



HOUSE OF REPRESENTATIVES

H. No. 10171

BY REPRESENTATIVES VILLANUEVA, RIVERA, QUIMBO, BELMONTE, ELAGO, CASTRO (F.L.), GASATAYA, DEFENSOR (M.), RODRIGUEZ, GO (M.), ZARATE, GAITE, CULLAMAT, BROSAS, AMATONG, BARBERS, DEFENSOR (L.), DELOSO-MONTALLA, FLORES, GARCIA (P.J.), ROMULO, YAP (V.), TAMBUNTING, ABUEG-ZALDIVAR, FORTUN, CABATBAT, MARIANO-HERNANDEZ, ESCUDERO, DIMAPORO (A.), LOYOLA, BORDADO, DY (F.), FORTUNO, NIETO, LARA, BABASA, LUSOTAN, COLLANTES, DALOG, GORRICETA, SANGCOPAN, TY (D.), NAVA AND CHATTO, PER COMMITTEE REPORT NO. 1195

AN ACT

INSTITUTIONALIZING THE 1989 UNIVERSITY OF THE PHILIPPINES-DEPARTMENT OF NATIONAL DEFENSE ACCORD, AMENDING FOR THE PURPOSE SECTION 11 OF REPUBLIC ACT NO. 9500, OTHERWISE KNOWN AS THE "UNIVERSITY OF THE PHILIPPINES CHARTER OF 2008"

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

1 SECTION 1. Section 11 of Republic Act No. 9500 is hereby amended to include Subsections A-H, to
2 read as follows:

3

4 "SEC. 11. *Institutional Autonomy as the National University.* -

5

6

xxx

7

8 SEC. 11-A. *PRIOR NOTIFICATION ON THE ENTRY OF POLICE AND MILITARY UNITS IN*
9 *ALL CAMPUSES.* - PRIOR NOTIFICATION SHALL BE GIVEN BY THE PHILIPPINE
10 NATIONAL POLICE (PNP), ARMED FORCES OF THE PHILIPPINES (AFP) OR ANY
11 OTHER LAW ENFORCEMENT AGENCY INTENDING TO CONDUCT ANY POLICE,
12 MILITARY, OR LAW ENFORCEMENT OPERATION IN ANY UNIVERSITY CAMPUS
13 NATIONWIDE TO THE PRESIDENT OR THE CHANCELLOR OF THE CONSTITUENT
14 UNIVERSITY OR THE DEAN OF THE REGIONAL UNIT CONCERNED, OR THE

1 RESPECTIVE OFFICERS-IN-CHARGE, IN THE EVENT OF THEIR ABSENCE, AS THE
2 CASE MAY BE, WHEN THE SITUATION SO WARRANTS.

3
4 SEC. 11-B. *PROHIBITION ON THE ENTRY OF PNP, AFP, AND OTHER LAW*
5 *ENFORCEMENT AGENCY PERSONNEL IN ALL CAMPUSES.* - EXCEPT IN CASES OF HOT
6 PURSUIT AND SIMILAR OCCASIONS OR EMERGENCIES OR IN CASES DEFINED IN
7 THE NEXT SUCCEEDING PARAGRAPH, NO MEMBER OF THE PNP, AFP OR OTHER LAW
8 ENFORCEMENT AGENCIES SHALL ENTER THE PREMISES OF ANY OF THE
9 UNIVERSITY CAMPUSES OR REGIONAL UNITS.

10
11 WHENEVER REQUESTED BY LAW ENFORCERS, THE APPROPRIATE OFFICIALS
12 SHALL EXTEND THE NECESSARY ASSISTANCE IN LAW ENFORCEMENT WITHIN THE
13 PREMISES OF THE CAMPUSES.

14
15 WHENEVER THE PRESIDENT OR CHANCELLOR OF THE CONSTITUENT
16 UNIVERSITY OR DEAN OF THE REGIONAL UNIT CONCERNED OR THEIR
17 RESPECTIVE OFFICERS-IN-CHARGE DETERMINES THAT THE ASSISTANCE OF THE
18 PNP, AFP OR OTHER LAW ENFORCEMENT AGENCY IS INDISPENSABLE TO THE
19 MAINTENANCE OF SECURITY AND PEACE AND ORDER WITHIN UNIVERSITY
20 PREMISES, THEY SHALL INFORM IN WRITING THE HEAD OF THE PNP, AFP, OR
21 OTHER LAW ENFORCEMENT AGENCY UNIT IN THE AREA, AND THE LATTER SHALL
22 PROMPTLY DISPATCH SUCH ASSISTANCE AS MAY BE WARRANTED BY THE
23 CIRCUMSTANCES.

