

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



'22 SEP 12 P 4 :03

SENATE

RECEIVED BY.

S. No. 1307

Introduced by Senator FRANCIS "TOL" N. TOLENTINO

**AN ACT
CONFERRING THE CADETS OF THE PHILIPPINE NATIONAL POLICE
ACADEMY THE STATUS OF A GOVERNMENT EMPLOYEES AND GRANTING
THEM WITH CIVIL SERVICE ELIGIBILITY AND BENEFITS AND PRIVILEGES**

EXPLANATORY NOTE

As enshrined in the Constitution, it is a policy of the State to promote the general welfare of its people alongside the maintenance of the peace and order of our society. It is within the ambit of the Philippine National Police (PNP) that these policies are implemented. Thus, it is important that utmost attention be given to those who aim and seek to be part of our police force, including the cadets of the Philippine National Police Academy (PNPA).

Promoting and uplifting the best interest of our PNPA cadets will strengthen the recruitment, admission, and retention of these individuals, that will be beneficial not only to the PNP organization but to the entire society.

This legislation seeks to grant the status of government employees of the National government, to qualified PNPA cadets upon their entry in the premier law enforcement academy, entitling them to emoluments and privileges related to the position.

Further, this bill envisions to provide PNPA cadets with the corresponding benefits in case of death, disability, or sickness acquired in the course of their training similar to that available to regular PNP personnel.

In view of the foregoing reasons, the approval of this legislation is sincerely sought.



FRANCIS "TOL" N. TOLENTINO

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

1 **Section 1. Short Title.** – This Act shall be known as the "PNPA Cadet Act."

2 **Sec. 2. Declaration of Policy.** – It is the policy of the State to promote the
3 general welfare of its people and maintain the peace and order of the society which is
4 within the ambit of the Philippine National Police. Thus, granting them the status of
5 being a government employee together with civil service eligibility for permanent
6 appointment in the government service plus benefits, will raise the morale and welfare
7 of the future police officers of the Philippine National Police which is anticipated to
8 result into better performance of their duties and responsibilities that will lead into
9 greater individual efficiency and organizational effectiveness of the Philippine National
10 Police.

11 **Sec. 3. Definition of Terms.** – As used in this Act, the following terms shall
12 mean:

13 (a) *Disability* refers to any loss or impairment of the normal functions of the
14 physical or mental faculties of a uniformed PNP member or PNPA cadet which reduces
15 or eliminates his capability to continue with this present employment;

16 (b) *Medical officer* refers to the NAPOLCOM Medical Officer, PNP medical
17 officer, medical officer from government hospital or private hospital accredited by the
18 PNP;

1 (c) *National Police Commission (NAPOLCOM)* refers to an attached agency
2 of the Department of the Interior and Local Government responsible for the
3 administration and control of the Philippine National Police;

4 (d) *Philippine National Police Academy (PNPA)* refers to the premier law
5 enforcement academy, established on August 26, 1977 by virtue of Section 19, PD
6 1184 manned by the Philippine National Police, tasked to provide 4-year tertiary
7 education course with a degree of Bachelor of Science in Public Safety to police
8 candidates called cadets who are automatically appointed to the rank of Police
9 Lieutenant upon graduation;

10 (e) *Sickness* refers to an illness accepted as an occupational disease, or any
11 illness caused or aggravated by employment/training, subject to proof that the risk
12 of contracting the same is increased by working conditions; and

13 (f) *Total Permanent Physical Disability* refers to any impairment of the mind
14 or body which renders the disabled uniformed PNP member or PNPA cadet incapable
15 of performing substantially the duties of a police officer and which is expected to be
16 long, continued and of indefinite duration: *Provided*, That irreparable loss of the
17 power of speech, or sense of hearing or loss of one or both hands or feet, or loss of
18 one eye or both eyes, or loss of limbs or brain injury resulting in incurable imbecility
19 or insanity shall be considered total permanent physical disability. In all cases, the
20 disability shall be deemed permanent if it has persisted for a period exceeding 6
21 months, without fix healing period and renders the PNP member or PNPA cadet
22 incapable of performing duties and functions:

23 *Provided, further*, That in case the disability is found to be permanent beyond doubt
24 upon medical examination of said member, the waiting period of 6 months shall no
25 longer be applied.

26 **Sec. 4. Status of PNPA Cadets.** – The PNPA cadets upon qualification and
27 entry are considered as employees of the National Government and shall draw their
28 salaries therefrom. They shall have a salary, as provided for under Joint Resolution
29 No. 1 of 2018, and shall receive benefits and privileges in conformity with other
30 existing laws.

