

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

SEVENTEENTH CONGRESS
First Regular Session

House Bill No. 742

HOUSE OF REPRESENTATIVES
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REGISTRATION UNIT BILLS AND INDEX SERVICE

Introduced by **DIWA Party-list Representative Emmeline Y. Aglipay – Villar**

EXPLANATORY NOTE

Republic Act No. 5487, otherwise known as the Private Security Industry Act was enacted into law on June 21, 1969 and subsequently amended by Presidential Decree No. 11 in October 3, 1972. There have been immense developments in, and expansion of the private security industry after more than forty years since the law was first passed, but the law remains the same.

This bill seeks to professionalize the industry by intensifying the requirements for training and professional certification of security practitioners. More importantly, it is determined to uplift the plight and status of security guards who are the cornerstones of the private security industry. Amendments introduced to Republic Act No. 5487 are intended to address the needs and concerns of security guards, with the goal of improving their well-being, status in life and providing them with a deeper sense of pride in serving and protecting their fellow Filipinos.

The bill also intends to increase the efficiency of the security industry by introducing amendments to lessen bureaucracy with respect to licensing, operation and regulation of private security agencies. It also gives the agency players a greater role in the drafting of regulations and issuances related to and affecting private security agencies and private security personnel.

Another important amendment to R.A. No. 5487 that is introduced in this Bill is the provision on safeguards for the public against private security agencies that act as private armies. These safeguards become relevant with the advent of alleged human rights violations and election-related violence that have both been associated with the existence of private armies.

Amendments to the Private Security Agency Act are necessary in order to make the law more responsive to the changing times and changing needs not only of the private security industry but also the society.

Approval of this bill is earnestly sought.

Emmeline Y. Villar

EMMELINE Y. AGLIPAY – VILLAR
Representative, DIWA Party-list

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AN ACT STRENGTHENING THE PRIVATE SECURITY INDUSTRY, AMENDING FOR THIS PURPOSE REPUBLIC ACT NO. 5487, OTHERWISE KNOWN AS THE ACT TO REGULATE THE ORGANIZATION AND OPERATION OF PRIVATE DETECTIVE, WATCHMEN OR SECURITY GUARDS AGENCIES.

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

Section 1. Short Title of Act. This Act shall be known as "The Private Security Agency Act of 2016."

Section 2. Section 3 of Republic Act No. 5487, or the Private Security Agency Law, is hereby amended, with the addition of the following subparagraphs, to read as follows:

SECTION 3. Definition of Terms.

(a) Person - As used in this Act, person shall include not only natural but also juridical persons such as **SINGLE PROPRIETORSHIPS**, partnerships, corporations, compan**IES** or associations, duly organized and registered with the Securities and Exchange Commission and/or the **DEPARTMENT OF TRADE AND INDUSTRY**.

(b) **PRIVATE SECURITY SERVICES - SHALL INCLUDE THE FOLLOWING ACTS WHICH ARE RENDERED ON A COMPENSATED BASIS:**

(1) **PROVIDING OR RENDERING SERVICES TO WATCH A PUBLIC OR PRIVATE ESTABLISHMENT;**

(2) **CONDUCTING ACCESS CONTROL IN ANY FORM - WHETHER PHYSICALLY, MANUALLY OR BY ELECTRONIC MONITORING SYSTEMS, FOR THE PURPOSE OF SECURING SUCH AREA/PROPERTY, AND; AT THE SAME TIME**

(3) **PROVIDING SAFETY AND PROTECTION OF PERSONS WITHIN SUCH AREAS;**

(4) **MAINTAINING PEACE AND ORDER WITHIN SUCH AREAS;**

- (5) OTHER RELATED ACTIVITIES NECESSARY TO PERFORM SUCH FUNCTIONS; AND
- (6) OTHER ACTIVITIES TO CATER TO THE SPECIALIZED SECURITY NEEDS THAT THE SOSIA MAY APPROVE.

PRIVATE SECURITY SERVICES SHALL HAVE THE FOLLOWING COMPONENTS:

- (1) SECURITY GUARD SERVICES;
- (2) PROTECTIVE AGENT SERVICES;
- (3) DETECTIVE AGENT SERVICES; AND
- (4) SECURITY CONSULTANCY SERVICES.

IT SHALL ALSO INCLUDE THE ACT OF CONTRACTING, RECRUITING, TRAINING, FURNISHING OR POSTING ANY SECURITY GUARD.

c) SECURITY GUARD SERVICES - SHALL INCLUDE THE PROVISION OF LICENSED SECURITY PERSONNEL WHO PERFORM PRIVATE SECURITY SERVICES AS DEFINED IN 3(b) AT A DEFINED AREA, E.G. INDUSTRIAL PLANTS, FINANCIAL INSTITUTIONS, EDUCATIONAL INSTITUTIONS, OFFICE BUILDINGS, GOVERNMENT FACILITIES, RETAIL ESTABLISHMENTS, COMMERCIAL COMPLEXES, HEALTH CARE FACILITIES, RECREATIONAL FACILITIES, RESIDENCE AND HOUSING DEVELOPMENT, TRANSPORTATIONS VEHICLES AND FACILITIES, WAREHOUSES AND GOODS DISTRIBUTION DEPOTS.

