This bill seeks to establish a Philippine Legislative Police (PLP) which will exercise the primary responsibility of securing the safety of all Members of Congress, protecting the properties of both the Senate and the House of Representatives and ensuring that the mandate and authority vested in the Members of Congress by the Constitution, and its legislative powers remains unobstructed. Through the PLP, the Congress is empowered to enforce and execute its powers of contempt and issuance of subpoenas, summonses and warrants of arrest. Further, the establishment of PLP creates a safe and secure environment for the Members to fully exercise their legislative responsibilities with independence.

The system of checks and balances fundamentally requires the independence of the branches of government and only through such independence that the ends of government are better achieved.

Currently, the Congress relies on the law enforcement agencies under the Executive Department to enforce and execute its contempt orders and warrants of arrest. In the 17th Congress, a warrant of arrest was issued by the Committee on Justice against Ronnie Dayan for his failure to appear before the committee conducting public hearing on the proliferation of drug syndicates at the New Bilibid Prison. The arrest was made by personnel of the Philippine National Police (PNP), mainly because the House of Representatives does not have an enforcement body that is equipped and authorized to carry out its contempt and arrest orders.

The PNP and other law enforcement agencies are under the control and supervision of the Executive Department. As such, the Congress is helpless to do anything if the PNP and other law enforcement agencies,
which have been commissioned by the Congress to enforce and execute its orders, are remiss of their assigned duties.

The reliance of Congress on the law enforcement agencies of the Executive Department in the protection of its Members and the enforcement and execution of its powers impairs, to a large extent, the independence of Congress from the Executive Department.

The works and activities of the Members of the Senate and the House of Representatives are not confined in the premises of their respective Session Halls or their offices. Attending various meetings and looking after their constituents are indispensable part of their duties. Inherent to their functions as legislators and politicians are the threats to their lives. And again, as the Congress does not have enough manpower and capability to provide security to its Members in performing outside duties, it relies on the law enforcement agencies of the Executive Department.

The bill further proposes that officers will have the same qualifications, salaries and benefits, retirement age and equivalent rank of the members of the Philippine National Police (PNP). However, their functions will be limited to providing safety and security to every Member of Congress and the enforcement and execution of the orders of Congress in the exercise of its powers.

This measure is a refiled bill from House Bill No. 6208 authored by former Representative Rodolfo C. Faríñas in the 17th Congress.

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

RUDY’S CAESAR G. FARÍÑAS I RIA CHRISTINA G. FARÍÑAS
AN ACT

ESTABLISHING THE PHILIPPINE LEGISLATIVE POLICE (PLP) AND APPROPRIATING
FUNDS THEREFOR

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

SECTION 1. Short Title. — This Act may be cited as the "Philippine
Legislative Police Act."

SEC. 2. Declaration of Policy. — It is hereby declared the policy of the
State to ensure the independence of the Legislative, Executive, and Judicial
Departments of the government to promote efficiency and to enable them
to perform their respective constitutional mandates.

Toward this end, an independent and organized police force under the
control and supervision of the Congress of the Philippines is necessary to
secure the performance of the Legislature of its constitutionally mandated
duty to make laws that effectively respond to the needs of our people.

The police force shall be organized, trained, and equipped primarily for
the protection and security of Members of the Congress of the Philippines
and its officers, employees, visitors, and properties. No elements of the police
force shall be in the military, not shall any position thereof be occupied by an
active member of the Armed Forces of the Philippines (AFP) and the
Philippine National Police (PNP).
SEC. 3. **Philippine Legislative Police (PLP).** – There is hereby established a Philippine Legislative Police (PLP) under the control and supervision of the Congress of the Philippines. The PLP shall be primarily responsible for the protection of the Members and properties of both the House of Representatives and the Senate.

The Offices of the Sergeant-at-Arms, as provided by the Rules of the House of Representatives and the Rules of the Senate, shall continue to be headed by their respective Sergeant-at-Arms who shall oversee the daily operations of the PLP.