31 **Sec. 5. Appointment of PNPA Cadets.** – The PNPA cadets shall be granted
32 with civil service eligibility and be given provisional appointment by the Civil Service
33 Commission and renewable every one year until they graduate. In case of suspension
34 or turned back, the provisional appointment will be renewed upon re-entry of the
35 suspended cadet.

36 **Sec. 6. Total Permanent Physical Disability.** – In case of disability or
37 sickness during training, a PNPA cadet avails the benefits similar to regular PNP
38 personnel as described in Section 36 of RA 8551. The cadet is entitled to a separation
39 pay equivalent to one year salary and a lifetime pension which is 80% of the last
40 salary received as duly certified by the National Police Commission, upon finding and

1 certification by the appropriate medical officer, that the extent of the disability or
2 sickness renders such cadet unfit or unable to continue the training.

3 The one rank higher is not applied and pension shall not incur increase as the
4 cadet is under 20 years in the service.

5 a) ***Benefits of Total Permanent Physical Disability (Napolcom Mc***
6 ***2011-009).*** –

- 7 1) Reimbursement of reasonable expenses for medicines, medical
8 attendance, hospital fees, necessary transportation and sustenance:
9 2) Separation pay equivalent to one year salary; and
10 3) Lifetime pension which is of 80% of the last salary.

11 b) ***Grounds for Compensability:***

- 12 1) The cadet must have been injured at the place where the training
13 requires the cadet to be and must have been performing the official
14 functions;
15 2) If the injury is sustained elsewhere, the cadet must have been executing
16 a lawful order from the trainer, or from the superior;
17 3) When a cadet is accidentally injured at a point reasonably proximate to
18 the place of training or while the cadet is going to or coming from the
19 training;
20 4) For the sickness to be compensable, it must be the result of occupational
21 disease aggravated by training. The following are classified as
22 occupational diseases:
23 i. Skin cancer;
24 ii. Cataract leading to blindness;
25 iii. Rabies;
26 iv. Tuberculosis and its complications;
27 v. Poisoning:
28 1) Carbon dioxide poisoning;
29 2) Carbon monoxide poisoning;
30 3) Lead poisoning; and
31 4) Food poisoning.
32 vi. Diseases caused by abnormalities in temperature and
33 humidity:
34 1) Heart stroke; and
35 2) Frostbite/Freezing.
36 vii. Cerebrovascular accidents- as long as it is not due and/or
37 aggravated by chronic alcoholism or cigarette:
38 1) CVA embolism;
39 2) CVA thrombosis;
40 3) CVA thrombo-embolism; and

- 1 4) CVA hemorrhage.
- 2 viii. Parasitism- Compensability should be based on the
- 3 principle of:
- 4 1) Greater risk of acquiring the disease in the place of
- 5 work than in the place of usual residence;
- 6 2) Disease was acquired in endemic areas (i.e., areas
- 7 where said disease is prevalent)
- 8 ix. Cardiovascular diseases:
- 9 1) Acute myocardial infarction; and
- 10 2) Congestive heart failure class IV-E.
- 11 x. Pneumonia:
- 12 1) Viral pneumonia; and
- 13 2) Bacterial pneumonia.
- 14 xi. Peptic ulcer diseases- as long as it is not due to alcoholism;
- 15 xii. All forms of Psychoses/Schizophrenic and Mood disorders;
- 16 and
- 17 xiii. Physical traumas resulting in loss of limb/s or its function,
- 18 blindness or deafness.

19 The following are not classified as occupational diseases and subject
20 to proof that the risk of contracting the same is increased by training:

- 21 a) Viral Hepatitis;
- 22 b) Cancer of the liver;
- 23 c) Cancer of the lungs;
- 24 d) Cancer of pancreas;
- 25 e) Cancer of the stomach and intestine; and
- 26 f) Liver cirrhosis and its complications.

27 c) **Who may File for Claim for Disability.** – An application for Total
28 Permanent Physical Disability (TPPD) can be filed by the cadet himself or in case of
29 incapacity, his duly authorized representative.

30 d) **Where to File Claim.** – An application letter for Total Permanent
31 Physical Disability (TPPD) under oath shall be submitted to the Directorate for
32 Personnel and Records Management (DPRM) thru the Pension Retirement and Benefits
33 Administration Service (PRBS) for recording and appropriate action.

34 **Sec. 7. Death Benefits.** – A PNPA cadet upon death during training shall
35 avail the benefits similar to regular PNP personnel as described in Sec. 76 of Republic
36 Act 6975 and Rule V of NAPOLCOM Memorandum Circular No. 2011-009.

