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

Eighteenth Congress
First Regular Session

HOUSE BILL NO. 4423

Introduced by Representative Jorge Antonio P. Bustos

EXPLANATORY NOTE

This bill seeks to upgrade the rank structure and classification of the uniformed personnel of the Bureau of Fire Protection (BFP) and the Bureau of Jail Management and Penology (BJMP), amending for the purpose Republic Act No. 9263, otherwise known as the "Bureau of Fire Protection and Bureau of Jail Management and Penology Professionalization Act of 2004," making it at par with the rank classification of the Philippine National Police (PNP), the Armed Forces of the Philippines (AFP), and the Philippine Coast Guard (PCG).

The BFP, BJMP and the PNP are line bureaus created under Republic Act No. 6975, otherwise known as the "Department of the Interior and Local Government Act of 1990."

In times of national emergency, the BFP and the BJMP along with the PNP and PCG, shall, upon the direction of the President, assist the AFP in meeting the national emergency, in addition to the performance of their inherent functions as mandated by law.

As members of the uniformed service of the government under the Department of the Interior and Local Government (DILG), the BFP and the BJMP personnel are required to exert the same amount of sacrifice, service and dedication like their counterparts in the PNP and AFP in carrying out their respective duties to the extent of risking their lives and limbs.
The rationale behind the proposal is to address the disparity in the pay grade of BFP and BJMP personnel and make it on par with the pay grade of the PNP, AFP and PCG personnel. The highest officer in the PNP is not equivalent, in terms of rank classification and salary grades, to the highest officer of the BFP and the BJMP despite the fact that they have the same nature of jobs as heads of co-equal and indispensable bureaus of the DILG.

Upgrading the rank classification of the BFP and the BJMP to a level commensurate with their critical role in maintaining peace and order and protecting life, liberty and property, will strengthen their commitment to deliver a more effective and efficient services for the country.

In view of the foregoing, the immediate consideration and approval of this bill is earnestly urged.

CONG. JORGE ANTONIO P. BUSTOS
AN ACT

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

SECTION 1. Section 3 of Republic Act No. 9263 is hereby amended to read as follows:

"SEC. 3. Organization and Key Positions of the BFP and the BJMP. — The BFP and the BJMP shall be respectively headed by a Chief who shall be assisted by two (2) deputy chiefs, one (1) for administration and one (1) for operations, all of whom shall be
appointed by the President upon recommendation of the Secretary of
the DILG from among the qualified officers with at least the rank of
[senior-superintendent] MAJOR GENERAL in the service: Provided,
That in no case shall any officer who has retired or is retirable within
six (6) months from his/her compulsory retirement age be appointed
as Chief of the Fire Bureau or Chief of the Jail Bureau, as the case
may be: Provided, further, That the Chief of the Fire Bureau and
Chief of the Jail Bureau shall serve a tour of duty not to exceed four
(4) years WITHOUT PREJUDICE TO THE APPLICATION OF THE
COMPULSORY RETIREMENT AGE PRESCRIBED FOR BFP
AND BJMP PERSONNEL: Provided, however, That in times of war
or other national emergency declared by Congress, the President may
extend such tour of duty.

"The heads of the BFP and the BJMP with the rank of [director]
GENERAL shall have the position title of Chief of the Fire Bureau
and Chief of the Jail Bureau, respectively. The second officers in
command of the BFP and the BJMP with the rank of [chief
superintendent] LIEUTENANT GENERAL shall have the position
title of Deputy Chief for Administration of the Fire Bureau and
Deputy Chief for Administration of the Jail Bureau, respectively. The
third officers in command of the BFP and the BJMP with the rank of [chief-superintendent] LIEUTENANT GENERAL shall have the position title of Deputy Chief for Operations of the Fire Bureau and Deputy Chief for Operations of the Jail Bureau, respectively. The fourth officers in command of the BFP and the BJMP with the rank of [chief-superintendent] LIEUTENANT GENERAL shall have the respective position title of Chief of Directorial Staff of the Fire Bureau and Chief of Directorial Staff of the Jail Bureau, who shall be assisted by the directors of the directorates in the respective national headquarters office with at least the rank of [senior-superintendent] MAJOR GENERAL.