SEC. 4. **Powers and Functions.** – The PLP shall exercise the following the duties and functions:

(a) Secure the safety of all Members of Congress, their spouses, and relatives, up to the second degree of consanguinity, upon determination and validation that their lives are under threat;

(b) Protect the properties of Congress and ensure the safety of its employees, visitors, and other persons who are in the premises of Congress;

(c) Maintain peace and order and conduct patrol duties, communications, intelligence gathering and access control systems in the premises of Congress;

(d) Coordinate with other law enforcement agencies to maximize collection and sharing of intelligence information for purposes of identifying threats to Congress or any of its Members, their spouses, and relatives up to the second degree of consanguinity;

(e) Prevent crimes, effect the arrest of criminal offenders, investigate the commission of all crimes and offenses committed within the jurisdiction of the Congress, and assist in the prosecution thereof;

(f) Coordinate the issuance of licenses for the possession of, and permits to carry, firearms to Members of Congress, the PLP personnel, and the Secretariat employees of both Houses of Congress, as well as the congressional staff of incumbent Members of Congress;

(g) Serve subpoenas and warrants that the Congress may issue;

(h) Purchase firearms, ammunition, and other equipment necessary for the performance of its function;

(i) Issue Mission Orders and Memorandum of Receipt for the purpose of providing its personnel with firearms, ammunition and other equipment; and
(j) Perform and exercise all other powers and functions necessary to implement the provisions of this Act.

SEC. 5. Philippine Legislative Police (PLP) Board. — The PLP shall be governed by the Philippine Legislative Police Board, hereinafter referred to as the Board, composed of the Chairperson of the Committee on Public Order and Safety of the House of Representatives, the Chairperson of the Public Order and Dangerous Drugs of the Senate of the Philippines, the Sergeant-at-Arms of the House of Representatives, the Sergeant-at-Arms of the Senate, and a retired General of the AFP or Chief Superintendent of the Philippine National Police who shall act as Chairman and appointed jointly by the Speaker of the House of Representatives and Senate President. The Chairman shall serve for term of three (3) years with reappointment. The members of the Board shall hold office until their successors are duly elected or appointed. The Board shall exercise the following:

(a) Selection, appointment, and promotion of personnel;

(b) Deployment, placement, and utilization of the PLP or any of its units and personnel;

(c) Resolution of any complaint filed against its officers and exercise disciplinary powers, including imposition of penalties;

(d) Establishment of an effective performance system; and

(e) Issuance of policies and instructions regarding personnel, funds, properties, records, correspondences, and such other matters as may be necessary to effectively carry out the functions, powers, and duties of the PLP.

The exercise of powers of the Board is subject to the review and approval of the Speaker on the part of the House of Representatives and Senate President on the part of the Senate of the Philippines. The Board may hold its regular meetings in either of the offices of the Sergeant-at-Arms of the House and Senate and its special meetings in any place in Metro Manila. Expenses for the special meetings are subject to existing budgeting, accounting, and auditing rules and regulations.

SEC. 6. Organizational Structure and Staffing Pattern. — Within six (6) months from the convening of the Board, the organizational structure and staffing pattern of the PLP shall be formulated and finalized for the joint approval of the Speaker of the House and Senate President. The PLP shall be comprised of two (2) key units, the Operations and Administrative Bureaus, which shall be headed by the Chief for Operations and the Chief Administrative Officer, respectively.
A. **PLP Operations Bureau**

The following services shall be under the Operations Bureau:

(1) **Operational Service**, which is responsible for the operational needs of the PLP, shall include specialty units such as command center, communications, crisis and emergency unit, patrol and mobile unit, and canine unit.

(2) **Protective Service**, which is responsible for collecting and analyzing information to produce intelligence, assessing threats, identifying and mitigating risks, and protecting Members of Congress, shall include specialty units such as investigation, intelligence analysis, and dignitary protection.

(3) **Security Service**, which is responsible for the planning, design, and execution of security measures in the premises of both Houses of Congress.

B. **PLP Administrative Bureau**

The following services shall be under the Administrative Bureau:

(1) **Financial Management Service**, which is responsible for all the financial activity of the PLP, shall include accounting, budget, and procurement divisions.

