

S. No. 3015
H. No. 3618

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HOUSE OF REPRESENTATIVES

Republic of the Philippines
Congress of the Philippines
Metro Manila

Fourteenth Congress

Second Regular Session

Begun and held in Metro Manila, on Monday, the twenty-eighth day of July, two thousand eight.



[REPUBLIC ACT NO. 9708]

AN ACT EXTENDING FOR FIVE (5) YEARS THE REGLEMENTARY PERIOD FOR COMPLYING WITH THE MINIMUM EDUCATIONAL QUALIFICATION FOR APPOINTMENT TO THE PHILIPPINE NATIONAL POLICE (PNP) AND ADJUSTING THE PROMOTION SYSTEM THEREOF, AMENDING FOR THE PURPOSE PERTINENT PROVISIONS OF REPUBLIC ACT NO. 6975 AND REPUBLIC ACT NO. 8551 AND FOR OTHER PURPOSES

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

SECTION 1. Section 30(j) of Republic Act No. 6975, as amended by Section 14 of Republic Act No. 8551, is hereby further amended to read as follows:

"SEC. 30. *General Qualifications for Appointment.* - No person shall be appointed as officer or member of the PNP unless he or she possesses the following minimum qualifications:

"x x x

"(j) For a new applicant, must not be less than twenty-one (21) nor more than thirty (30) years of age: *Provided*, That except for the last qualification, the above-enumerated qualifications shall be continuing in character and an absence of any one of them at any given time shall be a ground for separation or retirement from the service: *Provided, further*, That PNP members who are already in the service upon the effectivity of Republic Act No. 8551 shall be given five (5) years to obtain the minimum educational qualification preferably in law enforcement related courses, to be reckoned from the date of the effectivity of this amendatory Act: *Provided, furthermore*, That for concerned PNP members rendering more than fifteen (15) years of service and who have exhibited exemplary performance as determined by the Commission, shall no longer be required to comply with the aforementioned minimum educational requirement.

"x x x."

SEC. 2. Section 38(a) of Republic Act No. 6975, as amended by Section 33 of Republic Act No. 8551, is hereby further amended to read as follows:

"SEC. 38. *Promotions.* - (a) A uniformed member of the PNP shall not be eligible for promotion to a higher position or rank unless he or she has successfully passed the corresponding promotional examination given by the Commission, or the Bar, or the corresponding board examinations for technical services and other professions, has satisfactorily completed the

appropriate and accredited course in the PNPA or equivalent training institutions, and has satisfactorily passed the required psychiatric/psychological and drug tests. In addition, the institution of a criminal action or complaint against a police officer shall not be a bar to promotion: *Provided, however,* That upon finding of probable cause, notwithstanding any challenge that may be raised against that finding thereafter, the concerned police officer shall be ineligible for promotion: *Provided, further,* That if the case remains unresolved after two (2) years from the aforementioned determination of probable cause, he or she shall be considered for promotion. In the event he or she is held guilty of the crime by final judgment, said promotion shall be recalled without prejudice to the imposition of the appropriate penalties under applicable laws, rules and regulations: *Provided, furthermore,* That if the complaint filed against the police officer is for a crime including, but not limited to, a violation of human rights, punishable by *reclusion perpetua* or life imprisonment, and the court has determined that the evidence of guilt is strong, said police officer shall be completely ineligible for promotion during the pendency of the said criminal case.

“x x x.”

SEC. 3. Section 23 of Republic Act No. 8551 is hereby further amended to read as follows:

“SEC. 23. *Continuing Education Program.*
– The Commission shall design, establish and implement a continuing education program for the Philippine National Police officers and members in coordination with the Civil Service Commission, the Commission on Human Rights and the Commission on Higher Education through a distance education program and/or an in-service

education program focusing on law enforcement, criminal investigation, human rights or other similar programs.”

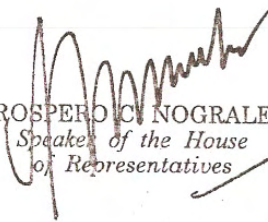
SEC. 4. *Implementing Rules and Regulations.* – The National Police Commission and the Philippine National Police shall promulgate the necessary rules and regulations for the effective implementation of this Act. Such rules and regulations shall take effect upon its publication in two (2) newspapers of general circulation.

SEC. 5. *Separability Clause.* – If, for any reason, any provision of this Act is declared to be unconstitutional or invalid, the other sections or provisions hereof which are not affected thereby shall continue to be in full force and effect.

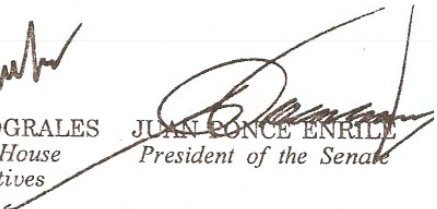
SEC. 6. *Repealing Clause.* – All laws, decrees, executive orders, rules and regulations, and other issuances or parts thereof which are inconsistent with this Act are hereby repealed, amended or modified accordingly.

SEC. 7. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its complete publication in at least two (2) newspapers of general circulation.

Approved,





PROSPERO C. NOGRALES
*Speaker of the House
of Representatives*



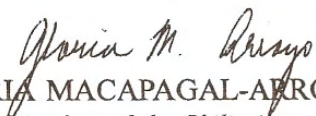
JUAN PONCE ENRILE
President of the Senate

This Act which is a consolidation of Senate Bill No. 3015 and House Bill No. 3618 was finally passed by the Senate and the House of Representatives on February 23, 2009 and May 20, 2009, respectively.


MARLYN B. BARUA-YAO
Secretary General
House of Representatives


EMMA LIRIO-REYES
Secretary of the Senate

Approved: **AUG 12 2009**


GLORIA MACAPAGAL-ARROYO
President of the Philippines



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