SERVICE, SHALL HAVE THE RANK OF BRIGADIER
GENERAL.

"The BFP and the BJMP shall establish, operate and maintain
their respective regional offices in each of the administrative regions
of the country which shall be respectively headed by a Regional
Director for Fire Protection and a Regional Director for Jail
Management and Penology with the rank of [Senior—Superintendent]
MAJOR GENERAL. He/she shall be respectively assisted by the
following officers with the rank of [Superintendent] BRIGADIER
GENERAL: Assistant Regional Director for Administration, Assistant
Regional Director for Operations, and Regional Chief of Directorial
Staff."

SEC. 2. Section 5 of the same Act is hereby amended to read as follows:

"SEC. 5. Appointment of Uniformed Personnel to the BFP
and the BJMP. – The appointment of uniformed personnel to the BFP
and the BJMP shall be effected in the following manner:

"a) Fire/Jail [Officer—I] CORPORAL to [Senior] Fire/Jail
[Officer—I] CAPTAIN. – Appointed by the respective Regional
Director for Fire Protection and Regional Director for Jail
Management and Penology for the regional office uniformed
personnel or by the respective Chief of the Fire Bureau and Chief of
the Jail Bureau for the national headquarters office uniformed
personnel, and attested by the Civil Service Commission (CSC);

"b) Fire/Jail [Inspector] MAJOR to Fire/Jail [Superintendent]
BRIGADIER GENERAL. – Appointed by the respective Chief of the
Fire Bureau and Chief of the Jail Bureau, as recommended by their
immediate superiors, and attested by the CSC;

“c) Fire/Jail [Senior-Superintendent] MAJOR GENERAL. –
Appointed by the Secretary of the DILG upon recommendation of the
respective Chief of the Fire Bureau and Chief of the Jail Bureau, with
the proper attestation of the CSC; and

“d) Fire/Jail [Chief-Superintendent] LIEUTENANT GENERAL
to Fire/Jail [Director] GENERAL. – Appointed by the President upon
recommendation of the Secretary of the DILG, with the proper
endorsement by the Chairman of the CSC.”

SEC. 3. Section 7 of the same Act is hereby amended to read as follows:

“SEC. 7. Professionalization and Upgrading of Qualification
Standards in the Designation of Uniformed Personnel of the BFP
and the BJMP to Key Positions. –
“a) No person shall be designated to the following key positions of the BFP unless he/she has met the qualifications provided therein:

“1) Municipal Fire Marshal. – Should have the rank of [senior inspector] LIEUTENANT COLONEL, who must have finished at least second year Bachelor of Laws or earned at least twelve (12) units in a master’s degree program in public administration, management, engineering, public safety, criminology or other related disciplines from a recognized institution of learning, and must have satisfactorily passed the necessary training or career courses for such position as may be established by the Fire Bureau;

“2) City Fire Marshal. – Should have the rank of [chief inspector] COLONEL, who must have finished at least second year Bachelor of Laws or earned at least twenty-four (24) units in a master’s degree program in public administration, management, engineering, public safety, criminology or other related disciplines from a recognized institution of learning, and must have satisfactorily passed the necessary training or career courses for such position as may be established by the Fire Bureau;
3) District Fire Marshal, Provincial Fire Marshal, Assistant Regional Director for Administration, Assistant Regional Director for Operations and Regional Chief of Directorial Staff. – Should have the rank of [superintendent] BRIGADIER GENERAL, who must be a graduate of Bachelor of Laws or a holder of a master's degree in public administration, management, engineering, public safety, criminology or other related disciplines from a recognized institution of learning, and must have satisfactorily passed the necessary training or career courses for such position as may be established by the Fire Bureau;

