community and the crime situation, and thereafter formulate appropriate guidelines for maximization of resources and effective utilization of the PNP personnel;
  11. Monitor the performance of the local chief executives as deputies of the Commission; and
  12. Monitor and investigate police anomalies and irregularities.
- b. Advise the President on all matters involving police functions and administration;
  - c. Render to the President and to the Congress an annual report on its activities and accomplishments during the thirty (30) days after the end of the calendar year, which shall include an appraisal of the conditions obtaining in the organization and administration of police agencies in the municipalities, cities and provinces throughout the country, and recommendations for appropriate remedial legislation;
  - d. Recommend to the President, through the Secretary, within sixty (60) days before the commencement of each calendar year, a crime prevention program; and
  - e. Perform such other functions necessary to carry out the provisions of this Act and as the President may direct."

SEC. 6. Section 15 of Republic Act No. 6975 is hereby amended to read as follows:

"SEC. 15. *Qualifications.* - No person shall be appointed regular member of the Commission unless:

- a. He or she is a citizen of the Philippines;
- b. A member of the Philippine Bar with at least five (5) years experience in handling criminal or human rights cases or a holder of a master's degree

but preferably a doctorate degree in public administration, sociology, criminology, criminal justice, law enforcement, and other related disciplines; and

- c. The regular member coming from the law enforcement sector should have practical experience in law enforcement work for at least five (5) years while the three (3) other regular commissioners must have done extensive research work or projects on law enforcement, criminology or criminal justice or members of a duly registered non-government organization involved in the promotion of peace and order."

SEC. 7. Section 16 of Republic Act No. 6975 is hereby amended to read as follows:

"SEC. 16. *Term of Office.* - The four (4) regular and fulltime Commissioners shall be appointed by the President for a term of six (6) years without re-appointment or extension."

SEC. 8. *Expiration of the Terms of Office of Current Commissioners.* - Upon the effectivity of this Act, the terms of office of the current Commissioners are deemed expired which shall constitute a bar to their reappointment or an extension of their terms in the Commission except for current Commissioners who have served less than two (2) years of their terms of office who may be appointed by the President for a maximum term of two (2) years.

SEC. 9. Section 17 of Republic Act No. 6975 is hereby amended to read as follows:

"SEC. 17. *Temporary or Permanent Incapacity of the Chairperson.* - In case of absence due to the temporary incapacity of the chairperson, the vice chair shall serve as chairperson until the chairperson is present or regains capacity to serve. In case of death or permanent incapacity or disqualification of the chairperson, the acting chairperson shall also act as such until a new chairperson shall have been appointed by the President and qualified."

SEC. 10. Section 20 of Republic Act No. 6975 is hereby amended to read as follows:

"SEC. 20. *Organizational Structure.* - The Commission shall consist of the following units:

- a. *Commission Proper.* - This is composed of the offices of the Chairman and four (4) Commissioners.
- b. *Staff Services.* - The staff services of the Commission shall be as follows:
  1. The Planning and Research Service, which shall provide technical services to the Commission in areas of overall policy formulation, strategic and operational planning, management systems or procedures, evaluation and monitoring of the Commission's programs, projects and internal operations; and shall conduct thorough research and analysis on social and economic conditions affecting peace and order in the country;
  2. The Legal Affairs Service, which shall provide the Commission with efficient and effective service as legal counsel of the Commission; draft or study contracts affecting the Commission and submit appropriate recommendations pertaining thereto; and render legal

opinions arising from the administration and operation of the Philippine National Police and the Commission;

3. The Crime Prevention and Coordination Service, which shall undertake criminological researches and studies; formulate a national crime prevention plan; develop a crime prevention and information program and provide editorial direction for all criminology research and crime prevention publications;
  4. The Personnel and Administrative Service, which shall perform personnel functions for the Commission, administer the entrance and promotional examinations for policemen, provide the necessary services relating to records, correspondence, supplies, property and equipment, security and general services, and the maintenance and utilization of facilities, and provide services relating to manpower, career planning and development, personnel transactions and employee welfare;
  5. The Inspection, Monitoring and Investigation Service, which shall conduct continuous inspection and management audit of personnel, facilities and operations at all levels of command of the PNP, monitor the implementation of the Commission's programs and projects relative to law enforcement; and monitor and investigate police anomalies and irregularities;
  6. The Installations and Logistics Service, which shall review the Commission's plans and programs and formulate policies and procedures regarding acquisition, inventory, control, distribution, maintenance and disposal of supplies and shall oversee the implementation of programs on transportation facilities and installations and the procurement and maintenance of supplies and equipment; and
  7. The Financial Service, which shall provide the Commission with staff advice and assistance on budgetary and financial matters, including the overseeing of the processing and disbursement of funds pertaining to the scholarship program and surviving children of deceased and/or permanently incapacitated PNP personnel.
- c. Disciplinary Appellate Boards. - The Commission shall establish a formal administrative disciplinary appellate machinery consisting of the National Appellate Board and the regional appellate boards.

"The National Appellate Board shall decide cases on appeal from decisions rendered by the PNP chief, while the regional appellate boards shall decide cases on appeal from decisions rendered by officers other than the PNP chief, the mayor, and the People's Law Enforcement Board (PLEB) created hereunder."

SEC. 11. Section 22 of Republic Act No. 6975 is hereby amended to read as follows:

"SEC. 22. Qualifications of Regional Directors. - No person shall be appointed regional director unless:

- a. He or she is a citizen of the Philippines; and
- b. A holder of a master's degree and appropriate civil service eligibility."

SEC. 12. *Qualifications Upgrading Program.* - The Commission shall design and establish a qualifications upgrading program for the members of the Commission in