37 **a) Who may File Claim/Application for Death Benefits:**

- 38 1) Surviving parents; and
- 39 2) Surviving brothers and sisters.

1 **b) Where to File Claim.** – An application letter under oath for death
2 benefits shall be filed with the Office of the NAPOLCOM Provincial Officer of the
3 province or city where the PNPA cadet is stationed or in the Regional Office of the
4 Commission having administrative jurisdiction of the deceased PNPA cadet.

5 **c) Supporting Documents to a Claim for Death Benefits:**

- 6 1) Service record issued or duly authenticated by the PNP Directorate
7 for Personnel and Records Management;
- 8 2) Certified copy of latest appointment;
- 9 3) Death Certificate issued by the Philippine Statistics Authority;
- 10 4) Detailed investigation report of the Director or immediate superior or
11 supervisor, as the circumstance or cause of death;
- 12 5) Clearance from money and property accountability;
- 13 6) Certificate of No Marriage (CENOMAR) issued by the Philippine
14 Statistics Authority; and
- 15 7) Official receipts duly registered with the Bureau of Internal Revenue
16 for reasonable medical and hospitalization expenses, necessary
17 transportation and subsistence incurred on account of service-
18 connected disability, purchase of medicines in excess of Php 50.00
19 shall be evidenced by doctor's prescription; and
- 20 8) Investigation and Adjudication of the Claim Application:
 - 21 i) Within 5 days from receipt of the application, the NAPOLCOM
22 Hearing Officer designated by the NAPOLCOM Regional
23 Director shall set the hearing of the Claim and shall notify the
24 claimant/s, heirs and other persons whose presence in the
25 investigation is necessary.
26 In no case, the hearing of the claim be conducted beyond 15 days
27 from the date of receipt of the application.
 - 28 ii) Should serious question on the compensability of a claim arise,
29 the NAPOLCOM Regional Director shall direct the Technical
30 Service Division to conduct the necessary inquiry, who shall
31 forthwith submit the corresponding Report. Said Report shall
32 be attached in the records of the claim and considered by the
33 hearing officer the Report of Investigation;
 - 34 iii) Within 15 days from the termination shall submit the Report
35 of Investigation together with the complete records of the
36 claim to the Regional Director for adjudication;
 - 37 iv) The Regional Director shall adjudicate the claim within 15 days
38 from receipt of the Report of Investigation; and
 - 39 v) The claimant shall be immediately furnished a copy of the
40 adjudication.

1 **d) Benefits.** – The following shall be awarded to the beneficiary of the
2 deceased PNPA cadet:

- 3 1) Gratuity equivalent to the deceased PNPA cadet one year basic salary;
- 4 2) Burial expenses equivalent to 3 months basic salary of the deceased;
- 5 3) Monthly pension equivalent to 80% of the deceased's basic salary for
6 a period of five years from the date of death; and
- 7 4) Reimbursement of reasonable expenses for medicines, medical
8 attendance, hospital fees, necessary transportation and subsistence.

9 **Sec. 8. Government Service.** – A PNPA cadet shall render service after
10 graduation two times the number of years of training which is 4 years. The Cadet
11 should render 8 years government service before the Cadet decides to resign.

12 **Sec. 9 Disposition of Dismissed PNP Cadet.** – A PNPA cadet when
13 dismissed for reasons other than violation of Honor Code can automatically join the
14 PNP: Provided, That, the Cadet is mentally and physically fit. The Cadet doesn't need
15 to comply the requirements to be appointed as Patrolman or Patrolwoman as
16 described in Republic Act 6975 and Republic Act 8551. The Cadet can be appointed
17 automatically to the rank of Police Corporal and is given 10 years to complete the
18 baccalaureate degree in case the Cadet is high school graduate or college
19 undergraduate.

20 **Sec. 10. Implementing Rules and Regulations.** – Within ninety (90) days
21 from the effectivity of this Act, the Secretary of the Department of Interior Local
22 Government (DILG), the Chief of PNP, NAPOLCOM, PNPA Director, in coordination with
23 the Civil Service Commission (CSC), shall promulgate the Internal Rules and
24 Regulations (IRR) of this Act.

25 **Sec. 11. Repealing Clause.** – All laws, rules, regulations, orders, circulars
26 and memoranda inconsistent with this Act are hereby repealed or modified
27 accordingly.

28 **Sec. 12. Effectivity.** – This Act shall take effect fifteen (15) days after its
29 publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,