

'22 AUG -8 A10 :24

**SENATE**  
**S. No. 1067**

RECEIVED BY: \_\_\_\_\_



---

Introduced by Senator Grace Poe

---

**AN ACT**  
**STRENGTHENING THE INTERNAL AFFAIRS SERVICE OF THE PHILIPPINE NATIONAL POLICE, AMENDING FOR THIS PURPOSE CERTAIN PROVISIONS OF REPUBLIC ACT NO. 6975, AS AMENDED BY REPUBLIC ACT NO. 8551, AND FOR OTHER PURPOSES**

EXPLANATORY NOTE

Article II, Section 5 of the 1987 Constitution provides that "The maintenance of peace and order, the protection of life, liberty, and property and the promotion of the general welfare are essential for the enjoyment by all the people of the blessings of democracy." It is for this reason that the Philippine National Police (PNP) is established—essentially to maintain peace and preserve stability in our country.

However, accounts of offenses committed by members of the PNP—our supposed protectors and guardians—are continually being reported, especially during the height of the pandemic. For example, in April 2020, a former soldier who had a mental illness was shot dead by a PNP officer because of an altercation related to quarantine measures.<sup>1</sup> In December 2020, just 5 days before Christmas, a PNP officer killed a mother and son in cold blood over an argument.<sup>2</sup> And in May 2021, citizens watched in shock and horror as a video of a policeman shooting a 52-year-old grandmother in the neck circulated on the internet.<sup>3</sup> Clearly, there is a need to strengthen measures to uphold the accountability of our police officers.

Currently, the entity with the power to conduct investigations on erring PNP officers is the Internal Affairs Service (IAS) of the PNP, which was created by virtue of Republic Act No. 8551 or "The PNP Reform and Reorganization Act of 1998" (RA

---

<sup>1</sup> Talabong, Rambo. (23 April 2020). "Who is Winston Ragos, the Former Military Man Killed by Police?". Rappler. Accessed from: <https://www.rappler.com/newsbreak/iq/258845-things-to-know-winston-ragos-former-soldier-killed-by-police/>

<sup>2</sup> Tantuco, Vernise. (24 December 2020). "Timeline of Tarlac Shooting: What We Know So Far". Rappler. Accessed from: <https://www.rappler.com/newsbreak/iq/timeline-things-to-know-cop-shooting-mother-son-paniqui-tarlac/>

<sup>3</sup> Bolledo, Jairo. (01 June 2021). "Cop Kills 52-Year-Old Woman in Quezon City, Faces Murder Complaint". Rappler. Accessed from: <https://www.rappler.com/nation/cop-kills-woman-lilybeth-valdez-quezon-city-may-31-2021/>

8551). However, as presently constituted, the IAS has no authority to impose sanctions; it is only limited to making recommendations which are subject to the review and approval of the Chief PNP or the PNP Regional Directors.

This bill is a product of two legislative hearings conducted by the Senate Committee on Public Order and Dangerous Drugs during the 16<sup>th</sup> Congress on the rising incidence of police personnel involved in criminal activity. It seeks to strengthen the IAS' capacity and independence by granting it authority to impose disciplinary sanctions in certain offenses, appealable to the National Appellate Board (NAB). It ensures speedy disposition of cases filed with the IAS by streamlining procedures in accordance with an established timeline.

The immediate passage of this bill is earnestly sought.



GRACE POE

'22 AUG -8 AIO :24

**SENATE**  
**S. No. 1067**

RECEIVED BY: 

---

Introduced by Senator Grace Poe

---

**AN ACT**  
**STRENGTHENING THE INTERNAL AFFAIRS SERVICE OF THE PHILIPPINE**  
**NATIONAL POLICE, AMENDING FOR THIS PURPOSE CERTAIN**  
**PROVISIONS OF REPUBLIC ACT NO. 6975, AS AMENDED BY REPUBLIC ACT**  
**NO. 8551, AND FOR OTHER PURPOSES**