24
25 IN CASE THE REQUEST FOR ASSISTANCE IS GRANTED, ONLY UNIFORMED
26 MEMBERS OF THE PNP, AFP AND OTHER LAW ENFORCEMENT AGENCIES IN PROPER
27 UNIFORM AND WITH PROPER IDENTIFICATION SHALL BE ALLOWED ENTRY INTO
28 THE CAMPUS OR REGIONAL UNIT CONCERNED, EXCEPT WHERE THE ASSISTANCE
29 REQUESTED SPECIFIES OTHERWISE.

30
31 SEC. 11-C. *LIMITATION ON THE SERVICE OF SEARCH OR ARREST WARRANTS.* - THE
32 SERVICE OF SEARCH OR ARREST WARRANTS WITHIN THE TERRITORIAL
33 JURISDICTION OF ANY UNIVERSITY CAMPUS OR ON ANY STUDENT, FACULTY,
34 EMPLOYEE, OR INVITED PARTICIPANTS IN ANY ACTIVITY IN THE UNIVERSITY, AS
35 FAR AS PRACTICABLE, SHALL BE DONE AFTER PRIOR NOTIFICATION IS GIVEN TO
36 THE PRESIDENT OR CHANCELLOR OF THE CONSTITUENT UNIVERSITY, OR DEAN
37 OF THE REGIONAL UNIT CONCERNED OR THEIR RESPECTIVE OFFICERS-IN-
38 CHARGE. THE SAME REQUIREMENT OF NOTIFICATION APPLIES TO ANY ORAL OR
39 WRITTEN INVITATION FOR QUESTIONING OR SIMILAR PURPOSES.

40
41 IN CASE OF PRIOR NOTIFICATION, THE PARTY SERVING THE WARRANT SHALL
42 COORDINATE CLOSELY WITH MEMBERS OF THE CAMPUS SECURITY GROUP WHO
43 SHALL ACCOMPANY AND ASSIST SUCH PARTY IN THE SERVICE OF THE WARRANTS.
44 SIMILARLY, NO WARRANT SHALL BE SERVED WITHOUT THE PRESENCE OF AT
45 LEAST TWO (2) FACULTY MEMBERS DESIGNATED BY THE APPROPRIATE OFFICIAL.

46
47 IF THE SERVICE OF SUCH PRIOR NOTIFICATION IS NOT PRACTICABLE OR
UNSUCCESSFUL, A REPORT ON THE SAME SHALL BE SUBMITTED BY THE PARTY

1 SERVING THE WARRANT TO THE CONCERNED UNIVERSITY OFFICIAL WITHIN
2 TWENTY-FOUR (24) HOURS AFTER SUCH UNSUCCESSFUL ATTEMPT.

3
4 SEC. 11-D. *LIMITATION ON THE ARREST, CUSTODIAL INVESTIGATION, AND*
5 *DETENTION OF STUDENTS, FACULTY OR PERSONNEL.* - THE ARREST OR DETENTION
6 OF ANY STUDENT, FACULTY OR PERSONNEL ANYWHERE IN THE PHILIPPINES
7 SHALL BE REPORTED IMMEDIATELY BY THE RESPONSIBLE HEAD OF THE PNP, AFP
8 OR OTHER LAW ENFORCEMENT AGENCY UNIT EFFECTING THE ARREST OR
9 DETENTION TO THE PRESIDENT OR CHANCELLOR OF THE CONSTITUENT
10 UNIVERSITY, OR DEAN OF THE REGIONAL UNIT CONCERNED OR THEIR
11 RESPECTIVE OFFICERS-IN-CHARGE WHO SHALL THEN TAKE THE NECESSARY
12 ACTION.

