



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

23 MAY 15 P6:58

SENATE

S.B. No. 2198

RECEIVED BY:

Introduced by **SENATOR IMEE R. MARCOS**

**AN ACT
PROVIDING FREE LEGAL ASSISTANCE TO ANY OFFICER OR ENLISTED
PERSONNEL OF THE ARMED FORCES OF THE PHILIPPINES (AFP),
PHILIPPINE NATIONAL POLICE (PNP), BUREAU OF JAIL MANAGEMENT
AND PENOLOGY (BJMP), AND THE PHILIPPINE COAST GUARD (PCG) 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

The Armed Forces of the Philippines (AFP), Philippine National Police (PNP), Bureau of Jail Management and Penology (BJMP), and the Philippine Coast Guard (PCG) standing as pillars of justice and national security, jeopardize their personal safety and put their lives at risk to secure and uphold the sovereignty of the country and to fulfill their duties of protecting national territory from enemies and any other threats of varying forms. They execute their mandate of implementing proper laws and authorities by means of performing crucial tasks in synergy, with plans and mechanisms centered on national defense, community development, and disaster response in order to uphold their earnest commitment to protect the citizens of the country and keep the nation peaceful, harmonious, and orderly.

They are heroically performing their duties to strictly implement the law. However, they are not immune from being the subject of unfounded accusations and lawsuits being brought against them, causing them to feel harassed while performing their duties in such perilous and vulnerable circumstances. Therefore, it is the principal duty of the State to protect the rights of all members of society, notably any officer or enlisted personnel, as doing so will allow them to uphold the law without having to worry about unjustified lawsuits being brought against them.

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

Imee R. Marcos
IMEE R. MARCOS

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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), Philippine National Police (PNP), Bureau of Jail Management and
3 Penology (BJMP), and the Philippine Coast Guard (PCG) who is facing before the
4 prosecutor's office, court, administrative or any competent body, any charge arising
5 from an incident or incidents related to the performance of official duty, in whatever
6 stage, shall be entitled to free legal assistance. Provided that, retirees shall also be
7 covered under this Act from any charge arising from an incident in relation from the
8 performance of their official duty, at the time of their active service. Provided further
9 that, legal aid programs under law schools may extend legal assistance to the AFP,
10 PNP, BJMP and PCG personnel, as provided in this Act.

11
12 **SEC. 2.** Within twenty four (24) hours from the official receipt of the information
13 that the officer or enlisted personnel is charged, the Chief of Staff of the AFP, the
14 Chairperson of the National Police Commission (NAPOLCOM) or the Chief of the PNP,
15 Chief of the BJMP, and the Commandant of the PCG shall authorize the legal office of
16 their respective agencies, in coordination with the Public Attorney's Office (PAO), to
17 provide free legal assistance to any officer or enlisted personnel, as mentioned above,
18 for the purpose of the immediately preceding section.
19

1 **SEC. 3. Appropriations.** – The amount necessary for the effective
2 implementation of this Act shall be sourced from the Legal Defense Fund funded
3 through the annual General Appropriations Act (GAA).
4

5 **SEC. 4. Implementing Rules and Regulations.** – Within sixty (60) days from its
6 effectivity, the concerned offices, agencies, and instrumentalities of the government,
7 in coordination with the PAO, shall promulgate the necessary rules and regulations for
8 the proper implementation of this Act.
9

10 **SEC. 5. Repealing Clause.** – Any law, presidential decree or issuance, executive
11 order, letter of instruction, administrative order, proclamation, charter, rule or
12 regulation and/or parts thereof contrary to or inconsistent with the provisions of this
13 Act is hereby repealed, modified or amended accordingly.
14

15 **SEC. 6. Separability Clause.** – If for any reason, any section or provision of this
16 Act is declared unconstitutional or invalid, other sections or provisions which are not
17 affected thereby shall continue to be in full force and effect.
18

19 **SEC. 7. Effectivity.** – This Act shall take effect fifteen (15) days following its
20 publication in the Official Gazette or in two (2) newspapers of general circulation.

Approved,