4) District Fire Marshal for the National Capital Region, ASSISTANT REGIONAL DIRECTOR FOR ADMINISTRATION, ASSISTANT REGIONAL DIRECTOR FOR OPERATIONS, Regional Director for Fire Protection and Director of the Directorate of the National Headquarters Office. – Should have at least the rank of [senior superintendent] MAJOR GENERAL, who must be a graduate of Bachelor of Laws or a holder of a master's degree in public administration, management, engineering, public safety,
criminology or other related disciplines from a recognized
institution of learning, and must have satisfactorily passed the
necessary training or career courses for such position as may be
established by the Fire Bureau;

"5) Deputy Chief for Administration of the Fire Bureau,
Deputy Chief for Operations of the Fire Bureau and Chief of
Directorial Staff of the Fire Bureau. – Should have the rank of
[chief–superintendent] LIEUTENANT GENERAL, who must
be a member of the Philippine Bar or a holder of a master's
degree in public administration, management, engineering,
public safety, criminology or other related disciplines from a
recognized institution of learning, and must have satisfactorily
passed the necessary training or career courses for such position
as may be established by the Fire Bureau; and

"6) Chief of the Fire Bureau. – Should have the rank of
[director] GENERAL, who must be a member of the Philippine
Bar or a holder of a master's degree in public administration,
management, engineering, public safety, criminology or other
related disciplines from a recognized institution of learning, and
must have satisfactorily passed the necessary training or career
courses for such position as may be established by the Fire
Bureau.

"b) No person shall be designated to the following key
positions of the BJMP unless he/she has met the qualifications
provided therein:

"1) Municipal Jail Warden. – Should have the rank of
[senior inspector] LIEUTENANT COLONEL, who must have
finished at least second year Bachelor of Laws or earned at least
twelve (12) units in a master's degree program in management,
public administration, public safety, criminology, penology,
sociology, national security administration, defense studies or
other related disciplines from a recognized institution of
learning, and must have satisfactorily passed the necessary
training or career courses for such position as may be
established by the Jail Bureau;

"2) City Jail Warden. – Should have the rank of [chief
inspector] COLONEL, who must have finished at least second
year Bachelor of Laws or earned at least twenty-four (24) units
in a master's degree program in management, public
administration, public safety, criminology, penology, sociology,
national security administration, defense studies or other related
disciplines from a recognized institution of learning, and must
have satisfactorily passed the necessary training or career
courses for such position as may be established by the Jail
Bureau: Provided, That in city jails with a population of one
thousand (1,000) or more inmates, the city jail warden shall
have the rank and qualifications of a district jail warden;

“3) District Jail Warden, Provincial Jail Administrator,
Assistant Regional Director for Administration, Assistant
Regional Director for Operations and Regional Chief of
Directorial Staff. – Should have the rank of [superintendent]
BRIGADIER GENERAL, who must be a graduate of Bachelor
of Laws or a holder of a master's degree in management, public
administration, public safety, criminology, penology, sociology,
national security administration, defense studies or other related
disciplines from a recognized institution of learning, and must
have satisfactorily passed the necessary training or career
courses for such position as may be established by the Jail
Bureau;
4) Regional Director for Jail Management and Penology, ASSISTANT REGIONAL DIRECTOR FOR ADMINISTRATION, ASSISTANT REGIONAL DIRECTOR FOR OPERATIONS and Director of the Directorate of the National Headquarters Office. – Should have at least the rank of [senior superintendent] MAJOR GENERAL, who must be a graduate of Bachelor of Laws or a holder of a master's degree in management, public administration, public safety, criminology, penology, sociology, national security administration, defense studies or other related disciplines from a recognized institution of learning, and must have satisfactorily passed the necessary training or career courses for such position as may be established by the Jail Bureau;

