



Republic of the Philippines
House of Representatives
Quezon City, Metro Manila



Seventeenth Congress

First Regular Session

House Bill No. 4339

Introduced by **HON. ROMEO M. ACOP**

EXPLANATORY NOTE

In June 21, 1969, Republic Act No. 5750 was enacted providing for the qualifications, selection and appointment of civilian investigation agents of the Criminal Investigation Service (CIS), the Philippine Constabulary (PC), and defining their powers as peace officers. Section 6 of said law empowered the Chief and the Deputy Chief of the CIS to administer oaths upon cases under investigation and to issue *subpoena* or *subpoenas duces tecum* for the appearance at government expense of any person for investigation or production of documents and other matters therein.


In December 13, 1990, Congress passed Republic Act No. 6975 creating the Philippine National Police (PNP) under a reorganized Department of the Interior and Local Government (DILG). Section 35 of RA 6975 created the Criminal Investigation Unit (CIU), in lieu of the CIS, as one of PNP's operational support units. Under said law, the CIU, now the present Criminal Investigation and Detective Group (CIDG), is mandated to undertake the monitoring, investigation and prosecution of all crimes involving economic sabotage, and other crimes of such magnitude and extent as to indicate their commission by highly placed or professional criminal syndicates and organizations. However, RA 6975 removed the authority of the Chief and Deputy Chief of the unit to administer oaths and to issue *subpoena* or

subpoenas duces tecum in investigations conducted by It. The deletion affected the unit's efficiency and effectiveness in the discharge of its mandated duties.

This bill seeks to restore to the CIU (CIDG) Director and his/her Deputies the power to administer oaths and to issue *subpoena* or *subpoenas duces tecum* in investigations conducted by the unit to strengthen its capability in carrying out its investigatory and prosecutory functions.

It should be noted that various government agencies such as the Ombudsman, the Department of Justice, the Philippine Drug Enforcement Unit, the National Police Commission, the Bureau of Internal Revenue, and more recently, the Cybercrime Operation Center, have been granted by law the same power to issue administrative *subpoenas* and *subpoenas duces tecum*. There is no cogent reason to deny the same to the CIDG of the Philippine National Police.

For the foregoing reasons, the immediate consideration and passage of this bill is earnestly urged.



ATTY. ROMEO M. ACOP
Representative
2nd District, Antipolo City



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AN ACT
STRENGTHENING THE PHILIPPINE NATIONAL POLICE CRIMINAL
INVESTIGATION UNIT (CIU) BY RESTORING ITS AUTHORITY TO
ISSUE SUBPOENA OR SUBPOENA DUCES TECUM, AMENDING FOR THE
PURPOSE SECTION 35 (B)(4) OF REPUBLIC ACT NO. 6975,
OTHERWISE KNOWN AS 'AN ACT ESTABLISHING THE PHILIPPINE
NATIONAL POLICE UNDER A REORGANIZED DEPARTMENT OF THE
INTERIOR AND LOCAL GOVERNMENT', AND FOR OTHER PURPOSES

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

SECTION 1. Section 35 (b)(4) of Republic Act No. 6975, otherwise known as 'An Act Establishing the Philippine National Police Under a Reorganized Department of the Interior and Local Government, and for Other Purposes, is hereby amended to read as follows :

Section 35. Support Units - xxx

xxxx

(b) Operational Support Units – xxx

xxxx

- (4) Criminal Investigation Unit – Headed by a Director with the rank of Chief Superintendent, the Criminal Investigation Unit shall undertake the monitoring, investigation and prosecution of all crimes involving economic sabotage, and other crimes of such magnitude and extent as to indicate their commission by highly placed or professional criminal syndicates and organizations.

The unit shall likewise investigate all major cases involving violations of the Revised Penal Code and operate against organized crime groups, unless the President assigns the case exclusively to the National Bureau of Investigation (NBI).

THE DIRECTOR AND THE DEPUTY DIRECTORS OF THE CRIMINAL INVESTIGATION UNIT SHALL HAVE THE POWER TO ADMINISTER OATH UPON CASES UNDER INVESTIGATION AND TO ISSUE SUBPOENA OR SUBPOENA DUCES TECUM.

SECTION 2. *Repealing Clause* - All other laws, ordinances, rules, regulations and other issuances or parts thereof, which are inconsistent with this Act, are hereby repealed or modified accordingly.

SECTION 3. *Effectivity Clause* - This Act shall effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved.