



HOUSE OF REPRESENTATIVES

H. No. 6509

BY REPRESENTATIVES ROMUALDEZ (F.M.), ROMUALDEZ (Y.M.), MARCOS, ACIDRE, YU (D.G.), DUTERTE, YAP (ERIC), YU (J.V.), FUENTEBELLA, ALMARIO, ROMERO, TAMBUNTING, ATAYDE, VARGAS, LUISTRO, FERRER (J.M.), TUPAS, FERNANDEZ, YAP (C.), VIOLAGO, ACOPI, CO (E.), PALMA, SUAREZ, TAN (K.M.), ONGCHUAN, ZAMORA (M.C.), CRUZ (A.), RIVERA, TAN-TAMBUT, SAKALURAN, RECTO, MERCADO-REVILLA, CARI, TANJUATCO, TAN (S.), DAYANGHIRANG, ORTEGA, MARINO, REVILLA (R.J.), MASTURA, LAZATIN, AMANTE, ALBANO, CAGAS, OLIVAREZ, TEVES (J.), BARZAGA, NOGRALES (M.I.), FLORES, ZAMORA (Y.M.), GARCIA (P.J.), ACHARON, ARENAS, TIENG, SALO, BONGALON, GARCIA (D.), KHO (O.), ROQUE, VILLA, FRESNEDI, LOYOLA, PADUANO, PADIERNOS, REGENCIA, BUSTOS, EMANO, ADIONG, AQUINO, PANALIGAN, MATUGAS, GARDIOLA, RODRIGUEZ (E.), PLEYTO, DAGOOC, GOLEZ, BAUTISTA-LIM, CELESTE, SORIANO, CARDEMA, PLAZA, QUIMBO, SINGSON-MEEHAN, ALVAREZ (M.), ALVAREZ (J.), BERNOS, CABREDO, CAJAYON-UY, CAMPOS, CO (A.N.), CUARESMA, ESPINA, GO (E.C.), GONZAGA, HARESCO, LARA, NAVA, SINGSON (R.), TIANGCO, UMALI, ZUBIRI, ABALOS, ASISTIO, AUMENTADO, BOSITA, CHATTO, CHUNGALAO, CO-PILAR, GO (M.), GUTIERREZ, HERNANDEZ, LAGMAN, LAGON (D.), LEGARDA, MACEDA, MANGAOANG, MANQUIZ, MATIBAG, OUANO-DIZON, PANCHO, REYES, TAN (J.), TANCHAY, TULFO (J.), VERGARA, VERZOSA, GATCHALIAN, GATO, SALCEDA, DY (F.), UNABIA, YAP (C.T.) AND DALIPE, PER COMMITTEE REPORT No. 202

AN ACT
PROVIDING FREE LEGAL ASSISTANCE TO ANY OFFICER OR UNIFORMED PERSONNEL OF THE ARMED FORCES OF THE PHILIPPINES, THE BUREAU OF FIRE PROTECTION, THE BUREAU OF JAIL MANAGEMENT AND PENOLOGY, THE PHILIPPINE COAST GUARD, AND THE PHILIPPINE NATIONAL POLICE, FACING ANY CHARGE BEFORE THE PROSECUTOR'S OFFICE, COURT OR ANY COMPETENT BODY ARISING FROM AN INCIDENT RELATED TO THE PERFORMANCE OF OFFICIAL DUTY, AND APPROPRIATING FUNDS THEREFOR

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

1 **SECTION 1. Short Title.** – This Act shall be known as the “Free Legal
2 Assistance for Military and Uniformed Personnel Act”.

3
4 **SEC. 2. Declaration of Policy.** – It is the declared policy of the State to
5 protect the dignity and rights of its citizens, including those responsible for
6 upholding the Constitution, defending the sovereignty of the country and its
7 territory against all enemies, enforcing the laws of the land, preventing crimes,
8 and maintaining peace and order. To this end, the State shall provide free legal
9 assistance to military and uniformed personnel (MUP), including officers and
10 uniformed personnel of the Armed Forces of the Philippines (AFP), the Bureau of
11 Fire Protection (BFP), the Bureau of Jail Management and Penology (BJMP), the
12 Philippine Coast Guard (PCG), and the Philippine National Police (PNP), in all
13 stages of criminal, civil, or administrative proceedings arising from service-related
14 incidents.

15
16 **SEC. 3. Definition of Terms.** – As used in this Act:

- 17
18 (a) *Military and Uniformed Personnel (MUP)* refers to officers, enlisted
19 personnel, and uniformed personnel of the AFP, BFP, BJMP, PCG, and
20 PNP.
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22 (b) *Service-related Cases* refer to civil, criminal, and administrative cases
23 filed against MUP involving service-related incidents.
24
25 (c) *Service-related Incident* refers to any act or omission committed by MUP
26 in good faith that is the consequence of the discharge of their official
27 functions or the performance of their duties, or that is relevant to their
28 office or to the discharge of their official functions.
29

30 **SEC. 4. Qualifications for Free Legal Assistance in Cases Involving**
31 ***Service-Related Incidents.*** – Any officer or uniformed personnel of the AFP,
32 BFP, BJMP, PCG, or PNP facing any criminal, civil or administrative charge or case
33 involving service-related incidents before a prosecutor's office, court,
34 administrative body, or any competent body or tribunal, shall be entitled to free
35 legal assistance as provided in this Act.
36

