H. B. No. 4312

INTRODUCED BY REPRESENTATIVE FERDINAND L. HERNANDEZ

AN ACT
PROVIDING FREE LEGAL ASSISTANCE TO ANY OFFICER OR
ENLISTED PERSONNEL OF THE ARMED FORCES OF THE PHILIPPINES AND
THE PHILIPPINE NATIONAL POLICE ON ANY CHARGE BEFORE
THE PROSECUTOR'S OFFICE, COURT OR ANY COMPETENT BODY ARISING
FROM AN INCIDENT OR INCIDENTS RELATED TO THE PERFORMANCE
OF OFFICIAL DUTY

EXPLANATORY NOTE

The members of our Armed Forces of the Philippines (AFP) and Philippine
National Police PNP, are our peacekeepers and the primary dispensers of justice.
They place their lives on the line on a daily basis, fulfilling their mandates, so that all
Filipinos may enjoy peace and freedom. Unfortunately, it is often overlooked that the
members of the AFP and the PNP also in need of defenders who will protect and
advocate thei rights.

This bill seeks to ensure that our military personnel and police officers are not
denied access of any legal assistance which they may require as a consequence of
the faithful performance of their duties and ensure that the members of the AFP and
the PNP are adequately served and protected in their time of need.

In light of the foregoing, the immediate enactment of this proposed
legislation is sought.

REPRESENTATIVE FERDINAND L. HERNANDEZ
EIGHTEENTH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES
First Regular Session

HOUSE OF REPRESENTATIVES

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

Section 1. Any officer or enlisted personnel of the Armed Forces of the
Philippines (AFP) and the Philippine National Police (PNP), who is facing before the
prosecutor’s office, court, administrative or any competent body, any charge arising
from an incident or incidents related to the performance of official duty shall be
entitled to free legal assistance.

Sec. 2. Within twenty four (24) hours from the official receipt of the
information that the officer or enlisted personnel is charged, the Chief of Staff of the
AFP, the Chairperson of the National Police Commission (NAPOLCOM) or the Chief of
the PNP shall authorize the legal office of their respective agencies, with the
assistance of the Public Attorneys Office, to provide free legal assistance to any
officer or enlisted personnel of the AFP and the PNP for the purpose of the
immediately preceding section.

Sec. 3. Appropriations. — The amount necessary for the effective
implementation of this Act shall be sourced from the Legal Defense Fund funded
through the General Appropriations Act.

Sec. 4. **Implementing Rules and Regulations.** — Within sixty (60) days from the effectivity of this Act, the Public Attorneys Office, in coordination with the AFP, NAPOLCOM and the PNP, shall issue the necessary rules and regulations to implement this Act.

Sec. 5. **Effectivity Clause.** — This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,