(2) **Human Resource Service**, which is responsible for developing, implementing, and administering human resource programs and services including recruitment, compensation and benefits, employee relations, training and development, and compliance with labor and employment laws.

(3) **Information Systems Service**, which is responsible for the planning, budgeting, designing, and applying various technologies in support of the PLP operations, such as providing automated information, networking, telecom, and wireless communications.

**SEC. 7. Rank of Officers.** – For purposes of efficient administration, supervision, and control, the PLP shall have the following rank classification:

- Legislative Chief Superintendent
- Legislative Senior Superintendent
- Legislative Superintendent
- Legislative Chief Inspector
- Legislative Senior Inspector
- Legislative Inspector
Legislative Senior Police Officer IV
Legislative Senior Police Officer III
Legislative Senior Police Officer II
Legislative Senior Police Officer I
Legislative Police Officer III
Legislative Police Officer II
Legislative Police Officer I

The Board shall make use of this classification in preparing the staffing pattern of the officers and prescribe the number of officers in each rank. The Board may make reference to the existing ranks of the uniformed personnel of other departments.

SEC. 8. Qualification and Examination. – No person shall be appointed office of the PLP unless the applicant possesses the following minimum qualifications:

(a) A citizen of the Philippines;

(b) A person of good moral conduct;

(c) Must have passed the psychiatric or psychological, drug, and physical tests to be administered by the PLP accredited government hospitals for the purpose of determining physical and mental health;

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

(e) Must be eligible in accordance with the standards set by the Board;

(f) Must not have been dishonorably discharged from military employment or dismissed for cause from any civilian position in the Government;

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

(h) Must be at least one meter and sixty-two centimeters (1.62m) in height for male and one meter and fifty-seven centimeters (1.57m) for female;

(i) Must weigh not more than or less five kilograms (5 kgs.) from the standard weight corresponding to the height, age, and sex; and

(j) A new applicant must not be less than twenty-one (21) years of age nor more than twenty-nine (29) years of age for female and thirty-two (32) years of age for male.
Except for item (j) above, these qualifications shall be continuing in
caracter and an absence of any one of them at any given time shall be
ground for separation or retirement from the service.

For the purpose of determining compliance with the requirements on
physical and mental health, as well as the non-use of prohibited drugs, the
PLP, through an accredited government hospital, shall conduct regular
psychiatric, psychological drug, and physical tests randomly and without
prior notice.

Likewise, no officer may be appointed without passing the qualifying
entrance examinations that shall be administered by the PLP on the basis of
the standards set by the Board.

SEC. 9. Training and Education. – The officers of the PLP shall undergo
continuous training and education to ensure that they maintain and improve
their skills as well as inform themselves of up-to-date knowledge and
information on security.

The officers of the PLP shall undergo training and education in the
Philippine Public Safety College or in other equivalent institutions. The
Congress of the Philippines may establish its own training and education
support unit for the benefit of the PLP.

SEC. 10. Promotion. – To be eligible for promotion, an officer of the PLP
shall comply with the following requirements:

(a) Pass the corresponding promotional examination given by the
Board;

(b) Complete an appropriate and accredited training course designed
by the Board;

(c) Pass the psychiatric or psychological and drug tests; and

(d) Present certification of no pending administrative or criminal case.
Special or meritorious promotion may be extended to any officer for
acts of conspicuous courage and gallantry at risk of the officer’s life above
and beyond the call of duty upon prior validation by the Board based on
established criteria.

SEC. 11. Salaries and Benefits. – The officers and employees shall
receive the existing salaries, benefits, and other allowances authorized for
corresponding salary grades provided under existing laws, and civil service
laws, rules and regulations. They shall also be entitled to other benefits and
allowances that secretariat employees of the House of Representatives and
the Senate may receive subject to the joint approval of the Speaker of the
House and the Senate President.

SEC 12. Retirement. — Any officer attaining fifty-six (56) years of age shall
be compulsorily retired. However, any officer, upon accumulation of twenty-
five (25) years of satisfactory service may apply for early retirement subject to
the approval of the Board.

Upon compulsory retirement, an officer is entitled to retirement benefits
computed one grade higher than the position last held.