(d) SECURITY CONSULTANCY SERVICES - SHALL INCLUDE THE PROVISION OF LICENSED SECURITY PERSONNEL WHO PERFORM SECURITY CONSULTANCY-RELATED SERVICES SUCH AS FORMULATING A SECURITY PLAN, THREAT AND VULNERABILITY ASSESSMENT, SITE SURVEYING, SECURITY AUDITING, RISK MANAGEMENT, TRAVEL SECURITY TRAINING, HOSTAGE AVOIDANCE, EVACUATION PLANNING, AND INCIDENT MANAGEMENT.

e) PRIVATE SECURITY PERSONNEL - SHALL BE NATURAL PERSONS WHICH INCLUDE PRIVATE SECURITY GUARDS, PRIVATE DETECTIVES, PROTECTION AGENTS, SECURITY CONSULTANTS, SECURITY OFFICERS AND OTHER CERTIFIED OR LICENSED SERVICE PROVIDERS RENDERING/PERFORMING SECURITY AND/OR DETECTIVE SERVICES AS EMPLOYED BY PRIVATE SECURITY AGENCIES AND/OR PRIVATE FIRMS.

(f) PRIVATE Security Guard (SG) - SOMETIMES CALLED PRIVATE SECURITY GUARD OR WATCHMAN SHALL INCLUDE any person who offers or renders personal service to: (1) watch or secure either RESIDENCES, business establishmentS, buildingS, compoundS, areaS, OR

PROPERTIES; (2) INSPECT OR MONITOR, CONDUCT BODILY CHECKS OR SEARCHES OF INDIVIDUALS AND/OR BAGGAGE AND OTHER FORMS OF SECURITY INSPECTION, WHETHER PHYSICALLY/ MANUALLY OR ELECTRONICALLY, including but not limited to, logging concessions and agricultural, mining or pasture lands, transportation, for hire or compensation.

(g) PROTECTION AGENT (PA) - SHALL REFER TO ANY NATURAL PERSON WHO OFFERS ms SERVICES TO PROTECT ANOTHER NATURAL PERSON FOR HIRE OR COMPENSATION, AGAINST UNLAWFUL ACTIVITIES, HARM, DANGER, OR INJURIES. SAID PERSON SHALL HAVE UNDERGONE THE TRAINING COURSE FOR PROTECTION AGENTS, AS MANDATED, DESIGNED AND IMPLEMENTED IN ACCORDANCE WITH THIS LAW.

(h) Private Detective (PD) - SHALL MEAN ANY PERSON LICENSED AND QUALIFIED TO PERFORM DETECTIVE WORK ON A COMPENSATED BASIS, OTHER THAN MEMBERS OF THE PHILIPPINE NATIONAL POLICE, ARMED FORCES OF THE PHILIPPINES, GUARDS OF THE BUREAU OF JAIL MANAGEMENT AND PENOLOGY, MUNICIPAL OR CITY JAIL GUARDS, PROVINCIAL JAIL GUARDS AND OR ANY OTHER MEMBERS OF LAW ENFORCEMENT AGENCIES OF THE GOVERNMENT;

(i) PRIVATE SECURITY AGENCY (PSA) - SHALL MEAN ANY PERSON ASSOCIATION, PARTNERSHIP, FIRM OR PRIVATE CORPORATION WHO IS LICENSED TO PROVIDE PRIVATE SECURITY SERVICES AS DEFINED IN SECTION 3 (b) HEREOF.

(j) LICENSE TO EXERCISE PROFESSION - SHALL MEAN ANY VALID AND AUTHENTIC DOCUMENT ISSUED BY THE CHIEF OF THE PHILIPPINE NATIONAL POLICE OR HIS DULY AUTHORIZED REPRESENTATIVE, RECOGNIZING A PERSON TO BE QUALIFIED TO PERFORM ITS DUTIES AS PRIVATE SECURITY PERSONNEL, AS DEFINED IN SECTION 3 (e) HEREOF.

(k) LICENSE TO OPERATE (LTO) - IS A LICENSE CERTIFICATE DOCUMENT, ISSUED BY THE CHIEF OF THE PHILIPPINE NATIONAL POLICE OR ITS DULY AUTHORIZED REPRESENTATIVE, AUTHORIZING A PERSON TO ENGAGE IN EMPLOYING SECURITY GUARD, DETECTIVE OR PROTECTIVE SERVICES, OR A JURIDICAL PERSON TO ESTABLISH, ENGAGE, DIRECT, MANAGE OR OPERATE AN INDIVIDUAL OR A PRIVATE SECURITY AGENCY/COMPANY, DETECTIVE OR PROTECTIVE AGENCY/COMPANY AFTER PAYMENT OF THE PRESCRIBED DUES OR FEES AND AFTER COMPLYING WITH ALL THE REQUIREMENTS AS PROVIDED BY THE RULES AND REGULATIONS IMPLEMENTING THIS ACT.

(l) PADPAO REFERS TO THE PHILIPPINE ASSOCIATION OF