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

- 1 Section 1. This Act shall be known as the "*PNP-IAS Reform Act of 2022.*"
- 2 Sec. 2. Section 39 of Republic Act No. 8551 is hereby amended to read as
- 3 follows:
- 4 "Section 39. Creation, Powers, and Functions. – An Internal Affairs
- 5 Service (IAS) of the PNP is hereby created which shall:
- 6 a) pro-actively conduct inspections and audits on PNP personnel and
- 7 units;
- 8 b) Investigate complaints and gather evidence in support of an open
- 9 investigation;
- 10 c) **HEAR AND DECIDE ADMINISTRATIVE CASES AGAINST**
- 11 **ERRING UNIFORMED AND NON-UNIFORMED PNP PERSONNEL**
- 12 **IN CASES REQUIRING *MOTU PROPRIO* AUTOMATIC**
- 13 **INVESTIGATION;**
- 14 d) Submit a periodic report on the assessment, analysis, and evaluation
- 15 of the character and behavior of PNP personnel and units to the Chief
- 16 PNP and the Commission;
- 17 e) File appropriate criminal cases against PNP members before the court
- 18 as evidence warrants and assist in the prosecution of the case;

1 f) Provide assistance to the Office of the Ombudsman in cases involving  
2 the personnel of the PNP.

3 The IAS shall also conduct, *motu proprio*, automatic investigation of the  
4 following cases:

- 5 a) incidents where a police personnel discharges a firearm;  
6 b) Incidents where death, serious physical injury, or any violation of  
7 human rights occurred in the conduct of a police operation;  
8 c) Incidents where evidence was compromised, tampered with,  
9 obliterated, or lost while in the custody of police personnel;  
10 d) Incidents where a suspect in the custody of the police was seriously  
11 injured; and  
12 e) Incidents where the established rules of engagement have been  
13 violated.; **AND**  
14 f) **INCIDENTS WHERE A POLICE PERSONNEL IS ALLEGEDLY**  
15 **INVOLVED IN CRIMES SUCH AS MURDER, KIDNAPPING AND**  
16 **SERIOUS ILLEGAL DETENTION, ROBBERY, AND OTHER**  
17 **CRIMES INVOLVING MORAL TURPITUDE.**

18 Finally, the IAS shall provide documents or recommendations as regards  
19 to the promotion of the members of the PNP or the assignment of PNP  
20 personnel to any key position.

21 **THE DISCIPLINARY POWERS HEREIN GRANTED TO THE**  
22 **INTERNAL AFFAIRS SERVICE SHALL BE WITHOUT PREJUDICE,**  
23 **AND SHALL NOT DIMINISH, EXCEPT TO THE EXTENT PROVIDED**  
24 **ABOVE, THE DISCIPLINARY POWERS GRANTED TO THE**  
25 **COMMISSION, THE CHIEF OF THE PHILIPPINE NATIONAL**  
26 **POLICE, THE REGIONAL DIRECTORS AND THE PEOPLE'S LAW**  
27 **ENFORCEMENT BOARDS UNDER SECTIONS 42 AND 43 OF**  
28 **REPUBLIC ACT NO. 6975"**

29 Sec. 3. Section 40 of Republic Act No. 8551 is hereby amended to read as  
30 follows:

31 "Section 40. Organization. – There are hereby created national, regional,  
32 and provincial offices of the Internal Affairs Service. That national office

1 shall be headed by the Inspector General. The regional offices shall each  
2 be headed by a Director. The provincial offices shall be headed by a  
3 Superintendent.

4 The commission shall establish a rationalized staffing pattern in the  
5 Reorganization Plan as provided for in Section 13 hereof.

6 Sec. 4. Section 41 of Republic Act No. 8551 is hereby amended to read as  
7 follows:

8 "Section 41. Appointments. – **THE INSPECTOR GENERAL AND THE**  
9 **DEPUTY INSPECTOR GENERAL SHALL BE CIVILIANS. THEY**  
10 **SHALL BE APPOINTED BY THE PRESIDENT AND NO PERSON**  
11 **SHALL BE APPOINTED INSPECTOR GENERAL OR DEPUTY**  
12 **INSPECTOR GENERAL UNLESS HE OR SHE IS A FILIPINO**  
13 **CITIZEN, AT LEAST FORTY-FIVE (45) YEARS OF AGE, AND A**  
14 **MEMBER OF THE PHILIPPINE BAR FOR AT LEAST TEN (10) YEARS**  
15 **PRIOR TO THE DATE OF HIS OR HER APPOINTMENT.**

