

EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



HOUSE OF REPRESENTATIVES

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 their 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

A large, stylized handwritten signature in black ink, appearing to be 'F. Hernandez', written over the printed name.

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

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

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

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

1 through the General Appropriations Act.

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

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

Approved,