13
14 NO STUDENT, FACULTY OR EMPLOYEE SHALL BE SUBJECTED TO CUSTODIAL
15 INVESTIGATION WITHOUT, AS FAR AS PRACTICABLE, PRIOR NOTICE TO THE
16 PRESIDENT OR CHANCELLOR OF THE CONSTITUENT UNIVERSITY OR DEAN OF THE
17 REGIONAL UNIT CONCERNED OR THEIR RESPECTIVE OFFICERS-IN-CHARGE:
18 *PROVIDED*, THAT SAID CUSTODIAL INVESTIGATION SHALL BE CONDUCTED IN THE
19 PRESENCE OF THE COUNSEL OF CHOICE OF THE STUDENT, FACULTY, OR
20 EMPLOYEE, OR WITH THE ASSISTANCE OF COUNSEL WHO SHALL BE APPOINTED
21 BY THE AFOREMENTIONED OFFICIALS.

22
23 SEC. 11-E. *PROHIBITION ON THE PNP, AFP AND OTHER LAW ENFORCEMENT*
24 *AGENCIES TO INTERFERE WITH PEACEFUL PROTEST ACTIONS.* - MEMBERS OF THE
25 PNP, AFP, OR OTHER LAW ENFORCEMENT AGENCIES SHALL NOT INTERFERE WITH
26 THE PEACEFUL PROTEST ACTIONS BY INDIVIDUALS OR GROUPS HELD WITHIN THE
27 PREMISES OF A UNIVERSITY CAMPUS. UNIVERSITY OFFICIALS SUCH AS THE
28 PRESIDENT, CHANCELLOR OF THE CONSTITUENT UNIVERSITY OR DEAN OF THE
29 REGIONAL UNIT CONCERNED SHALL BE RESPONSIBLE FOR THE BEHAVIOR OF
30 THEIR STUDENTS, FACULTY MEMBERS, AND EMPLOYEES IN SUCH ACTIVITIES.

31
32 SEC. 11-F. *STRENGTHENING OF THE SECURITY, CRIME RESPONSE AND*
33 *PREVENTION, AND FIREFIGHTING CAPABILITIES.* - UNIVERSITY OFFICIALS SHALL
34 ENDEAVOR TO STRENGTHEN THE SECURITY, CRIME RESPONSE AND PREVENTION,
35 AND FIREFIGHTING CAPABILITIES OF THE UNIVERSITY TO PREVENT ITS
36 CAMPUSES FROM BEING EXPLOITED BY MALEFACTORS OR CRIMINAL ELEMENTS.

37
38 UNIVERSITY OFFICIALS AND THE OFFICIALS OF SECURITY FORCES IN THE
39 CAMPUSES, SUCH AS THE CAMPUS SECURITY GROUP, SHALL STRIVE TO
40 COORDINATE CLOSELY, EFFICIENTLY, AND HARMONIOUSLY WITH THE PNP TO
41 ENSURE THE SAFETY OF STUDENTS, FACULTY MEMBERS, AND EMPLOYEES OF THE
42 COMMUNITY, AS WELL AS THE RESIDENTS OF THE CAMPUSES.

43
44 THE SECURITY FORCES IN THE CAMPUSES, SUCH AS THE CAMPUS SECURITY
45 GROUP, SHALL ENGAGE IN JOINT TRAINING AND ENHANCE THE SHARING OF
46 INFORMATION AND OTHER RESOURCES WITH THE PNP TO COMBAT CRIME AND TO
47 HELP ENSURE LAW AND ORDER IN THE CAMPUSES.

1 THE UNIVERSITY SECURITY FORCES SHALL REPORT, AS SOON AS POSSIBLE,
2 ALL CRIMES COMMITTED WITHIN THE CAMPUSES TO THE PNP AND RENDER THE
3 NECESSARY ASSISTANCE TO ENSURE THE PROSECUTION OF CRIMINALS.

4
5 TO HELP ENSURE THE SAFETY OF THE STUDENTS, FACULTY AND EMPLOYEES
6 OF THE COMMUNITY, AS WELL AS THE RESIDENTS OF THE CAMPUSES, MODERN
7 CRIME PREVENTION DEVICES SUCH AS CLOSED-CIRCUIT TELEVISION CAMERAS
8 SHALL BE PROCURED AND INSTALLED IN THE STREETS AND OTHER LOCATIONS
9 IN THE SAID CAMPUSES. THE CONCERNED SCHOOL AUTHORITIES SHALL ENSURE
10 THE REGULAR MAINTENANCE AND IMMEDIATE REPLACEMENT OF DEFECTIVE
11 DEVICES.