5) Deputy Chief for Administration of the Jail Bureau, Deputy Chief for Operations of the Jail Bureau and Chief of Directorial Staff of the Jail Bureau. – Should have the rank of [chief superintendent] LIEUTENANT GENERAL, who must be a member of the Philippine Bar or a holder of a master's degree in management, public administration, public safety, criminology, penology, sociology, national security
administration, defense studies or other related disciplines from a recognized institution of learning, and must have satisfactorily passed the necessary training or career courses for such position as may be established by the Jail Bureau; and

“6) Chief of the Jail Bureau. – Should have the rank of [director] GENERAL, who must be a member of the Philippine Bar or a holder of a master's degree in management, public administration, public safety, criminology, penology, sociology, national security administration, defense studies or other related disciplines from a recognized institution of learning, and must have satisfactorily passed the necessary training or career courses for such position as may be established by the Jail Bureau.

“xxx xxx xxx.”

SEC. 4. Section 12 of the same Act is hereby amended to read as follows:

“SEC. 12. Standardization of the Base Pay, Retirement and Other Benefits of the Uniformed Personnel of the BFP and the BJMP. – In order to enhance the general welfare, commitment to service and professionalism of the uniformed personnel of the BFP and the BJMP, they shall receive the minimum starting salary
equivalent to the salary grade level of the corresponding rank classification of their counterparts in the PNP, as provided under Section 36 of Republic Act No. 8551, and in the AFP, as provided under Section 2 of Republic Act No. 9166.

“The rate of base pay of the uniformed personnel of the BFP and the BJMP shall be adjusted in accordance with the following

RANK CLASSIFICATION AND salary grade schedule:

<table>
<thead>
<tr>
<th>RANK</th>
<th>SALARY GRADE</th>
</tr>
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<tbody>
<tr>
<td>Fire/Jail [Director] GENERAL</td>
<td>[28]30</td>
</tr>
<tr>
<td>Fire/Jail [Chief-Superintendent] LIEUTENANT GENERAL</td>
<td>[27]29</td>
</tr>
<tr>
<td>Fire/Jail [Senior-Superintendent] MAJOR GENERAL</td>
<td>[26]28</td>
</tr>
<tr>
<td>Fire/Jail [Senior-Inspector] LIEUTENANT COLONEL</td>
<td>[23]25</td>
</tr>
<tr>
<td>Fire/ Jail [Inspector] MAJOR</td>
<td>[22]24</td>
</tr>
<tr>
<td>Fire/Jail [Officer-II] SERGEANT</td>
<td>[14]16</td>
</tr>
<tr>
<td>FIRE/JAIL FIRST CLASS</td>
<td>12</td>
</tr>
<tr>
<td>FIREMAN/JAILMAN</td>
<td>10</td>
</tr>
</tbody>
</table>

*Provided*, That all benefits currently received by the uniformed personnel of the BFP and the BJMP under other existing laws shall continue to be received by them: *Provided, further*, That their retirement pay shall be subject to adjustment/s based on the prevailing scale of base pay of the uniformed personnel in the active service.”
SEC. 5. Appropriations. – The amount necessary to implement the provisions of this Act may be sourced from the current appropriation of the Miscellaneous Personnel Benefits Fund. Thereafter, such sum as necessary for the continued implementation of this Act must be included in the General Appropriations Act.

SEC. 6. Implementing Rules and Regulations. – Within thirty (30) days from the effectivity of this Act, the Secretary of the Interior and Local Government, Director of Jail Management and Penology, Director of Fire Protection and Commissioner of the Civil Service, in consultation with the Secretary of Budget and Management and Secretary of Finance, shall issue the rules and regulations for the effective implementation of this Act.

SEC. 7. Repealing Clause. – All laws, decrees, orders, rules and regulations, and other issuances, or parts thereof, which are inconsistent with the provisions of this Act, are hereby deemed repealed, amended or modified accordingly.

SEC. 8. Effectivity. – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,