37 Officers or uniformed personnel of the AFP, BFP, BJMP, PCG, or PNP who have
38 been granted free legal assistance shall continue to enjoy such legal assistance

1 even after their retirement from service. Retired officers or uniformed personnel
2 of the AFP, BFP, BJMP, PCG, or PNP shall also be given free legal assistance for
3 cases or charges involving service-related incidents committed by such retired
4 officers or uniformed personnel while still in active duty.
5

6 **SEC. 5. Procedure and Coverage.** – Within twenty-four (24) hours from the
7 official receipt of the information that an officer or uniformed personnel of the AFP,
8 BFP, BJMP, PCG, or PNP is charged, the Chief of Staff of the AFP, the Chief of the
9 BFP, the Chief of the BJMP, the Commandant of the PCG, or the Chief of the PNP,
10 shall authorize their respective legal offices to provide free legal assistance to
11 qualified officer or uniformed personnel of the AFP, BFP, BJMP, PCG, or PNP as
12 provided in this Act.
13

14 The free legal assistance shall include the following legal services:

- 15 (1) Legal representation in all stages of civil, criminal or administrative
16 proceedings involving service-related incidents;
17
- 18 (2) Legal advice or consultations in relation to service-related cases or
19 incidents;
20
- 21 (3) Preparation of pleadings, motions, memoranda, and all other legal forms
22 and documents in relation to service-related cases;
23
- 24 (4) Notarization of documents in relation to service-related cases; and
25
- 26 (5) All other legal services and tasks as directed by the Chief of Staff of the
27 AFP, the Chief of the BFP, the Chief of the BJMP, the Commandant of the
28 PCG, or the Chief of the PNP.
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30

31 **SEC. 6. Strengthening of the Legal Offices of the AFP, BFP, BJMP, PCG**
32 **and PNP.** – Within ninety (90) days from the effectivity of this Act, the Chief of
33 Staff of the AFP, the Chief of the BFP, the Chief of the BJMP, the Commandant of
34 the PCG, and the Chief of the PNP shall submit to the Department of Budget and
35 Management (DBM) the revised organizational structure and staffing patterns for
36 their respective legal offices necessary to render adequate and effective free legal
37 assistance to qualified personnel as provided in this Act. The DBM shall act on the
38 submissions in accordance with Republic Act No. 11032 (The Ease of Doing
39 Business and Efficient Government Service Delivery Act of 2018).
40

41 **SEC. 7. Entitlement of Government Lawyer to Payment for Expenses.** –
42 The government lawyer so designated to provide legal assistance to an officer or
43 uniformed personnel of the AFP, BFP, BJMP, PCG, or PNP shall be entitled to
44 payment of actual travel and other expenses, including Special Counsel Allowance,
45 subject to existing laws, rules, and regulations.
46

47 **SEC. 8. Engagement of Services of Private Counsel.** – Subject to existing
48 circulars of the Commission on Audit, rules and regulations, an officer or uniformed
49 personnel of the AFP, BFP, BJMP, PCG, or PNP may be provided, in the interest of
50 justice, with private counsel at the expense of the government when necessary,
51 as determined by the Chief of Staff of the AFP, the Chief of the BFP, the Chief of
52 the BJMP, the Commandant of the PCG, or the Chief of the PNP.

1 **SEC. 9. Applicability to Pending Cases.** – This Act shall also apply to all
2 officers and uniformed personnel of the AFP, BFP, BJMP, PCG, or PNP who have
3 pending cases involving service-related incidents before the prosecutor’s office,
4 the courts, or any quasi-judicial or administrative body.
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6 **SEC. 10. Implementing Rules and Regulations.** Within sixty (60) days
7 from the effectivity of this Act, the Secretaries of the Department of Budget and
8 Management, Department of Defense, Department of the Interior and Local
9 Government, and Department of Transportation, in coordination with Chief of Staff
10 of the AFP, the Chief of the BFP, the Chief of the BJMP, the Commandant of the
11 PCG, and the Chief of the PNP, shall issue the necessary rules and regulations to
12 implement this Act.
13

14 **SEC. 11. Appropriations.** – The amount necessary for the implementation of
15 this Act shall be included in the annual General Appropriations Act.
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17 **SEC. 12. Separability Clause.** – Should any provision of this Act be declared
18 invalid, the remaining provisions shall continue to be in force and effect.
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20 **SEC. 13. Repealing Clause.** – Section 49 of Republic Act No. 6975, otherwise
21 known as the “Department of the Interior and Local Government Act of 1990”, as
22 amended by Republic Act No. 8551, otherwise known as the “Philippine National
23 Police Reform and Reorganization Act of 1998”, is hereby repealed. All other laws,
24 decrees, orders, rules, regulations or parts thereof inconsistent with this Act are
25 hereby amended, repealed, or modified accordingly.
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27 **SEC. 14. Effectivity.** – This Act shall take effect fifteen (15) days after its
28 publication in the Official Gazette or in a newspaper of general circulation.

Approved,