

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

Seventeenth Congress
First Regular Session

HOUSE BILL NO. 4109



Introduced by Honorable Joaquin M. Chipeco, Jr.

EXPLANATORY NOTE

One of important sidelights of the Senate hearings on extrajudicial killings was the emerging consensus on the seeming impotence of the so-called Peoples Law Enforcement Board (PLEB). Charges of “ineffective”, “confusing” and “insignificant” rang out from the Senate Chairman of the Committee on Justice, the Chief of the PNP and the president of the various PLEBs nationwide himself.

According to the aforesaid personalities, the PLEB held big hopes for the maintenance of internal discipline in the police force considering that it draws its membership from the community itself, that it is strategically positioned at the very site of the commission of the administrative offenses, and that it has first hand familiarity with the erring policemen and women, their victims and the potential witnesses. It was also observed that the Internal Affairs office of the PNP only has 700 personnel for the purpose whereas all municipalities nationwide have organized PLEBs.

To tap into the high promise of PLEBs as an institution for police discipline, various suggestions have been made that ranged from enlarging its composition so as to include the religious sector, NGOs and prominent members of the community in order to avoid bias in the decisions based on the political association of either the complainant(s) or the respondent(s), vigorous information dissemination as to its importance and, of course, remedial legislation.

This bill represents the last mentioned approach, which intends to strengthen the PLEBs via amendatory legislation to bring out the best in our police force. Its early approval is therefore fervently sought.


JOAQUIN M. CHIPECO, JR.

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AN ACT
STRENGTHENING THE PEOPLE'S LAW ENFORCEMENT BOARD (PLEB), FURTHER AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 6975 AS AMENDED BY REPUBLIC ACT NO. 8551

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

SECTION 1. Paragraph (a), Section 43 of Republic Act No. 6975 (otherwise known as the Department of the Interior and Local Government [DILG] Act of 1990), as amended by Sec. 66 of Republic Act 8551 (otherwise known as the Philippine National Police [PNP] Reform and Reorganization Act of 1998) is hereby further amended to read as follows:

“SEC. 43. People’s Law Enforcement Board (PLEB). – (a) Creation and Functions -

X X X

“The PLEB shall be the central receiving entity for any citizen’s complaint against the officers and members of the PNP, WHETHER OR NOT ASSIGNED IN A PARTICULAR MUNICIPALITY OR CITY AS LONG AS THE ACTS COMPLAINED OF WERE COMMITTED IN SAID LOCALITY. [Subject to the provisions of Section 41 of Republic Act No. 6975, the PLEB shall take cognizance of or refer the complaint to the proper disciplinary or adjudicatory authority within three (3) days upon the filing of the complaint.] THE PLEB SHALL HAVE SOLE AND

EXCLUSIVE JURISDICTION OVER ALL ADMINISTRATIVE CASES FILED AGAINST ANY MEMBER OF THE PNP ASSIGNED IN A PARTICULAR CITY OR MUNICIPALITY.”

SEC. 2. Number (3) of paragraph (b) of Sec. 43 of RA 6975 as amended by Sec. 67 of RA 8551 is further amended to read as follows:

“x x x

”x x x

“(3) [Three (3)] FIVE (5) other members who are removable only for cause to be chosen by the local peace and order council from among the respected members of the community known for their probity and integrity, [one (1) of whom must be a woman] PROVIDED ONE IS A WOMAN, ANOTHER IS A MEMBER OF THE RELIGIOUS SECTOR, ANOTHER A MEMBER OF A DULY REGISTERED NON-GOVERNMENTAL ORGANIZATION (NGO) OR PEOPLE’S ORGANIZATION (PO), AND FINALLY, another a member of the Bar, or, in the absence thereof, a college graduate, or the principal of the central elementary school in the locality.”

SEC. 3. The PLEB shall have original and original jurisdiction over all administrative cases filed against any member of the PNP in a particular city or municipality. Including but not limited to the Internal Affairs office of the PNP, the National Police Commission (Napolcom) or the Ombudsman, no other office, agency or instrumentality of the government shall take cognizance of any administrative complaint filed against any member of the PNP in a particular city or municipality.

In resolving administrative cases, the PLEB is empowered to impose disciplinary sanctions such as suspension and/or dismissal from the service, as well as provisional remedies such as preventive suspension and suspension or cancellation of permit to carry firearms outside of residence. Notwithstanding the provisions of this Act, the appeals process in administrative proceedings as laid down in RA 6975 as amended by A 8551 shall remain in full force and effect.

SEC. 4. Within ninety (90) days from the effectivity of this Act, the DILG shall conduct a vigorous information dissemination campaign throughout the country as to the importance and vital role of the PLEBs in the maintenance of public order and security.

SEC. 5. The Napolcom, in coordination with the PNP and the DILG, shall issue the necessary rules and regulations for the effective implementation of this Act.

SEC. 6. All laws, decrees, orders, rules and regulations, or parts thereof inconsistent with this Act are hereby repealed or amended accordingly.

SEC. 7. In the event that any provision of this Act or any portion thereof is declared unconstitutional by a competent court, other provisions not affected thereby shall remain valid and enforceable.

SEC. 8. This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,