16 **THE INSPECTOR GENERAL AND THE DEPUTY INSPECTOR**  
17 **GENERAL SHALL SERVE FOR A TERM OF FIVE (5) YEARS**  
18 **WITHOUT REAPPOINTMENT. THE INSPECTOR GENERAL SHALL**  
19 **RECEIVE THE SALARIES, BENEFITS AND PRIVILEGES**  
20 **EQUIVALENT TO THOSE RECEIVED BY A POLICE LIEUTENANT**  
21 **GENERAL OF THE PNP. THE DEPUTY INSPECTOR GENERAL**  
22 **SHALL RECEIVE THE SALARIES, BENEFITS AND PRIVILEGES**  
23 **EQUIVALENT TO THOSE RECEIVED BY A POLICE MAJOR GENERAL**  
24 **OF THE PNP.**

25 **"THE HEADS OF THE PROVINCIAL AND REGIONAL INTERNAL**  
26 **AFFAIRS OFFICES SHALL BE APPOINTED BY THE CHIEF OF THE**  
27 **PHILIPPINE NATIONAL POLICE UPON THE PRIOR**  
28 **RECOMMENDATION OF THE INSPECTOR**  
29 **GENERAL. APPOINTMENTS OF OTHER PERSONNEL WHO SHALL**  
30 **OCCUPY VARIOUS POSITIONS OF THE INTERNAL AFFAIRS**  
31 **SERVICE SHALL BE MADE BY THE INSPECTOR GENERAL AND**

1 **SHALL BE BASED ON AN ESTABLISHED CAREER PATTERN AND**  
2 **CRITERIA TO BE PROMULGATED BY THE COMMISSION."**

3 Sec. 5. Section 49 of Republic Act No. 8551 is hereby amended to read as  
4 follows:

5 **"Section 49. PROCEDURE IN DISCIPLINARY CASES. –**  
6 **PROCEEDINGS BEFORE THE INTERNAL AFFAIRS SERVICE SHALL**  
7 **BE SUMMARY IN CHARACTER AND SHALL FOLLOW THE**  
8 **FOLLOWING PROCEDURE:**

9 **(a)COMPLAINTS AGAINST ERRING UNIFORMED OR NON-**  
10 **UNIFORMED PERSONNEL OF THE PNP MAY BE FILED WITH**  
11 **THE PROVINCIAL INTERNAL AFFAIRS OFFICE OR THE**  
12 **REGIONAL INTERNAL AFFAIRS OFFICE HAVING**  
13 **JURISDICTION OVER THE PLACE WHERE THE OFFENSE WAS**  
14 **COMMITTED.**

15 **(b)THE COMPLAINT SHALL BE IN WRITING AND UNDER OATH.**  
16 **THE COMPLAINANT SHALL SUBMIT, TOGETHER WITH THE**  
17 **COMPLAINT, ALL THE REAL, DOCUMENTARY AND**  
18 **TESTIMONIAL EVIDENCE, BY WAY OF AFFIDAVITS TO**  
19 **SUPPORT THE COMPLAINT;**

20 **(c)WITHIN FIVE (5) DAYS FROM RECEIPT OF THE COMPLAINT,**  
21 **THE PROVINCIAL OR REGIONAL INTERNAL AFFAIRS OFFICE**  
22 **CONCERNED SHALL CAUSE THE SERVICE OF A COPY OF THE**  
23 **COMPLAINT AND ITS ATTACHMENTS UPON THE**  
24 **RESPONDENT, TOGETHER WITH AN ORDER REQUIRING THE**  
25 **RESPONDENT TO FILE HIS OR HER ANSWER TO THE**  
26 **COMPLAINT, FURNISHING A COPY THEREOF TO THE**  
27 **COMPLAINANT, WITHIN A PERIOD OF TEN (10) DAYS FROM**  
28 **HIS OR HER RECEIPT OF THE COMPLAINT AND THE ORDER.**

