

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

'22 JUL 12 P5:08

SENATE
S. No. 422

RECEIVED BY: 

Introduced By Senator Christopher Lawrence "Bong" T. Go

**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

In the Philippines, finding a lawyer is one thing but affording the cost of legal fees is another. The right to counsel of an accused is guaranteed in the 1987 Philippine Constitution which mandates free access to courts and quasi-judicial bodies, and yet most Filipinos experience inability to obtain swift, efficient and adequate legal aid services. This condition heavily causes financial and emotional burden to every Filipino.

The members of our Armed Forces and Philippine National Police, are seen as enforcers of justice who place their lives on the line on a daily basis so that we may enjoy the peace and freedom envisioned under the Constitution. It is, however, often overlooked how these people tasked to defend our safety, security, and freedom, are also in need defenders for the protection of their own rights. Thus, like any other sector of the society, our military and police, should not be denied access to legal assistance which they may need as a consequence of the faithful performance of their official duties.

Where costs of litigation could, at times, prove to be too burdensome, for the meager livelihood earned by our soldiers and police officers, the State must do its part to ensure that those tasked with the duty to serve and protect, are adequately served and protected.

In order to provide adequate legal support to our peacekeepers, it is imperative that for 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.

In view of the foregoing, the passage of this bill is hereby earnestly sought.


SENATOR CHRISTOPHER LAWRENCE "BONG" T. GO 

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

13 Sec. 3. *Appropriations.* — The amount necessary for the effective

1 implementation of this Act shall be sourced from the Legal Defense Fund funded
2 through the General Appropriations Act.

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

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

Approved,