

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

'22 JUL 26 P 6 :38

**SENATE**

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**S. No. 896**

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Introduced by SENATOR RONALD "BATO" DELA ROSA

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**AN ACT**  
**PROVIDING FREE LEGAL ASSISTANCE TO OFFICERS AND ENLISTED**  
**PERSONNEL OF THE ARMED FORCES OF THE PHILIPPINES AND THE**  
**PHILIPPINE NATIONAL POLICE**

EXPLANATORY NOTE

*Section 11, Article III of the 1987 Constitution* provides that, "Free access to the courts and quasi-judicial bodies and adequate legal assistance shall not be denied to any person by reason of poverty."

As instruments of law enforcement, the officers and enlisted personnel of both the Armed Forces of the Philippines (AFP) and the Philippine National Police (PNP) are constantly exposed to cases filed against them in relation to the performance of their duties. Some in fact, are mere unwarranted cases which are filed to harass and prevent them from strictly implementing the law.

This bill will serve as a means for officers and enlisted personnel of the AFP and PNP to defend themselves before the courts or quasi-judicial bodies by providing them free legal assistance which will help especially those who cannot afford to pay for their own lawyers, for acts done in the performance of their official duties of preserving the peace and order of the country.

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

  
**RONALD "BATO" DELA ROSA**

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*Be it enacted by the Senate and the 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 an 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 any lawyer or lawyers of their respective agencies, with the  
10 assistance of the Public Attorney's Office (PAO), to provide free legal assistance to  
11 any officer or enlisted personnel of the AFP and PNP.

12           Sec. 3. *Implementing Rules and Regulations.* - Within sixty (60) days from the  
13 effectivity of this Act, the PAO, in coordination with the AFP, NAPOLCOM and the

1 PNP, shall promulgate the rules and regulations necessary for the for the effective  
2 implementation of this Act.

3       Sec. 4. *Separability Clause.* - If any portion or provision of this Act is declared  
4 unconstitutional, the remainder of this Act or any provisions not affected thereby  
5 shall remain in force and effect.

6       Sec. 5. *Repealing Clause.* - All laws, decrees, orders, regulations and policies  
7 inconsistent with the provisions of this Act are hereby repealed and/or amended  
8 accordingly.

9       Sec. 6. *Effectivity.* - This Act shall take effect fifteen (15) days after its  
10 complete publication in at least two (2) newspapers of general circulation.

*Approved,*