29 **(d)THE RESPONDENT'S ANSWER SHALL LIKEWISE BE UNDER**  
30 **OATH AND SHALL INCLUDE ALL THE REAL, DOCUMENTARY**  
31 **AND TESTIMONIAL EVIDENCE, BY WAY OF AFFIDAVITS, IN**  
32 **SUPPORT OF HIS DEFENSE.**

1 (e) **WITHIN THIRTY (30) DAYS FROM THE PARTIES' SUBMISSION**  
2 **OF THEIR RESPECTIVE POSITION PAPERS, OR FROM THE**  
3 **LAPSE OF THE PERIOD TO FILE THE SAME, THE PROVINCIAL**  
4 **OR REGIONAL INTERNAL AFFAIRS SERVICE OFFICE**  
5 **CONCERNED SHALL FORWARD THE ENTIRE RECORDS OF THE**  
6 **CASE TO THE INSPECTOR GENERAL TOGETHER WITH A**  
7 **WRITTEN RECOMMENDATION WHICH SHALL INCLUDE:**

8 (i) **THE FINDINGS OF FACT;**

9 (ii) **THE LAWS, RULES OR REGULATIONS VIOLATED BY**  
10 **THE RESPONDENT, IF ANY; AND**

11 (iii) **THE PENALTY OR PENALTIES TO BE IMPOSED UPON**  
12 **THE RESPONDENT.**

13 (f) **WITHIN A PERIOD OF THIRTY (30) DAYS FROM HIS RECEIPT**  
14 **OF THE RECORDS AND RECOMMENDATION, THE INSPECTOR**  
15 **GENERAL SHALL RENDER A DECISION ADOPTING,**  
16 **REVERSING OR MODIFYING THE RECOMMENDATION OF THE**  
17 **PROVINCIAL OR REGIONAL INTERNAL AFFAIRS SERVICE**  
18 **OFFICE CONCERNED.**

19 (g) **THE PERIODS PROVIDED HEREIN SHALL BE NON-**  
20 **EXTENDIBLE."**

21 Sec. 6. Section 50 of Republic Act No. 8551 is hereby amended to read as  
22 follows:

23 "~~Section 50. Appeals. - Decisions rendered by the provincial inspectors~~  
24 ~~shall be forwarded to the area internal affairs office for review within ten~~  
25 ~~(10) working days upon the receipt thereof. Decisions of the area office~~  
26 ~~may be appealed to the national office through the Office of Inspector~~  
27 ~~General. Decisions rendered by the National IAS shall be appealed to the~~  
28 ~~National Appellate Board or to the court as may be appropriate: A~~  
29 **DECISION OF THE INSPECTOR GENERAL DISMISSING A CASE OR**  
30 **IMPOSING A PENALTY OF LOWER THAN SUSPENSION FOR**  
31 **NINETY (90) DAYS OR LESS, OR FORFEITURE OF BENEFITS**  
32 **EQUIVALENT TO NINETY (90) DAYS' PAY OR LESS SHALL BE**

1           **FINAL, UNAPPEALABLE AND IMMEDIATELY EXECUTORY. A**  
2           **DECISION OF THE INSPECTOR GENERAL IMPOSING THE**  
3           **PENALTY OF DISMISSAL FROM THE SERVICE OR DEMOTION ,**  
4           **SUSPENSION OF MORE THAN NINETY (90) DAYS OR**  
5           **FORFEITURE OF BENEFITS EQUIVALENT TO MORE THAN NINETY**  
6           **(90) DAYS' PAY MAY BE APPEALED TO THE NATIONAL**  
7           **APPELLATE BOARD WITHIN TEN (10) DAYS FROM RECEIPT OF**  
8           **THE DECISION. ALL OTHER PENALTIES TO BE IMPOSED BY THE**  
9           **INSPECTOR GENERAL SHALL BE FINAL AND IMMEDIATELY**  
10          **EXECUTORY:** provided, that the summary dismissal powers of the  
11          ~~Director General~~ **POLICE GENERAL** and Regional Directors as provided  
12          in section 42 of Republic act no. 6975, **AS AMENDED**, shall remain valid  
13          Sec. 7. Section 41 of Republic Act No. 6975, as amended, is hereby further  
14          amended to read as follows:

