Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 4287

INTRODUCED BY HON. CHERYL P. DELOSO-MONTALLA

AN ACT
STRENGTHENING FURTHER THE PHILIPPINE COAST GUARD (PCG) AND FOR
OTHER PURPOSES, AMENDING CERTAIN PROVISIONS OF REPUBLIC ACT NO.
9993 OTHERWISE KNOWN AS "THE PHILIPPINE COAST GUARD LAW OF 2009"

EXPLANATORY NOTE

The Philippine Coast Guard (PCG) is the oldest and only humanitarian armed service in
the Philippines. Its beginnings could be traced back to the early 20th century when coast guarding
was related to the protection of the customs service of the country and in patrolling the coastline
and harbors.¹

Presently, the PCG is recognized as the 3rd uniformed armed service of the country
following the Armed Forces of the Philippines (AFP) and the Philippine National Police (PNP).
As a seagoing force, the coastguard boasts of its time-honored tradition of humanitarian service
that is always ready to answer to the call of duty.²

With the enactment of the Coast Guard Law of 2009 or the Republic Act No. 9993 and its
implementing rules and regulations, the PCG has been vested with the necessary authority and
responsibility to perform preventive measures to ensure the safety of merchant vessels. He said
law also strengthened PCG’s authority to meet new challenges and increasing demands for
maritime resources, technological advancement and climate change. It defined PCG’s rightful
niche in the bureaucracy as the premier maritime agency and its vital role in nation-building.³

Being at the forefront in ensuring the safety and protection of the Philippine maritime
waters against any illegal activity and with the advent of the wide array of maritime issues currently
faced by the country, the PCG’s role in maintaining and protecting our maritime domain must be
given priority and high importance.

However, the law which revitalized PCG contains certain ambiguous provisions which
deter the PCG from achieving its optimum potential. Moreover, recent developments in the
maritime sector necessitates a re-visitation of the existing coast guard law to make it more
responsive to the needs of the time.

Of the same importance is the need to enhance the administration and organization of the
PCG through the required structure and management that are vital in the execution of its mandates
on maritime safety, maritime security and marine environmental protection.

This bill, thus, proposes to define the powers of the key officers of PCG, categorize its
personnel, appropriately classify their ranks, define their qualifications and tenure, provide a

¹ http://www.coastguard.gov.ph/images/philcoastguard/history.png
² Ibid.
³ Ibid.
framework for their disciplinary system through an internal affairs service, provision of legal assistance, and prescription of retirement benefits, among others.

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

CHERYL P. DELOSO-MONTALLA  
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Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

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INTRODUCED BY HON. CHERYL P. DELOSO-MONTALLA

AN ACT
STRENGTHENING FURTHER THE PHILIPPINE COAST GUARD (PCG) AND FOR OTHER PURPOSES, AMENDING CERTAIN PROVISIONS OF REPUBLIC ACT NO. 9993 OTHERWISEKnown As “THE PHILIPPINE COAST GUARD LAW OF 2009”

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

SECTION 1. SECTION 1 of Republic Act No. 9993 is hereby amended to read as follows:

“SECTION 1. Title. - This Act shall be known as the ‘Philippine Coast Guard [Law of 2009] ACT OF 2019.’”

SEC. 2. SEC. 2 of RA No. 9993 is hereby amended to read as follows:

“SEC. 2. Establishment. - The Philippine Coast Guard, hereinafter referred to as the PCG, is hereby established as an armed and uniformed service attached to the Department of Transportation [and Communications] (DOTR); Provided, That in times of war, as declared by Congress, the PCG or parts thereof, shall be attached to the Department of National Defense.”

SEC. 3. SEC. 5 of RA No. 9993 is hereby amended to read as follows:

“SEC. 5. The PCG Commandant. - The PCG shall be headed by a Commandant who shall [carry] HAVE the rank of [Coast Guard] Admiral WHICH SHALL BE EQUIVALENT TO THE RANK AND PAY OF THE CHIEF OF STAFF, AFP AND THE POLICE DIRECTOR GENERAL, PNP: Provided, That he shall be appointed by the President from among the Flag Officers in the Coast Guard service. He shall hold a command-at-sea badge and must have served as a District Commander of the PCG. The Commandant shall have a maximum term of three (3) years. A Commandant who has served for three (3) years prior to his compulsory retirement shall be considered as retired and entitled to all the benefits available to a Coast Guard officer as if he is compulsorily retired.”

SEC. 4. A new SEC. 6 is hereby provided to read as follows:

“SEC. 6. POWERS AND FUNCTIONS OF THE COMMANDANT. - THE COMMANDANT SHALL EXERCISE THE FOLLOWING POWERS AND FUNCTIONS:

a) IMPLEMENT THE COUNTRY’S MARITIME LAWS, THROUGH THE SECRETARY OF THE DEPARTMENT OF TRANSPORTATION, AND UNDER THE AUTHORITY AND DIRECTION OF THE PRESIDENT;
b) DIRECT AND CONTROL TACTICAL AS WELL AS STRATEGIC
MOVEMENTS, DEPLOYMENT, PLACEMENT, UTILIZATION OF THE
PCG OR ANY OF ITS UNITS AND PERSONNEL, INCLUDING ITS
EQUIPMENT, FACILITIES AND OTHER RESOURCES;

c) PRESCRIBE, IN ACCORDANCE WITH THE POLICIES OF THE
SECRETARY OF THE DEPARTMENT OF TRANSPORTATION, THE
ORGANIZATION, POWERS, FUNCTIONS AND DUTIES OF THE VARIOUS
STAFF, SERVICES, INSTALLATIONS AND OTHER UNITS OF THE PCG;

d) ISSUE POLICIES AND INSTRUCTIONS REGARDING
PERSONNEL, FUNDS, PROPERTIES, RECORDS, CORRESPONDENCE
AND SUCH OTHER MATTERS AS MAY BE NECESSARY TO
EFFECTIVELY CARRY OUT THE FUNCTIONS, POWERS AND DUTIES OF
THE PCG.

SEC. 5. SEC. 6 of RA No. 9993 is hereby renumbered and amended to read as follows:

MANDATE OF PROTECTING THE MARITIME DOMAIN OF THE
COUNTRY, [T]he PCG COMMANDANT shall be assisted by two (2)
DEPUTY COMMANDANTS, one (1) for operations and one (1) for
administration. They shall also be ably supported by the
following commands/units: functional service
commands; administrative support commands,
operational support commands, operating commands, and
technical and special services."

SEC. 6. A new SEC. 8 is hereby provided to read as follows:

"SEC. 8. PERSONNEL. – THE PCG SHALL CONSIST OF THE
FOLLOWING CATEGORIES OF PERSONNEL:

a) OFFICER – REFERS TO UNIFORMED MEMBER OF THE PCG
WHO IS APPOINTED AS OFFICER BY THE SECRETARY OR PRESIDENT AS
THE CASE MAY BE;

b) ENLISTED PERSONNEL – REFERS TO UNIFORMED MEMBER
OF THE PCG WHO IS NOT AN OFFICER BUT ENLISTED INTO THE SERVICE
BY THE COMMANDANT OF THE PCG;

c) CIVILIAN EMPLOYEE – REFERS TO THE PERMANENT NON-
UNIFORMED MEMBER OF THE PCG WITH PLANTILLA POSITION AND
SALARY GRADE AS ATTESTED BY THE CIVIL SERVICE COMMISSION;

d) PROBATIONARY ENSIGN – REFERS TO A PERSON WHO HAS
COMPLETED BASIC TRAINING AND IS AWAITING COMMISSIONSHIP IN
THE PCG;

e) DRAFTEE – REFERS TO A PERSON WHO HAS COMPLETED
BASIC TRAINING AND IS AWAITING ENLISTMENT INTO THE PCG ACTIVE
SERVICE;

f) CADET – REFERS TO A PERSON WHO IS UNDERGOING
TRAINING FOR COMMISSIONSHIP OR WHO IS ENROLLED IN SERVICE
ACADEMIES UNDER THE SPONSORSHIP OF THE PCG;
g) TRAINEE – REFERS TO A PERSON WHO IS UNDERGOING
TRAINING TO QUALIFY AS MEMBER OF THE ENLISTED PERSONNEL’S
CORPS OF THE PCG.”

SEC. 7. A new SEC. 9 is hereby provided to read as follows:

“SEC. 9. RANK CLASSIFICATION. – THE RANK/GRADE OF PCG
OFFICERS SHALL BE AS FOLLOWS:

ADIMRAL (ADM)
VICE ADIMRAL (VADM)
REAR ADIMRAL (RADM)
COMMODORE (COMMO)
CAPTAIN (CAPT)
COMMANDER (CDR)
LIEUTENANT COMMANDER (LCDR)
LIEUTENANT SENIOR GRADE (LTSG)
LIEUTENANT JUNIOR GRADE (LTJG)
ENSIGN (ENS)
PROBATIONARY ENSIGN (P/ENS)”

SEC. 8. A new SEC. 10 is hereby provided to read as follows:

“SEC. 10. TECHNICAL OFFICERS. – THE FOLLOWING
PROFESSIONALS MAY JOIN THE PCG SERVICE AS TECHNICAL
OFFICERS:

(a) LAWYERS
(b) DOCTORS
(c) PRIESTS, PASTORS, IMAM, AND OTHER CERTIFIED
CLERICS
(d) DENTISTS
(e) VETERINARIANS
(f) CLINICAL PSYCHOLOGISTS
(g) PHYSICAL THERAPISTS
(h) CHEMISTS
(i) MEDICAL TECHNOLOGISTS
(j) NURSES
(k) MARINE BIOLOGISTS

ANY APPLICANT HOLDING THE DEGREE OF ANY OF THE
ABOVEDMENTIONED PROFESSIONS SHALL HAVE QUALIFIED AND PASSED
THE LICENSURE EXAMINATION, AS APPLICABLE, OF THE RESPECTIVE
PROFESSIONS TO BE QUALIFIED FOR ENTRY INTO THE COAST GUARD
SERVICE. OTHER PROFESSIONS NOT LISTED MAY STILL BE RECRUITED
AS PART OF THE TECHNICAL STREAM UPON VERIFICATION OF THE PCG
OF ITS NEED THEREOF.”

SEC. 9. SEC. 7 of RA No. 9993 is hereby renumbered and amended to read as follows:

“SEC. [7] 11. Officer Rank Distribution. - The officer rank distribution or the PCG
shall be as follows: two per centum (2%) in the Flag Officer rank; six per centum (6%) in
the rank of Coast Guard Captain; twelve per centum (12%) in the rank of Coast Guard
Commander; eighteen per centum (18%) in the rank of Coast Guard Lieutenant
Commander; twenty per centum (20%) in the rank of Coast Guard Lieutenant SENIOR
GRADE. and forty-two per centum (42%) in the ranks of Coast Guard Lieutenant Junior
Grade and Coast Guard Ensign; Provided, That such distribution is based on the ratio

5
between officer and non-officer ENLISTED PERSONNEL which is one (1) officer to
every seven (7) non-officer ENLISTED PERSONNEL. Provided. finally, That if the
actual number in a rank is less than the number prescribed in a lower rank, the difference
may be applied as an increase to the number prescribed in the lower rank."

SEC. 10. SEC. 8 of RA No. 9993 is hereby renumbered and amended to read as follows:

"SEC. [8] 12. Distribution of Flag Officers. – [The number of Flag Officers herein
authorized shall be distributed to the various Flag Officer ranks in accordance with the
schedule as hereunder prescribed:

<table>
<thead>
<tr>
<th>Rank</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Coast Guard Admiral</td>
<td>1</td>
</tr>
<tr>
<td>Coast Guard Vice Admiral</td>
<td>1</td>
</tr>
<tr>
<td>Coast Guard Rear Admiral</td>
<td>5</td>
</tr>
<tr>
<td>Coast Guard Commodore</td>
<td>15</td>
</tr>
<tr>
<td>Total</td>
<td>22</td>
</tr>
</tbody>
</table>

Provided, That the herein prescribed Coast Guard ranks shall be distinct from those
prescribed in the Philippine Navy. Provided, further, That the total number of Flag Officers
prescribed under this section shall in no case be less than the number resulting from the
implementation of Section 7 hereof, otherwise the latter shall apply.

The number corresponding to the ranks of Coast Guard Admiral, Coast Guard Vice
Admiral, Coast Guard Rear Admiral, and Coast Guard Commodore, as provided for in this
section, shall be the maximum:]

THERE SHALL BE A COMMANDANT WITH THE RANK OF ADMIRAL.
PROVIDED, THE TOTAL NUMBER OF FLAG RANKS SHALL NOT EXCEED 2
PER CENTUM OF THE TOTAL POPULATION OF OFFICERS AND EXCEPT
FOR THE PREVIOUSLY MENTIONED CONSTANT, SHALL BE DISTRIBUTED
OBSERVING THE PYRAMIDAL STRUCTURE.

<table>
<thead>
<tr>
<th>Rank</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>VICE ADMIRAL</td>
<td>0.15%</td>
</tr>
<tr>
<td>REAR ADMIRAL</td>
<td>0.35%</td>
</tr>
<tr>
<td>COMMODORE</td>
<td>1.50%</td>
</tr>
<tr>
<td>TOTAL</td>
<td>2.00%</td>
</tr>
</tbody>
</table>

THE PERCENTAGE SHALL BE BASED ON THE TOTAL OFFICER
POPULATION OF THE PCG AFTER USING THE 1 OFFICER IS TO 7
ENLISTED PERSONNEL RATIO AND THE TOTAL NUMBER OF FLAG
OFFICERS IS TWO (2) PERCENT OF THE TOTAL OFFICERS’ CORPS.
Provided, That if the actual number in a rank, except in the case of Coast Guard Admiral
and Coast Guard Vice Admiral, is less than the number herein prescribed the difference
may be applied as an increase to the number prescribed in the lower rank: Provided,
finally, That no officer shall be promoted to the rank of Coast Guard Commodore or higher
unless there is an existing vacancy, and the officer is occupying a position in the table of
organization that requires the rank of which he is being considered for promotion."

SEC. 11. SEC. 9 of RA No. 9993 is hereby renumbered as SEC. 13.

SEC. 12. SEC. 10 of RA No. 9993 is hereby renumbered and amended to read as follows:

"SEC. [10] 14. Maximum Tenure in Position. - Officers holding the following key
positions are hereby limited a maximum tenure of three (3) years, unless otherwise earlier
relieved by competent authority or compulsory retired under existing laws:
[Coast Guard] Commandant;
[Coast Guard] Deputy Commandant [; and].
[Coast Guard District Commander.]

Provided, That except for the Commandant, no other officer shall be assigned/designated to the aforementioned key positions or promoted to the rank of Commodore or higher if he has less than (1) year of active service remaining prior to compulsory retirement.

SEC. 13. A new SEC. 15 is hereby provided to read as follows:

"SEC. 15. THE RANK/GRADE OF PCG ENLISTED PERSONNEL SHALL BE AS FOLLOWS:

FIRST MASTER CHIEF PETTY OFFICER (FMCPO)
MASTER CHIEF PETTY OFFICER (MCPO)
SENIOR CHIEF PETTY OFFICER (SCPO)
CHIEF PETTY OFFICER (CPO)
PETTY OFFICER FIRST CLASS (PO1)
PETTY OFFICER SECOND CLASS (PO2)
PETTY OFFICER THIRD CLASS (PO3)
SEAMAN/SEAWOMAN FIRST CLASS (SN1/SW1)
SEAMAN/SEAWOMAN SECOND CLASS (SN2/SW2)
APPRENTICE SEAMAN/SEAWOMAN (ASN/ASW)
DRAFTEE (DFT)"

SEC. 14. A new SEC. 16 is hereby provided to read as follows:

"SEC. 16. MAXIMUM TENURE IN RANK FOR ENLISTED PERSONNEL.

THE MAXIMUM TENURE OF SENIOR ENLISTED PERSONNEL IN THE RANKS OF CHIEF PETTY OFFICER TO FIRST MASTER CHIEF PETTY OFFICER IN THE PCG ARE AS FOLLOWS:

RANK | MAXIMUM TENURE IN RANK
----|------------------------
FIRST MASTER CHIEF PETTY OFFICER | THREE (3) YEARS
MASTER CHIEF PETTY OFFICER | THREE (3) YEARS
SENIOR CHIEF PETTY OFFICER | FIVE (5) YEARS
CHIEF PETTY OFFICER | SEVEN (7) YEARS

ANY PERSONNEL HOLDING LOWER RANKS THAN THE ABOVE WHO STAYS IN A RANK FOR FIFTEEN (15) YEARS WITHOUT BEING PROMOTED TO THE NEXT HIGHER RANK SHALL BE EVALUATED BY THE RE-ENLISTMENT FITNESS BOARD WHO SHALL VERIFY SUITABILITY TO CONTINUE IN SERVICE AND SUBMIT A RECOMMENDATION FOR THE APPROVAL OF THE COMMANDANT. PROVIDED, THAT THE ENLISTMENT TERM IN THE PCG SHALL BE SIX (6) YEARS WITH THE APPLICATION FOR RE-ENLISTMENT TO BE REVIEWED BY THE RE-ENLISTMENT FITNESS BOARD FOR RECOMMENDATION TO THE COMMANDANT FOR APPROVAL."

SEC. 15. A new SEC. 17 is hereby provided to read as follows:

"SEC. 17. CIVILIAN EMPLOYEE. - THERE SHALL BE CIVILIAN POSITIONS WITHIN EVERY OFFICE OF THE PCG. THE HIGHEST RANK AMONG THE CIVILIANS WHO SHALL BE THE HEAD IS DIRECTOR IV. THE CIVILIAN EMPLOYEES SHALL ESTABLISH THEIR OWN PLANTILLA
POSITIONS TO COMPLEMENT THE STRENGTH OF THE PCG UNIFORMED PERSONNEL."

SEC. 16. SEC. 11 of RA No.9993 is hereby renumbered as SEC. 18.

SEC. 17. SEC. 12 of RA No. 9993 is hereby renumbered and amended to read as follows:

"SEC. [12][19]. Appointments. - Appointments of PCG officers, which shall be in the initial rank of Coast Guard Ensign, shall be made by the Secretary of [the DOTC] TRANSPORTATION upon the recommendation of the PCG Commandant. The initial [appointment] entry ranks [of] FOR TECHNICAL OFFICERS LIKE [chaplains, dentists] lawyers, medical doctors and ECUMENICAL shall be [Coast Guard Lieutenant] IN THE RANK OF LIEUTENANT SENIOR GRADE, DENTISTS AND VETERINARIANS SHALL BE LIEUTENANT JUNIOR GRADE, WHILE NURSES AND CHEMISTS SHALL BE COMMISSIONED IN THE RANK OF ENSIGN. APPOINTMENTS OF OTHER TECHNICAL PROFESSIONS THAT MAY BE REQUIRED LATER SHALL BE BASED ON THE RANKING OF LICENSURE AND COURSES ISSUED BY COMPETENT AUTHORITY."

[No person shall be appointed as an officer of the PCG unless he is a natural born citizen of the Philippines, at least twenty-one (21) years of age at the date of appointment, physically fit and is a baccalaureate degree holder. The Appointment of the PCG Commandant and Flag Officers shall be approved by the President upon the recommendation of the Secretary of the DOTC. Appointments of all PCG non-officers shall be made by the PCG Commandant. Appointments of all non-uniformed personnel shall be in accordance with the Civil Service laws, rules and regulations.]

SEC. 18. A new SEC. 20 is hereby provided to read as follows:

"SEC. 20. BASIC QUALIFICATION FOR UNIFORMED PERSONNEL. – TO QUALIFY AS OFFICER OR ENLISTED PERSONNEL OF THE PCG, APPLICANT SHALL POSSESS THE FOLLOWING AT THE TIME OF APPLICATION:

a) CITIZEN OF THE PHILIPPINES;

b) PERSON OF GOOD MORAL CONDUCT;

c) MUST HAVE PASSED THE PSYCHIATRIC/ PSYCHOLOGICAL, DRUG AND PHYSICAL TESTS TO BE ADMINISTERED BY THE PCG MEDICAL SERVICE OR BY ANY PCG ACCREDITED GOVERNMENT HOSPITAL FOR THE PURPOSE OF DETERMINING PHYSICAL AND MENTAL HEALTH;

d) MUST POSSESS A FORMAL BACCALAUREATE DEGREE WITH APPROPRIATE LICENSE WHEN APPLICABLE OR PROFESSIONAL CIVIL SERVICE ELIGIBILITY FOR APPOINTMENT AS OFFICER AND MUST HAVE FINISHED AT LEAST THIRD YEAR COLLEGE WITH SIX (6) MONTHS TESDA SKILLS COURSE RELATED TO THE FUNCTIONS OF PCG FOR APPOINTMENT AS ENLISTED PERSONNEL UPON EFFECTIVITY OF THIS ACT; AND

e) MUST NOT HAVE BEEN DISHONORABLY DISCHARGED FROM MILITARY EMPLOYMENT OR DISMISSED FOR CAUSE FROM ANY CIVILIAN POSITION IN THE GOVERNMENT."
ENLISTED PERSONNEL SHALL BE APPOINTED INTO THE SERVICE BY
THE COMMANDANT. THE APPOINTMENTS OF ALL CIVILIAN EMPLOYEES
SHALL BE IN ACCORDANCE WITH THE CIVIL SERVICE LAWS, RULES AND
REGULATIONS."

SEC. 19. A new SEC. 21 is hereby provided to read as follows:

"SEC. 21. LATERAL ENTRY. – ACTIVE MEMBERS OF OTHER
UNIFORMED SERVICES UNDER THE ARMED FORCES OF THE
PHILIPPINES, PHILIPPINE NATIONAL POLICE, BUREAU OF FIRE
PROTECTION AND BUREAU OF JAIL MANAGEMENT AND PENOLOGY
MAY JOIN THE PCG THROUGH LATERAL ENTRY. THE RANK FOR
OFFICERS ELIGIBLE FOR SUCH ENTRY MUST NOT BE HIGHER THAN
LIEUTENANT COMMANDER AND PETTY OFFICER SECOND CLASS FOR
ENLISTED PERSONNEL. NOTWITHSTANDING THE CORPS THEY WISH TO
JOIN, ALL ENTRANTS SHALL ONLY BE ACCEPTED IF ON OR BEFORE
TIME OF ENTRY THEY ARE NOT UNDER INVESTIGATION, ON AWOL
STATUS, SERVING SENTENCE, WHETHER ADMINISTRATIVE OR
CRIMINAL, BEEN ISSUED REPRIMAND IN THE LAST TWO (2) YEARS OR
HAS RECEIVED AN UNFAVOURABLE RATING IN THE LATEST
PERFORMANCE RATING. NO TRANSFERS MAY BE ACCEPTED WHEN
ALREADY HOLDING RANKS HIGHER THAN THOSE STATED ABOVE AND
IF NOT PROPERLY CLEARED FIRST BY THEIR RESPECTIVE SERVICES.
PROVIDED, THAT LATERAL ENTRY SHALL ONLY BE ALLOWED WHEN
ENTRANT HAVE VERY SPECIFIC SKILLS THAT MAY NOT BE READILY
DEVELOPED IN NEW RECRUITS. PROVIDED FURTHER, THAT THE NEW
ENTRANT HAS A REMAINING OF AT LEAST TEN (10) YEARS OF SERVICE
PRIOR OPTIONAL RETIREMENT."

SEC. 20. SEC. 13 of RA No. 9993 is hereby renumbered and amended to read as follows:

– The promotion [of PCG officers, as submitted by the PCG officers selection and
promotion board, shall be recommended by the PCG commandant for the approval of the
secretary of the DOTC: provided, that the promotion to the rank of flag officers in the PCG
be submitted by a board of senior officers to the PCG commandant for approval of the
president upon the recommendation of the Secretary of the DOTC] SHALL BE BASED
ON MERIT AND FITNESS AND OBSERVE THE FOLLOWING PROCEDURES:

(a) OFFICERS SHALL ONLY BE PROMOTED AFTER
UNDERGOING DELIBERATION BEFORE PROMOTION BOARDS.
PROVIDED, THAT PROMOTION BOARDS SHALL SUBMIT THE RESULTS OF
THEIR DELIBERATION TO THE COMMANDANT FOR CONSIDERATION
AND CORRESPONDING ENDORSEMENT TO THE SECRETARY OF
TRANSPORTATION FOR APPROVAL. EXCEPT FOR THE PROMOTION TO
THE FLAG RANKS WHICH SHALL BE SUBMITTED BY THE BOARD OF
SENIORS TO THE COMMANDANT’S CONSIDERATION, AND
CONSEQUENTLY SUBMIT THE SAME TO THE SECRETARY OF
TRANSPORTATION FOR RECOMMENDATION TO THE PRESIDENT FOR
APPROVAL;

(b) THERE SHALL ALSO BE AN APPROPRIATE PROMOTION BOARD
FOR ENLISTED PERSONNEL WHOSE RECOMMENDATION SHALL BE
SUBMITTED TO THE COMMANDANT FOR APPROVAL;

Provided, further, that [said officers] BOTH OFFICER AND ENLISTED
PERSONNEL shall possess all the qualifications and none of the disqualification provided
under pertinent laws, rules and regulations, specifically on the completion of the required schooling, training and minimum time and grade for said ranks.

[The PCG commandant shall approve the promotion of PCG non-officers to the next higher rank based on the recommendation of the PCG selection and promotion board for non-officers: Provided, that special or meritorious promotion shall be extended to any PCG non-officer for acts of inconspicuous courage or outstanding achievement in the coast guard service as determined by the PCG selection and promotion board for non-officers. The promotion of non-uniformed employees shall be governed by civil service laws, rules and regulations.]

SEC. 21. SEC. 14 of RA No. 9993 is hereby renumbered as SEC. 23.

SEC. 22. A new SEC. 24 is hereby provided to read as follows:

"SEC. 24. DISCIPLINARY SYSTEM. THE INTERNAL DISCIPLINARY SYSTEM SHALL COVER ALL PERSONNEL IN ACTIVE SERVICE AND FOR INFRACTIONS COMMITTED INTERNALLY OR IN PUBLIC EXCEPT FOR CRIMES WHICH SHALL FALL UNDER THE JURISDICTION OF APPROPRIATE REGULAR COURTS."

SEC. 23. A new SEC. 25 is hereby provided to read as follows:

"SEC. 25. DISCIPLINARY AUTHORITY. THE PCG COMMANDANT EXERCISES DISCIPLINARY AUTHORITY AT ANY TIME. THE AUTHORITY TO DISCIPLINE SHALL ALSO BE EXERCISED BY UNIT COMMANDERS INCLUDING SUB-STATION COMMANDERS, STATION COMMANDERS, MORNING REPORT CARRYING SUB-UNITS' COMMANDER, COMMANDING OFFICERS, UNIT COMMANDERS AND THE COMMANDANT.

DISCIPLINARY AUTHORITY SHALL BE EXERCISED DULY OBSERVING THE BASIC REQUIREMENTS OF DUE PROCESS. THE PCG SHALL PROVIDE POLICY IDENTIFYING THE SCALE OF OFFENSES AND PENALTIES WITH ITS COUNTERPART JURISDICTIONS PROVIDED ABOVE FURTHER EXPLAINED, TO BE IMPOSED UPON ANY MEMBER OF THE PCG UNDER THIS SECTION."

SEC. 24. A new SEC. 26 is hereby provided to read as follows:

"SEC. 26. EXCLUSIVE JURISDICTION. – A COMPLAINT OR A CHARGE FILED AGAINST A PCG MEMBER SHALL BE HEARD AND DECIDED EXCLUSIVELY BY THE DISCIPLINING AUTHORITY WHO HAS ACQUIRED ORIGINAL JURISDICTION OVER THE CASE AND NOTWITHSTANDING THE EXISTENCE OF CONCURRENT JURISDICTION AS REGARDS THE OFFENSE: PROVIDED, THAT OFFENSES WHICH CARRY HIGHER PENALTIES REFERRED TO A DISCIPLINING AUTHORITY SHALL BE REFERRED TO THE APPROPRIATE AUTHORITY WHICH HAS JURISDICTION OVER THE OFFENSE."

SEC. 25. A new SEC. 27 is hereby provided to read as follows:

CHARGES ARISING FROM ANY INCIDENT WHICH IS RELATED TO THE
PERFORMANCE OF OFFICIAL DUTY: PROVIDED, THAT GOVERNMENT
LAWYERS SO AUTHORIZED SHALL HAVE THE POWER TO ADMINISTER
OATHS. THE SECRETARY OF JUSTICE, THE SECRETARY OF
TRANSPORTATION, AND THE COMMANDANT OF THE PCG SHALL
JOINTLY PROMULGATE RULES AND REGULATIONS TO IMPLEMENT THE
PROVISIONS OF THIS SECTION.”

SEC. 26. A new SEC. 28 is hereby provided to read as follows:

“SEC. 28. POWER TO ADMINISTER OATHS. – OFFICERS OF THE PCG
IN THE ACTIVE SERVICE SHALL HAVE THE POWER TO ADMINISTER
OATHS ON MATTERS WHICH ARE CONNECTED WITH THE
PERFORMANCE OF THEIR OFFICIAL DUTIES.”

SEC. 27. A new provision numbered SEC. 29 is hereby added to read as follows:

“SEC. 29. COAST GUARD INTERNAL AFFAIRS SERVICE (CGIAS)
COMMAND. – TO MAINTAIN ACCOUNTABILITY IN GOVERNMENT
SERVICE THROUGH DISCIPLINE AND EFFICIENCY, THERE SHALL BE AN
INTERNAL AFFAIRS SERVICE COMMAND. THIS SERVICE SHALL FOSTER
AND PROMOTE ACCOUNTABILITY IN GOVERNMENT SERVICE WITHIN
THE PCG AND FOLLOW THE BASIC PRINCIPLES OF INTEGRITY,
OBJECTIVITY, INDEPENDENCE, CONFIDENTIALITY, PROFESSIONALISM,
COMPETENCE, COURAGE, TRUST, HONESTY, FAIRNESS,
FORTHRIGHTNESS, PUBLIC ACCOUNTABILITY AND RESPECT FOR
OTHERS AND THEMSELVES. IT SHALL HAVE THE POWER TO
INVESTIGATE AND INQUIRE INTO ANY AND ALL ACTIVITIES OF THE PCG
UNITS AND PERSONNEL, REVIEW PROCESSES, PROCEDURES AND
OPERATIONS TO DETERMINE IF SUCH WERE CONDUCTED EFFECTIVELY
AND EFFICIENTLY.

PERSONNEL OF THE INTERNAL AFFAIRS SERVICE IN ADDITION TO
OTHER ALLOWANCES AUTHORIZED UNDER EXISTING LAWS BE
GRANTED OCCUPATIONAL SPECIALTY PAY WHICH SHALL NOT EXCEED
FIFTY PERCENT (50%) OF THEIR BASIC PAY. THIS PAY SHALL NOT BE
CONSIDERED A FORFEITURE OF OTHER REMUNERATION AND
ALLOWANCES WHICH ARE ALLOWED UNDER EXISTING LAWS.”

SEC. 28. A new provision numbered SEC. 30 is hereby added to read as follows:

“SEC. 30. FOR LESS SERIOUS AND SERIOUS ADMINISTRATIVE
OFFENSES, THE JURISDICTION SHALL BE WITH THE CGIAS AND THE
COMMANDANT. LESS SERIOUS AND SERIOUS OFFENSES ARE
INFRINGEMENTS THAT MERIT SUSPENSION OR DISCHARGE FROM
SERVICE. HOWEVER, THE COMMANDANT AND MAJOR UNIT
COMMANDERS AFTER DUE NOTICE AND SUMMARY HEARING MAY
IMMEDIATELY REMOVE OR DISMISS ANY RESPONDENT PCG
PERSONNEL IN ANY OF THE FOLLOWING CASES:

(a) IN CASES OF DRUG ABUSE WHERE SUBSEQUENT
CONFIRMATION TEST CONFIRMS THE USE OF PROHIBITED DRUGS BY A
COAST GUARD PERSONNEL, UNIFORMED OR CIVILIAN;

(b) WHEN THE CHARGE IS SERIOUS AND THE EVIDENCE OF
GUILT IS STRONG;
(c) WHEN THE RESPONDENT IS A RECIDIVIST OR HAS BEEN REPEATEDLY CHARGED AND THERE ARE REASONABLE GROUNDS TO BELIEVE THAT HE IS GUILTY OF THE CHARGES; AND

(d) WHEN THE RESPONDENT IS GUILTY OF A SERIOUS OFFENSE INVOLVING CONDUCT UNBECOMING OF A COAST GUARD PERSONNEL.

AN OFFICER OR ENLISTED PERSONNEL WHO IS CONTINUOUSLY ABSENT WITHOUT APPROVED LEAVE FOR AT LEAST THIRTY (30) CALENDAR DAYS SHALL BE CONSIDERED ON ABSENCE WITHOUT OFFICIAL LEAVE (AWOL) AND SHALL BE SEPARATED FROM THE SERVICE OR DROPPED FROM THE ROLLS WITHOUT PRIOR NOTICE. HE SHALL, HOWEVER, BE INFORMED, AT HIS ADDRESS APPEARING ON HIS 201 FILES OF HIS SEPARATION FROM THE SERVICE, NOT LATER THAN FIVE (5) CALENDAR DAYS FROM ITS EFFECTIVITY. PROVIDED, THAT FOR EVERY DISCIPLINARY AUTHORITY MENTIONED IN THE PRECEDING SECTIONS, THERE SHALL BE A DISCIPLINARY ACTION COMMITTEE WITHIN THEIR UNIT TO CONDUCT THE INVESTIGATION AND SUMMARY HEARING FOR RECOMMENDATION TO THE DISCIPLINING AUTHORITY FOR IMPLEMENTATION. PROVIDED, FURTHER, THAT FOR THE COMMANDANT, THE CGIAS SHALL ACT AS ITS DISCIPLINARY ACTION COMMITTEE."

SEC. 29. SEC. 19 of RA No.9993 is hereby renumbered and amended to read as follows:

"SEC. [19] 31. Separation [from Service]. - [Officers and non-officers who voluntary resign or otherwise fail to comply with the standards of competence and proficiency of the PCG, shall be separated from the service under existing laws, rules and regulations. The separation of non-uniformed personnel shall be in accordance with Civil Service laws, rules and regulations.] SEPARATION FROM THE COAST GUARD SERVICE MAY BE DONE THROUGH COMPULSORY RETIREMENT, OPTIONAL RETIREMENT UPON REACHING 20 YEARS IN SERVICE, DISABILITY DISCHARGE, EXPIRATION OF ENLISTMENT TERM, VOLUNTARY RESIGNATION, FOR CAUSE, DEATH OR IN THE INTEREST OF THE GOVERNMENT."

SEC. 30. A new provision numbered SEC. 32 is hereby added to read as follows:

"SEC. 32. Attrition. - THERE SHALL BE ESTABLISHED A SYSTEM OF ATTRITION WITHIN THE UNIFORMED MEMBERS OF THE PCG WITHIN ONE (1) YEAR FROM THE EFFECTIVITY OF THIS ACT TO BE SUBMITTED BY THE PCG TO THE SECRETARY OF TRANSPORTATION FOR APPROVAL."

SEC. 31. SEC. 17 of RA No.9993 is hereby renumbered and amended to read as follows:

"SEC. [17.] 33. Retirement. - Upon attaining fifty-six (56) years of age or [upon] accumulation of thirty (30) years of continuous satisfactory active service, whichever comes later, a PCG [officer or non-officer] UNIFORMED PERSONNEL shall be compulsorily retired: Provided, That [said officer or non-officer shall have a minimum of twenty (20) years of active service. The retirement of non-uniformed personnel shall be governed by Civil Service laws, rules and regulations.] IN CASE THE DISPARITY BETWEEN LENGTH OF SERVICE AND AGE IS MORE THAN A YEAR, THEN SERVICE MAY BE EXTENDED FOR A MAXIMUM OF FOUR (4) YEARS OR NOT TO EXCEED 60 YEARS OF AGE. NEVERTHELESS, IF DISCREPANCY IN YEARS OF SERVICE WILL CAUSE THE EXTENSION BEYOND THE AGE OF 60 BUT THE UNIFORMED PERSONNEL ALREADY ACCUMULATED 20
YEARS IN SERVICE UPON REACHING THE AGE OF 56, THEN SUCH
UNIFORMED PERSONNEL SHALL BE RETIRED FROM SERVICE.
PROVIDED, FURTHER, THAT ANY OFFICER OR ENLISTED PERSONNEL
MAY CHOOSE TO RETIRE ON THEIR OWN OPTION UPON REACHING 20
YEARS IN ACTIVE SERVICE. IN CASE QUESTIONS ARISE REGARDING
RETIREMENT, THE PROVISIONS OF PD NO. 1638, AS AMENDED SHALL BE
APPLICABLE TO ALL UNIFORMED PERSONNEL OF THE PCG.

CIVILIAN PERSONNEL ARE COVERED BY THE CIVIL SERVICE LAW,
RULES AND REGULATIONS ON RETIREMENT AND SEPARATION.”

SEC. 32. SEC. 18 of RA No. 9993 is hereby renumbered and amended to read as follows:

“SEC. [18.] 34. Retirement Benefits. - Monthly retirement pay of officers and
[non-officers] ENLISTED PERSONNEL shall be fifty percent (50%) of base pay and
longevity pay of the next higher grade last held in case of twenty (20) years of active
service, increasing by two and one-half percent (2½%) for every year of service rendered
beyond twenty (20) years to a maximum of ninety percent (90%) for thirty-six (36) years
of active service and over. PROVIDED, THAT ENLISTED PERSONNEL WITH THE
RANK OF CHIEF PETTY OFFICER, SENIOR CHIEF PETTY OFFICER, AND
MASTER CHIEF PETTY OFFICER SHALL RETIREE IN THE RANK OF ENSIGN
(0-1) AND CORRESPONDING PENSION RATE COMPUTED BASED ON
REPUBLIC ACT NO. 8220, EXCEPT FOR THE FIRST COMMAND MASTER
CHIEF WHO SHALL BE RETIRED WITH THE RANK OF ENSIGN BUT WITH
THE RETIREMENT PAY AND BENEFITS OF A LIEUTENANT JUNIOR GRADE
(0-2) AS PROVIDED FOR UNDER R.A. NO. 9365. THE RETIREMENT PAY OF
ALL PCG RETIREES SHALL BE SUBJECT TO ADJUSTMENT ON THE
PREVAILING SCALE OF BASE PAY OF PCG PERSONNEL IN THE ACTIVE
SERVICE. FOR ADDITIONAL MATTERS PERTAINING TO RETIREMENT
AND PENSION AS PROVIDED IN THE FOREGOING, THE UNIFORMED
PERSONNEL OF THE PCG SHALL CONTINUE TO BE COVERED BY P.D. NO.
1638 AS AMENDED UNTIL SUCH TIME THAT A NEW LAW IS ENACTED
SPECIFICALLY FOR THE PURPOSE. The retirement benefits of non-uniformed
personnel shall be governed by Civil Service [7] AND THE Government Service Insurance
System Law. “

SEC. 33. A new provision numbered SEC. 35 is hereby added to read as follows:

“SEC. 35. SURVIVORS. FAMILY OF THE OFFICER OR ENLISTED
PERSONNEL WHO ARE ALIVE AND MAY CLAIM BENEFITS AFTER SUCH
UNIFORMED PERSONNEL DIES IN LINE OF DUTY OR THE PENSIONER
DIES. THE FOLLOWING CRITERIA SHALL APPLY:

(a) SURVIVING SPOUSE IF MARRIED TO THE DECEASED PRIOR TO
THE LATTER’S RETIREMENT/SEPARATION AND NOT LEGALLY
SEPARATED BY JUDICIAL DECREES FROM THE DECEASED ISSUED ON
GROUNDS NOT ATTRIBUTABLE TO SAID SPOUSE: PROVIDED, THAT
ENTITLEMENT TO BENEFITS SHALL TERMINATE UPON THE RE-
MARRIAGE OF SAID SPOUSE;

(b) SURVIVING CHILDREN OF AN OFFICER OR ENLISTED
PERSONNEL BORN OF HIS MARRIAGE CONTRACTED PRIOR TO HIS
RETIREMENT/SEPARATION FROM THE SERVICE, LEGALLY ADOPTED
ACKNOWLEDGED OR RECOGNIZED, WHILE THE DECEASED PARENT
WAS STILL ON ACTIVE MILITARY SERVICE: PROVIDED, THAT
ENTITLEMENT TO BENEFITS SHALL TERMINATE WHEN SUCH
CHILDREN ATTAIN TWENTY-ONE (21) YEARS OF AGE OR UPON
MARRIAGE; PROVIDED FURTHER, THAT UNMARRIED CHILDREN WHO
HAVE REACHED THE AGE OF MAJORITY AND IS PHYSICALLY OR
MENTALLY INCAPACITATTED TO WORK FOR THEMSELVES SHALL STILL
BE ENTITLED TO CLAIM BENEFITS;

(c) IN DEFAULT OF THOSE MENTIONED IN PARAGRAPH (A) AND
(B), ABOVE, SURVIVING, LEGITIMATE, ADOPTED OR ACKNOWLEDGED
OR RECOGNIZED CHILDREN, WHO HAVE REACHED TWENTY ONE (21)
YEARS OF AGE, OR IN THEIR ABSENCE, HIS SURVIVING PARENT OR
PARENTS, OR IN DEFAULT THEREOF, HIS SURVIVING UNMARRIED
BROTHERS AND SISTERS.

(d) THE RULES ON SURVIVORSHIP SHALL USE THE APPLICABLE
LAWS RELATIVE TO THE RELIGION OR CULTURE OF THE PERSONNEL
OR THE RETIREE."

SEC. 34. A new provision numbered SEC. 36 is hereby added to read as follows:

"SEC. 36. PERMANENT PHYSICAL DISABILITY. – AN OFFICER OR
ENLISTED PERSONNEL WHO IS PERMANENTLY AND TOTALLY DISABLED
AS A RESULT OF INJURIES SUFFERED OR SICKNESS CONTRACTED IN THE
PERFORMANCE OF DUTY AS DULLY CERTIFIED BY THE PCG, UPON
FINDING AND CERTIFICATION BY THE APPROPRIATE GOVERNMENT
HOSPITAL LIKE THE PHILIPPINE GENERAL HOSPITAL FOR THOSE
WITHIN METRO MANILA, THAT THE EXTENT OF THE DISABILITY OR
SICKNESS RENDERS SUCH MEMBER UNFIT OR UNABLE TO FURTHER
PERFORM THE DUTIES OF THE POSITION HELD, SHALL BE ENTITLED TO
ONE YEAR'S SALARY AND TO LIFETIME PENSION EQUIVALENT TO
FORTY PERCENT (40%) OF THEIR LAST SALARY, IN ADDITION TO OTHER
BENEFITS AS PROVIDED UNDER EXISTING LAWS.

SHOULD SUCH MEMBER WHO HAS BEEN RETIRED UNDER
PERMANENT TOTAL DISABILITY UNDER THIS SECTION DIE, WITHIN
THREE (3) YEARS FROM HIS RETIREMENT, HIS SURVIVING LEGAL
SPOUSE OR IF THERE BE NONE, THE SURVIVING DEPENDENT
LEGITIMATE CHILDREN SHALL BE ENTITLED TO THE PENSION FOR THE
REMAINDER OF THE THREE (3) YEARS GUARANTEED PERIOD."

SEC. 35. A new provision numbered SEC. 37 is hereby added to read as follows:

"SEC. 37. DEATH AND DISABILITY BENEFITS. – A UNIFORMED
PERSONNEL AND/OR HIS HEIRS SHALL BE ENTITLED TO ALL BENEFITS
RELATIVE TO THE DEATH OR PERMANENT INCAPACITY OF SAID
PERSONNEL, AS PROVIDED FOR UNDER THIS ACT, AND/OR OTHER
EXISTING LAWS."

SEC. 36. A new provision numbered SEC. 38 is hereby added to read as follows:

"SEC. 38. OLD-AGE PENSION ELIGIBILITY. A RETIRED PCG
UNIFORMED PERSONNEL WHO IS AT LEAST 65 YEARS OF AGE SHALL BE
ENTITLED TO AN OLD-AGE PENSION AMOUNTING TO FIVE THOUSAND
PESOS (PHP5,000.00) MONTHLY. THIS SHALL BE AVAILABLE TO ANY
RETIRED PCG UNIFORMED PERSONNEL WHO SHALL HAVE BEEN
HONORABLY DISCHARGED OR RETIRED AFTER AT LEAST TWENTY (20)
YEARS TOTAL PCG ACTIVE SERVICE OR SOONER SEPARATED WHILE IN
THE ACTIVE SERVICE IN THE PCG DUE TO DEATH OR DISABILITY
ARISING OR INCURRED IN ACTUAL OPERATIONS OR PERFORMANCE OF DUTIES.

THE SURVIVING SPOUSE OF A RETIREE WHO DIED AFTER HAVING RECEIVED OLD-AGE PENSION SHALL BE PAID AN OLD-AGE PENSION OF FIVE THOUSAND PESOS (PHP 5,000.00) MONTHLY UNTIL SHE/HE REMARRIES OR DIES.

SEC. 37. A new provision numbered SEC. 39 is hereby added to read as follows:

"SEC. 39. EXEMPTION FROM ATTACHMENT AND TAXES. — ALL BENEFITS GRANTED BY THIS ACT, INCLUDING BENEFITS RECEIVED FROM A DULY INSTITUTED PROVIDENT FUND, SHALL NOT BE SUBJECT TO ATTACHMENT, LEVY, EXECUTION OR ANY TAX OF WHATEVER NATURE."

SEC. 38. A new provision numbered SEC. 40 is hereby added to read as follows:

"SEC. 40. UNIFORMED PERSONNEL MISSING IN ACTION. — ANY OFFICER OR ENLISTED PERSONNEL WHO WHILE IN THE PERFORMANCE OF DUTY, IS OFFICIALLY CONFIRMED MISSING IN ACTION, KIDNAPPED OR CAPTURED BY LAWLESS ELEMENTS SHALL, WHILE SO ABSENT, BE ENTITLED TO RECEIVE OR TO HAVE CREDITED TO HIS ACCOUNT IN FAVOR OF HIS LEGAL DEPENDENTS AS MAY BE DETERMINED, THE SAME PAY AND ALLOWANCES TO WHICH SUCH OFFICER OR ENLISTED PERSONNEL WAS ENTITLED AT THE TIME OF THE INCIDENT: PROVIDED, THAT THE COMPULSORY RETIREMENT OF A PERSON MISSING IN ACTION SHALL BE PROCESSED TO ALLOW THE MEMBERS OF THE NEXT OF KIN TO ENJOY THE RETIREMENT BENEFITS: PROVIDED, FURTHER, THAT SHOULD THE COMMANDANT OF THE PCG, AS THE SAME MAY BE, UPON THE RECOMMENDATION OF THE PROPER AUTHORITY AND/OR IMMEDIATE SUPERVISOR, SUBSEQUENTLY DETERMINE THAT THE OFFICER OR ENLISTED PERSONNEL CONCERNED HAVE BEEN ABSENT FROM DUTY WITHOUT AUTHORITY, SUCH MEMBER OR HIS HEIRS SHALL REIMBURSE THE PCG ALL SUCH AMOUNT AND ALLOWANCES RECEIVED IN ACCORDANCE WITH THIS SECTION AND THE FOLLOWING SECTION."

SEC. 39. A new provision numbered SEC. 41 is hereby added to read as follows:

"SEC. 41. INCENTIVES AND AWARDS. — THERE SHALL BE ESTABLISHED AN INCENTIVES AND AWARDS SYSTEM WHICH SHALL BE ADMINISTERED BY A BOARD UNDER SUCH RULES, REGULATIONS AND STANDARDS AS MAY BE PROMULGATED BY THE DEPARTMENT: PROVIDED, THAT EQUIVALENT AWARDS SHALL BE GIVEN BY THE DEPARTMENT FOR EVERY AWARD DULY GIVEN BY RESPECTABLE CIVIC ORGANIZATIONS IN A NATIONWIDE SELECTION FOR OUTSTANDING ACHIEVEMENT AND/OR PERFORMANCE OF ANY MEMBER."

SEC. 40. A new provision numbered SEC. 42 is hereby added to read as follows:

"SEC. 42. EMERGENCY MEDICAL ASSISTANCE. THE PCG SHALL HAVE AN EMERGENCY MEDICAL ASSISTANCE FUND, SOURCED FROM THE PCG'S ANNUAL BUDGET PLAN AS REFLECTED IN THE GENERAL APPROPRIATIONS ACT (GAA) FOR HOSPITALIZATION, OPERATION, MEDICATION AND REHABILITATION FOR PERSONNEL ARISING FROM INJURIES SUFFERED ON OCCASION OR RESULTING FROM THE
PERFORMANCE OF LEGITIMATE, OFFICIAL AND HAZARDOUS OPERATIONS."

SEC. 41. A new provision numbered SEC. 43 is hereby added to read as follows:

"SEC. 43. LONGEVITY PAY AND ALLOWANCES. - UNIFORMED PERSONNEL OF THE PCG SHALL BE ENTITLED TO A LONGEVITY PAY OF TEN PER CENTUM (10%) OF THEIR BASIC MONTHLY SALARIES FOR EVERY FIVE (5) YEARS OF CONTINUOUS ACTIVE SERVICE, WHICH SHALL BE RECKONED FROM THE DATE OF THE PERSONNEL'S ORIGINAL APPOINTMENT IN THE PCG: PROVIDED, THAT THE TOTALITY OF SUCH LONGEVITY PAY SHALL NOT EXCEED FIFTY PER CENTUM (50%) OF THE BASIC PAY. THEY SHALL ALSO CONTINUE TO ENJOY THE SUBSISTENCE ALLOWANCE, QUARTERS ALLOWANCE, CLOTHING ALLOWANCE, COST OF LIVING ALLOWANCE, HAZARD PAY, AND OTHER ALLOWANCES BUT NOT LIMITED TO SEA DUTY PAY, FLYING PAY, LAWYERS INCENTIVE PAY, OCCUPATIONAL SPECIALTY PAY, MAGNA CARTA FOR MEDICAL WORKERS, SPECIALIZATION PAY, INSTRUCTORS DUTY PAY, COMBAT PAY FOR OFFICERS AND ENLISTED PERSONNEL OF THE PCG PERFORMING COMBAT DUTIES/ACTIVITIES OR ENGAGED IN ACTUAL MARITIME LAW ENFORCEMENT OPERATIONS AS DEFINED IN REGULATIONS TO BE ISSUED BY THE SECRETARY OF TRANSPORTATION AND ALL OTHER ALLOWANCES AS PROVIDED BY EXISTING LAWS; PROVIDED FURTHER, THERE SHALL BE COLLATERAL ALLOWANCES FOR SPECIFIC ASSIGNMENTS FOR WHICH PCG SHALL ALSO ISSUE SPECIFIC POLICY FOR APPROVAL OF THE PRESIDENT OR THE SECRETARY OF TRANSPORTATION."

SEC. 42. SEC. 15 of RA No. 9993 is hereby renumbered and amended to read as follows:

"SEC. [15.] 44. Active Service. - For purposes of this Act, [the] active service of THE [PCG] UNIFORMED personnel [hereof] shall refer to services rendered as an officer [,] AND ENLISTED PERSONNEL, [non-officer, probationary ensign, or those] CADET, TRAINEE OR DRAFTEE IN THE PCG AND SERVICES rendered as a civilian official or employee in the [PCG] PHILIPPINE GOVERNMENT prior to the date of separation or retirement from the PCG: Provided, That [the term active service shall include confirmed services rendered as a civilian employee in the Philippine government.] FOR PURPOSES OF RETIREMENT THE PERSONNEL SHALL HAVE RENDERED AT LEAST TEN (10) YEARS OF ACTIVE SERVICE AS OFFICER OR ENLISTED PERSONNEL IN THE PCG: PROVIDED, FURTHER, THAT SERVICES RENDERED AS CADET, PROBATIONARY OFFICER, TRAINEE OR DRAFTEE IN THE PCG SHALL BE CREDITED FOR PURPOSES OF LONGEVITY PAY: PROVIDED, FINALLY, THAT, FOR CADET SERVICES, THE MAXIMUM NUMBER OF SERVICE TO BE CREDITED SHALL NOT EXCEED THE DURATION OF THE PRE-COMMISSIONSHIP COURSE SPECIFIED IN THE CURRICULUM."

SEC. 43. SEC. 16 of RA No. 9993 is hereby renumbered as SEC. 45.

SEC. 44. A new provision numbered SEC. 46 is hereby added to read as follows:

"SEC. 46. PCG INSIGNIA, DECORATIONS AND AWARDS. - THE PCG SHALL HAVE ITS OWN INSIGNIA AND BADGES TO DENOTE RANK, SPECIALTY AND ASSIGNMENT INCLUDING UNIFORMS, DECORATIONS AND AWARDS, ALL OF WHICH SHALL BE SUBMITTED TO THE NATIONAL
HISTORICAL INSTITUTE FOR REGISTRATION IN THE FLAGS AND HERALDIC LIST. PROVIDED, THAT THERE SHALL BE AN ESTABLISHED AWARDS SYSTEM WHICH SHALL BE ADMINISTERED BY THE PCG UNDER SUCH RULES AND REGULATIONS AS MAY BE PROMULGATED WITH THE APPROVAL OF THE SECRETARY OF TRANSPORTATION.”

SEC. 45. A new provision numbered SEC. 47 is hereby added to read as follows:

“SEC. 47. SPECIAL ACCOUNT. – THE PCG SHALL MAINTAIN A SPECIAL ACCOUNT UNDER THE GENERAL FUND, IN WHICH RECEIVABLES FROM LOCAL OR FOREIGN ENTITIES SHALL BE CREDITED INCLUDING PROCEEDS OR EXCESS OF GRANTS, FEES OR CHARGES, DUES, FINES AND RENTALS GENERATED IN THE REGULAR CONDUCT OF ITS SERVICE. PROVIDED, THAT THE PCG SHALL HAVE THE AUTHORITY TO USE ONE HUNDRED (100%) PER CENTUM OF THIS FUND FOR ITS CAPABILITY ENHANCEMENT.”

SEC. 46. SEC. 20 of RA No. 9993 is hereby renumbered and amended to read as follows:

“SEC. [20.] 48. Collection of Revenues. - The PCG shall collect fees, dues, charges, and fines relevant to the exercise of its various functions PROVIDED, THAT THE THIRTY (30%) PER CENTUM SHALL BE CREDITED TO THE SPECIAL ACCOUNT.

SEC. 47. SEC. 21 of RA No. 9993 is hereby renumbered and amended to read as follows:

“SEC. [21.] 49. IMPLEMENTING Rules and Regulations. – [The Secretary of the DOTC] shall issue rules and regulations, determine, fix, and/or prescribe charges, rates, penalties pertinent, as may be necessary to implement the provisions of this Act, as well as the provision of acts, decrees and orders related to the implementation of the PCG functions.] UNLESS OTHERWISE PROVIDED IN THIS ACT, THE PHILIPPINE COAST GUARD AND THE DEPARTMENT OF TRANSPORTATION, SHALL PROMULGATE THE RULES AND REGULATIONS FOR THE EFFECTIVE IMPLEMENTATION OF THIS ACT. SUCH RULES AND REGULATIONS SHALL TAKE EFFECT UPON ITS PUBLICATION IN TWO (2) NEWSPAPERS OF GENERAL CIRCULATION.”

SEC. 48. SEC. 22 of RA No. 9993 is hereby renumbered as SEC. 50.

SEC. 49. SEC. 23 of RA No. 9993 is hereby renumbered as SEC. 51.

SEC. 50. SEC. 24 of RA No. 9993 is hereby renumbered and amended to read as follows:

“SEC. [24.] 52. Appropriations. - The Secretary of the DOT(C)R shall immediately prepare the necessary guidelines to cover the establishment of the PCG as an attached agency to the DOT(C)R, the [initial] SUBSEQUENT funding of which shall be charged against the current year’s appropriations of the PCG and, thereafter, in the annual General Appropriations Act.”

SEC. 51. SEC. 25 of RA No. 9993 is hereby renumbered and amended to read as follows:

“SEC. [25.] 53. Transitory Provisions. – [All previous appointments and promotions of PCG uniformed personnel made prior to the enactment of this Act shall remain valid and subsisting.] THE PROVISIONS ON RETIREMENT SPECIFICALLY OF SENIOR ENLISTED PERSONNEL WHOSE RETIREMENT WERE AFFECTED BY THE IMPLEMENTATION OF R.A. NO. 9993 IN SO FAR AS THE COMPUTATION RATE IS CONCERNED SHALL BE COVERED BY
THE HEREFIN PROVISION RETROACTIVELY AND WHATEVER AMOUNT
DEDUCTED FROM THEIR PENSION SHALL BE RETURNED. THE SAME
SHALL ALSO BE RETROACTIVELY APPLICABLE TO THE INDEXATION OF
PENSION TO BASE PAY SCALE ADJUSTMENTS AFFECTED BY RA NO. 9993.

SEC. 52. SEC. 26 of RA No.9993 is hereby renumbered and amended to read as follows:

"SEC [26.] 54. Separability Clause. – [If for any reason, any provision of this Act
is declared unconstitutional or invalid, such parts not affected thereby shall remain in full
force and effect.] IF ANY PROVISION OF THIS ACT IS SUBSEQUENTLY
DECLARED INVALID OR UNCONSTITUTIONAL, THE OTHER PROVISIONS
HEREOF WHICH ARE NOT AFFECTED THEREBY SHALL REMAIN IN FULL
FORCE AND EFFECT.

SEC. 53. SEC. 27 of RA No.9993 is hereby renumbered and amended to read as follows:

"Section [27.] 55. Repealing Clause. – [All laws, decrees, executive orders, rules
and regulations and other issuance's or parts thereof which are inconsistent with this Act
are hereby repealed, amended or modified accordingly.] ALL OTHER LAWS, ACTS,
PRESIDENTIAL DECREES, RULES AND REGULATIONS OR PARTS
HEREOF INCONSISTENT WITH THE PROVISIONS OF THIS ACT ARE
HEREBY EXPRESSLY REPEALED, AMENDED OR MODIFIED
ACCORDINGLY.

SEC. 54. SEC. 28 of RA No.9993 is hereby renumbered and amended to read as follows:

"Section [28.] 56. Effectivity. – [This Act shall take effect fifteen (15) days after
its publication in the Official Gazette or in any two (2) newspapers of general
circulation.] THIS ACT SHALL TAKE EFFECT FIFTEEN (15) DAYS AFTER ITS
COMPLETE PUBLICATION IN THE OFFICIAL GAZETTE OR IN AT LEAST
TWO (2) NEWSPAPERS OF GENERAL CIRCULATION.

Approved,