The retirement age provided in this section applies only to new
entrants. An existing personnel who qualifies to be an officer shall be
compulsorily retired after attaining six-five (65) years of age. However, such
personnel may retire after attaining fifty-six (56) years of age and is entitled to
additional gratuity provided by existing law, rules, and regulations on
retirement.

SEC. 13. Death and Disability. — The officer or the heirs are entitled to all
benefits relative to the death or permanent incapacity of the officer under
existing laws. In addition, an officer who accumulated at least twenty (20)
years of service who incurs total permanent disability in line of duty is
compulsorily retired and is entitled to a separation pay equivalent to one and
one-half (1½) basic salary for every year of service computed on the current
salary grade. A fraction of six (6) months shall be considered one (1) whole
year.

SEC. 14. Administrative Complaint and Disciplinary Action. — Any
administrative complaint and disciplinary action filed against any officer shall
be heard, decided, and implemented in accordance with the rules of
procedure that the Board shall establish for the purpose. The administrative
penalties that the Board may impose corresponding to the act or omission of
the officer include withholding of privileges, forfeiture of salary, suspension, or
any combination thereof, for a period not exceeding one hundred (180)
days.

SEC. 15. Summary Dismissal Power of the Board. — The Board, after due
notice and hearing, may immediately remove or dismiss any officer in the
following cases:

(a) When the charge involves moral turpitude and the evidence of guilt
is strong;

(b) When the officer has been repeatedly charged and there are
reasonable grounds to believe that the officer is guilty of the charges; and
(c) When the officer is guilty of a serious offense involving conduct unbecoming of an officer.

Any officer who shall go on absence without leave (AWOL) for a continuous period of thirty (30) days or more shall be dismissed immediately from the service.

SEC. 16. Legal Assistance. – The Office of the Legal Affairs of House of Representatives and the Office of Legal Counsel of the Senate shall provide legal assistance to any officer of PLP who is charged in any court or competent body arising from any incident related to the performance of official duty.

SEC. 17. Transitory Provision. – All personnel, properties, equipment, functions, and responsibilities of the Offices of the Sergeant-at-Arms as provided by the Rules of the House of Representatives and the Rules of the Senate, as well as their legislative security bureaus, are hereby transferred to the PLP.

All regular or permanent employees transferred to the PLP shall not suffer any loss of seniority nor diminution of benefits and shall undergo six (6) months of socio-civic police training, which includes one hundred (100) hours of theoretical and practical exercise on constitutional and human rights and other relevant trainings necessary to their new function. The Board shall identify who among the regular employees may be appointed officer of the PLP. The appointed officers shall then be deployed and remain in their present assignments.

Any employee who may not be accommodated in the new position structure and staffing pattern shall be given preference to join any offices of the Congress or allowed to retire under existing laws, rules and regulations. Any employee who opts to retire is entitled to an additional gratuity equivalent to three (3) months basic salary for every year of service. A fraction of six (6) months shall be considered one (1) whole year.

SEC. 18. Appropriation. – The amount necessary for the initial implementation of the Act shall be sourced from the current appropriations of the House of Representatives and the Senate. Thereafter, such sums as may be necessary for the continued implementation of this Act shall be included in the annual General Appropriations Act.

SEC. 19. Reportorial Requirements. – The Board shall submit to the Speaker of the House and Senate President an annual report of the operations of the PLP. Likewise, within fifteen (15) days before the final adjournment of each Congress, the Board shall submit a summary report on the review of the organizational structure and staffing pattern, which includes recommendation on the viability of the abolition or creation of services.
SEC. 20. Implementing Rules and Regulations. – Within ninety (90) days from the approval of this Act, the Board shall promulgate the rules and regulations implementing the provision of this Act. The implementing rules and regulations issued pursuant to this section shall take effect thirty (30) days after publication in two (2) newspapers of general circulation.

SEC. 21. Separability Clause. – If any provision of this Act is declared unconstitutional, the remainder of this Act or any provision not affected thereby shall remain in full force and effect.

SEC. 22. Effectivity. – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or a newspaper of general circulation.

Approved,