



## HOUSE OF REPRESENTATIVES

H. No. 4870

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BY REPRESENTATIVES GOLEZ, ALMARIO, BARBERS, BERSAMIN, CARI, LACSON, DUMARPA, ROSALES, VELARDE, VELOSO, AQUINO (R.), AGBAYANI, CABILAO, CARMONA, CUENCO, DIAZ, DOMINGUEZ, FIGUEROA, GULLAS, JARAULA, JAVIER, KINTANAR, PABLO, SUSANO, TAÑADA, TOMAWIS, VARGAS, BIRON, HATAMAN, LOPEZ (J.), ABANTE, ALCALA, MACAPAGAL ARROYO, ASISTIO, BADELLES, BATERINA, GARIN, LIBANAN, MANDANAS, NIEVA, OLAÑO, REYES (E.), ROCES, ROMAN, SEACHON-LANETE, VALDEZ, VILLAFUERTE, WACNANG, ZAMORA (M.), ESTRELLA, BANAAG, PUENTEVELLA, UMALI (A.V.), UY (R.), GIDAYA, REYES (V.), CERILLES, ABAYA, AGARAO, ANTONINO, BUESER, CAGAS, CHUNGALAO, DOMOGAN, GONZALEZ, GOZOS, JALA, JAWORSKI, LAGBAS, MADAMBA, MAGSAYSAY (E.), MARTINEZ, MIRAFLORES, PINGOY, RAMIRO, ROQUERO, SERAPIO, SINGSON, SUMULONG, TULAGAN, YAPHA, ZAMORA (R.), CUA (J.), UNICO, SUAREZ, MALAPITAN, PANCHO, MITRA, SANTIAGO, PETILLA, DEFENSOR (A.), BONDOC, DEL MAR, DADIVAS, DATUMANONG, DIMAPORO, SOLIS, VILLAROSA, PLAZA, VICENCIO, ABAYON, AMATONG, BIAZON, DUAVIT, GARCIA (V.), GUINGONA, APOSTOL, PICHAY, PUNO, BACANI, BARINAGA, CRISOLOGO, CUA (G.), FIRMALO, MAGSAYSAY (M.), NANTES, ABUBAKAR, DUMPIT, JALOSJOS-CARREON, ZIALCITA, CASTRO, DE VENECIA, RODRIGUEZ, FUENTEBELLA, AMIN, AMANTE, SALCEDA, MIRANDA, ESPINO, CAJES, HONTIVEROS-BARAQUEL, DY (C.), TALIÑO-SANTOS AND NICOLAS, PER COMMITTEE REPORT NO. 1180

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AN ACT ENHANCING THE INSPECTOR GENERAL SERVICE OFFICE, ARMED FORCES OF THE PHILIPPINES (AFP), DEFINING ITS POWERS AND FUNCTIONS, AND FOR OTHER PURPOSES

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

1           SECTION 1. *Declaration of Policy.* – It is hereby declared the policy of  
2 the State to promote the highest standards of integrity and accountability within  
3 the ranks of the Armed Forces of the Philippines (AFP), in consonance with  
4 the command of the Constitution that public officers and employees must at all  
5 times be accountable to the people, serve them with utmost responsibility,  
6 integrity, loyalty and efficiency, act with patriotism and justice, and lead  
7 modest lives.

8           SEC. 2. *Functions of the Inspector General Service Office, AFP.* – The  
9 Inspector General Service Office, AFP, shall:

10           (a) Pro-actively conduct inspections and audits on AFP personnel and  
11 units;

12           (b) Investigate complaints and gather evidence in support of an open  
13 investigation;

14           (c) Conduct summary hearings on AFP members facing administrative  
15 charges;

16           (d) Submit a periodic report on the assessment, analysis and evaluation  
17 of the character and behavior of the AFP personnel and units to the Chief of  
18 Staff;

19           (e) File appropriate criminal or administrative cases against AFP  
20 members before the proper court, tribunal or administrative agency as the  
21 evidence warrants and assist in the prosecution of the case;

22           (f) Investigate, *motu proprio*, incidents involving graft and corruption  
23 or other related offenses punishable under Republic Act No. 3019, Republic  
24 Act No. 6713, Act No. 3815, the AFP Code of Conduct and other laws, rules  
25 or issuances; and

1 (g) Provide documents or recommendations as regards the promotion  
2 of members of the AFP or the assignment of AFP personnel to any key  
3 position.

4 SEC. 3. *Organization.* – An Inspector General Service (IGS) Office at  
5 the General Headquarters (GHQ), one each for the Major Services, one for the  
6 Area/Unified Commands and one for the AFP Wide Support and Separate  
7 Units AFPWSSUs shall be established. The GHQ IGS Office shall be headed  
8 by The Inspector General (TIG) who shall be assisted by a Deputy. The heads  
9 of the IGS in the Major Services, Area/Unified Commands and the  
10 AFPWSSUs shall have the rank of Major General: *Provided*, That TIG shall  
11 be a civilian whose equivalent rank in the Armed Forces is Lieutenant General,  
12 while the Deputy Inspector General (IG) shall be a military officer with the  
13 rank of Major General.