12
13 SEC. 11-G. *ESTABLISHMENT OF A JOINT MONITORING GROUP.* - THERE SHALL BE
14 ESTABLISHED A JOINT MONITORING GROUP WHICH SHALL BE COMPOSED OF THE
15 VICE PRESIDENT FOR PUBLIC AFFAIRS OR THE DULY DESIGNATED
16 REPRESENTATIVE, VICE CHANCELLOR FOR COMMUNITY AFFAIRS, VICE
17 CHANCELLOR FOR STUDENT AFFAIRS, FACULTY REGENT, STAFF REGENT,
18 STUDENT REGENT AND THE FOLLOWING GOVERNMENT OFFICIALS:
19 UNDERSECRETARY OF NATIONAL DEFENSE FOR CIVILIAN RELATIONS, AFP JUDGE
20 ADVOCATE GENERAL OR A DULY DESIGNATED REPRESENTATIVE, PNP ASSISTANT
21 CHIEF OF STAFF FOR OPERATIONS, AND THE PNP DIRECTOR OF THE CIVIL
22 SECURITY GROUP. THE JOINT MONITORING GROUP SHALL MEET AT LEAST TWICE
23 A YEAR TO ENSURE AND DETERMINE COMPLIANCE WITH THE PROVISIONS OF THIS
24 ACT.

25
26 SEC. 11-H. *COMPLIANCE AND PENALTIES.* - ALL PARTIES CONCERNED SHALL
27 EXERT EVERY EFFORT TO ENSURE COMPLIANCE WITH THE PROVISIONS OF THIS
28 ACT. THE FAILURE TO COMPLY WITH THE PROVISIONS OF THIS ACT SHALL BE
29 SANCTIONED IN ACCORDANCE WITH LAW, WHICH MAY INCLUDE PROVISIONS ON
30 ADMINISTRATIVE OR CIVIL LIABILITY. IF THE VIOLATION IS COMMITTED BY A
31 PUBLIC OFFICIAL OR EMPLOYEE, REGARDLESS OF WHETHER SUCH OFFICIAL OR
32 EMPLOYEE IS EMPLOYED IN A CASUAL, TEMPORARY, HOLDOVER, PERMANENT OR
33 REGULAR CAPACITY, A FINE EQUIVALENT TO A MINIMUM OF TWENTY-FOUR (24)
34 MONTHS' SALARY OR SUSPENSION FOR A MINIMUM OF TWO (2) YEARS OR
35 REMOVAL FROM OFFICE OR EMPLOYMENT DEPENDING ON THE GRAVITY OF THE
36 OFFENSE, SHALL BE IMPOSED AFTER DUE NOTICE AND HEARING BY THE
37 APPROPRIATE BODY OR AGENCY. IF THE VIOLATION IS PUNISHABLE BY A HEAVIER
38 PENALTY UNDER ANOTHER LAW, THE SAID OFFICIAL OR EMPLOYEE SHALL BE
39 PROSECUTED UNDER THE LATTER STATUTE.

40
41 ANY VIOLATION HEREOF PROVEN IN A PROPER ADMINISTRATIVE
42 PROCEEDING SHALL BE SUFFICIENT CAUSE FOR REMOVAL OR DISMISSAL OF A
43 PUBLIC OFFICIAL OR EMPLOYEE, EVEN IF NO CRIMINAL PROSECUTION IS
44 INSTITUTED AGAINST SUCH PUBLIC OFFICIAL OR EMPLOYEE.

45 SEC. 2. *Separability Clause.* - If any part or provision of this Act shall be declared unconstitutional or
46 invalid, such declaration shall not invalidate other parts or provisions thereof which shall remain in full
47 force and effect.

1 SEC. 3. *Repealing Clause.* – All laws, decrees, orders, rules and regulations or other issuances or parts
2 thereof, inconsistent with the provisions of this Act are repealed or modified accordingly.

3
4 SEC. 4. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette*
5 or in a newspaper of general circulation.

Approved,