



Republic of the Philippines  
HOUSE OF REPRESENTATIVES  
Quezon City

Seventeenth Congress  
First Regular Session

HOUSE BILL NO. **3614**



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**Introduced by Representative Joel Mayo Z. Almario**

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### EXPLANATORY NOTE

This bill seeks to provide free legal assistance to any member of the Armed Forces of the Philippines who is facing charges before the prosecutor's office, court, administrative or any competent body due to an incident related to the performance of his official duty.

Section 5 of Article XVI of the Constitution provides that:

*“Professionalism in the armed forces and adequate remuneration and benefits of its members shall be a prime concern of the State. xxx”*

Members of our military force are sacrificing their lives for the preservation of peace and order in our country. Their duties require them to be in dangerous places and perform dangerous tasks, they put their lives on the line everyday to protect our people, freedom, and institutions. In performing their duties, they are at risk of sometimes being accused of harassments, human rights violations, and other baseless accusations.

This measure aims to provide support to our military personnel when they are charged or prosecuted in court for an offense arising from an incident related to the performance of their duties. This bill will provide free legal assistance to protect their rights. This will encourage them to perform their duties more courageously and more effectively.

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

  
**JOEL MAYO Z. ALMARIO**



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HOUSE BILL NO. 3614

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**AN ACT**

**PROVIDING FREE LEGAL ASSISTANCE TO ANY MEMBER OF THE  
ARMED FORCES OF THE PHILIPPINES WHO IS FACING CHARGES  
BEFORE THE PROSECUTOR'S OFFICE, COURT, ADMINISTRATIVE  
OR ANY COMPETENT BODY, DUE TO AN INCIDENT RELATED TO  
THE PERFORMANCE OF OFFICIAL DUTY**

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

SECTION 1. The Secretary of Justice or the Chief of Staff of the Armed  
Forces of Philippines (AFP) may authorize lawyers of their respective agencies  
to provide free legal assistance to any member of the AFP who is facing before  
the prosecutor's office, the court or any competent body, a charge or charges  
arising from any incident which is related to the performance of official duty:

*Provided, That government lawyers so authorized shall have the power to  
administer oaths: Provided, further, That in such cases, when necessary, as  
determined by the Chief of Staff of the AFP, a private counsel may be provided  
at the expense of the Government.*

1           SEC. 2.   Within sixty (60) days from the approval of this Act, the  
2   Secretary of Justice and the Chief of Staff of the AFP shall jointly promulgate  
3   rules and regulations to implement the provisions of this Act.

4           SEC. 3.   This Act shall take effect fifteen (15) days after its  
5   publication in the *Official Gazette* or in a newspaper of general circulation.

6           Approved,