14 There shall be created six divisions of the IGS at the GHQ level,  
15 namely: Inspection and Audit Division, Investigation and Intelligence  
16 Division, Prosecution Division, Legal Affairs Division, Administrative and  
17 Financial Division, and Planning and Research Division.

18 The number of divisions in the Major Service, Area/Unified Commands  
19 and AFPWSSUs IG level shall be determined by their respective IG.

20 SEC. 4. *Command Relationship.* – The IGS shall not be a staff of the  
21 Chief of Staff AFP, or to the Major Services, Unified/Area Commands or  
22 AFPWSSUs Commanders, as the case may be. Their relationship to the  
23 Command shall only be coordinative and in no way shall the Chief of Staff  
24 AFP or such Major Service, Area/Unified Command or AFPWSSUs  
25 Commanders prevent, limit or otherwise interfere with the IGS functions.

26 SEC. 5. *Appointments.* – TIG shall be appointed by the President upon  
27 the recommendation of the Secretary of National Defense. Appointment or  
28 designation of personnel who will occupy various positions shall be made by

1 TIG and shall be based on an established career pattern and criteria to be  
2 promulgated by the Chief of Staff, AFP.

3 SEC. 6. *Entry Qualifications to the IGS.* – Entry to the IGS shall be  
4 voluntary and subject to rigid screening where only AFP personnel who have  
5 at least five years experience in investigation, auditing, accounting,  
6 management and systems analysis work and who have no derogatory record  
7 shall be considered for appointment: *Provided,* That members of the  
8 Philippine Bar may enter the service laterally.

9 SEC. 7. *Initial Appointments to the IGS Offices.* – Initial appointments  
10 of the heads of GHQ, Major Services, Area/Unified Commands and  
11 AFPWSSUs IGS Offices shall be made by the President upon the  
12 recommendation by the Secretary of National Defense. Thereafter,  
13 appointments and promotions to the IGS shall follow the established  
14 requirements and procedures.

15 SEC. 8. *Prohibitions.* – Any personnel who joins the IGS may not  
16 thereafter join any other unit of the AFP. Neither shall any personnel of the  
17 IGS be allowed to sit in a committee deliberating on the appointment,  
18 promotion or assignment of any AFP personnel.

19 SEC. 9. *Career Development and Incentives.* – (1) Personnel of the  
20 IGS shall, in addition to other allowances authorized under existing laws, be  
21 granted occupational specialty pay which shall not exceed fifty percent (50%)  
22 of their basic pay. This pay shall not be considered a forfeiture of other  
23 remuneration and allowances which are allowed under existing law.

24 (2) IGS members shall also have priorities in the quota allocation for  
25 training and education on IGS, investigation, auditing, accounting,  
26 management and systems analysis-related courses.

27 SEC. 10. *Inclusion of Commanding Officer and Superiors in IGS*  
28 *Investigations.* – The commanding officer or immediate superior of the units or

1 personnel being investigated under the preceding sections shall be  
2 automatically included in the investigation of the IGS to exclusively determine  
3 lapses in command or supervision.

4 SEC. 11. *Disciplinary Recommendations of the IGS.* – (1) Any AFP  
5 personnel found guilty of any offense in the exercise of its functions mentioned  
6 in Section 2 of this Act, and any commanding officer or immediate superior  
7 who will be found negligent under paragraph b of this section shall, after due  
8 process, be punished in accordance with existing law or AFP regulation.

9 (2) Decisions by TIG or of the Major Service, Area/Unified Commands  
10 and AFPWSSUs IGS heads for the imposition of disciplinary measures against  
11 erring AFP personnel, once final, cannot be revised, set aside or unduly  
12 delayed by any AFP disciplining authority. Likewise, any disciplining  
13 authority who fails to act or who acts with abuse of discretion on the  
14 recommendation of the IGS shall be made liable for gross neglect of duty. The  
15 case of such erring disciplinary authority shall be submitted to the Chief of  
16 Staff, AFP for proper disposition.

17 (3) TIG may impose disciplinary measure or punish for contempt any  
18 personnel who fails to comply with its summonses/directives, findings and  
19 recommendations.

20 SEC. 12. *Appeals.* – Decisions rendered by the Major Service,  
21 Area/Unified Command and AFPWSSUs IGS Office may be appealed to TIG  
22 within ten (10) days after receipt by the concerned party of the decision.  
23 Decisions rendered by TIG shall be appealable to the Secretary of National  
24 Defense: *Provided*, That disciplinary or corrective measures made by TIG  
25 shall not be stayed by such appeal.

26 SEC. 13. *Complaints Against the Inspector General Service Office.* – A  
27 complaint against any personnel or officer of the IGS, except TIG, shall be

1 brought to TIG. Complaints against TIG may be brought to the Secretary of  
2 National Defense or to any appropriate investigative body.

3 SEC. 14. *Funding.* – Funds allocated to the IGS Office, AFP shall be  
4 automatically and directly released to them.

5 SEC. 15. *Separability Clause.* – If any provision of this Act is declared  
6 unconstitutional, the remainder of this Act or any provision not affected  
7 thereby shall remain in force and effect.

8 SEC 16. *Repealing Clause.* – Any law, presidential decree or issuance,  
9 executive order, letter of instruction, rule or regulation inconsistent with the  
10 provisions of this Act is hereby repealed or modified accordingly.

Approved,

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