15          Section 41. (a). Citizen's Complaints. — Any complaint by a natural or  
16          juridical person against any member of the PNP shall be brought before  
17          the following:

18          (1) Chiefs of Police, where the offense is punishable by withholding of  
19          privileges, restriction to specified limits, suspension or forfeiture of  
20          salary, or any combination thereof, for a period not exceeding fifteen  
21          (15) days;

22          (2) Mayors of cities and municipalities, where the offense is punishable by  
23          withholding of privileges, restriction to specified limits, suspension or  
24          forfeiture of salary, or any combination thereof, for a period of not less  
25          than sixteen (16) days but not exceeding thirty (30) days;

26          (3) People's Law Enforcement Board, as created under Section 43 hereof,  
27          where the offense is punishable by withholding of privileges, restriction  
28          to specified limits, suspension or forfeiture of salary, or any  
29          combination thereof, for a period exceeding thirty (30) days; or by  
30          dismissal;

31          (4) **INTERNAL AFFAIRS SERVICE, IN CASES REQUIRING ITS**  
32          **MOTU PROPRIO AUTOMATIC INVESTIGATION UNDER**



1                   **SECTION 39 OF REPUBLIC ACT NO. 8551.**

2           X x x.”

3           Sec. 8. Section 44 of Republic Act No. 6975, as amended, is hereby further  
4 amended to read as follows:

5           Section 44.   Disciplinary Appellate Boards. — The formal administrative  
6 disciplinary machinery of the PNP shall be the National Appellate Board  
7 and the regional appellate boards.

8           The National Appellate Board shall be composed of the four (4) regular  
9 commissioners and shall be chaired by the executive officer. The Board  
10 shall consider appeals from decisions of the Chief of the PNP **AND THE**  
11 **INSPECTOR GENERAL OF THE INTERNAL AFFAIRS SERVICE.**

12           The National Appellate Board may conduct its hearings or sessions in  
13 Metropolitan Manila or any part of the country as it may deem necessary.

14           There shall be at least one (1) regional appellate board per administrative  
15 region in the country to be composed of a senior officer of the regional  
16 Commission as Chairman and one (1) representative each from the PNP,  
17 and the regional peace and order council as members. It shall consider  
18 appeals from decisions of the regional directors, other officials, mayors,  
19 and the PLEBs: provided, that the Commission may create additional  
20 regional appellate boards as the need arises.”

21           Sec. 9. Section 45 of Republic Act No. 6975 is hereby amended to read as  
22 follows:

23           “SECTION 45. Finality of Disciplinary Action. — The disciplinary action  
24 imposed upon a member of the PNP shall be final and executory:  
25 Provided, That a disciplinary action imposed by the regional director or by  
26 the PLEB involving demotion or dismissal from the service may be  
27 appealed to the regional appellate board within ten (10) days from receipt  
28 of the copy of the notice of decision: Provided, further, That the  
29 disciplinary action imposed by the Chief of the PNP **OR INSPECTOR**  
30 **GENERAL OF THE INTERNAL AFFAIRS SERVICE** involving demotion  
31 or dismissal may be appealed to the National Appellate Board within ten  
32 (10) days from receipt thereof: Provided, furthermore, That the regional

1 or National Appellate Board, as the case may be, shall decide the appeal  
2 within sixty (60) days from receipt of the notice of appeal: Provided,  
3 finally, That failure of the regional appellate board to act on the appeal  
4 within said period shall render the decision final and executory without  
5 prejudice, however, to the filing of an appeal by either party with the  
6 Secretary.”

7 Sec. 10. If any portion or provision of this Act is declared unconstitutional, the  
8 remainder of this Act or any provisions not affected thereby shall remain in force and  
9 effect.

10 Sec. 11. Any law, presidential decree or issuance, executive order, letter of  
11 instruction, rule or regulation inconsistent with the provisions of this Act is hereby  
12 repealed or modified accordingly.

13 Sec. 12. This Act shall take effect fifteen (15) days after its complete  
14 publication in at least two (2) national newspapers of general circulation.

Approved,