

FIRE OFFICER EXAMINATION

SCOPE OF THE EXAMINATION

General Ability (25%) : Verbal, Analytical, Numerical

Specialized Area (75%) :

Fire Suppression (30%)

*Introduction

FIRE

- Active principle of burning characterized by the heat and light of combustion
- Is a rapid, self-sustaining oxidation process accompanied by the evolution of heat and light of varying intensity.
- Is a chemical reaction. It is the rapid oxidation of a fuel producing heat and light.
- It is an oxidation taking place with a rate rapid enough to produce heat and light.
- Is a chemical process caused by the combination of one or more substances with oxygen.
- In order to start this chemical process, normally an initial source of heat is required. During this process, fuel and oxygen are consumed and as a result heat, light, smoke and toxic gases are produced.

FIRE TETRAHEDRON

For combustion to occur, four components are necessary:

- Oxygen (oxidizing agent)
- Fuel
- Heat
- Self-sustained chemical reaction

CLASSES OF FIRE

CLASS A

- Fires involving ordinary combustibles such as: wood, paper, cloth, plastics and rubber.
- It can be extinguished with water, water-based agents or foam, and multi-purpose dry chemicals.
- Water is usually used by the fire dept.

CLASS B

- Fires involving flammable and combustible liquids, gases and greases such as: gasoline, oils, alcohol, propane and cooking oils.
- Common extinguishing agents are carbon dioxide (CO₂), regular and multi-purpose dry chemical and foam.

CLASS C

- Fires involving energized electrical equipment, which eliminates the use of water-based agents to put them out.
- The recommended method of fighting these fires is to turn-off or disconnect electrical power and then use an appropriate extinguisher depending on the remaining fuel source.
- Extinguishing agents includes carbon dioxide (CO₂), regular and multi-purpose dry chemical.

CLASS D

- Fires involving combustible metals and alloys such as: magnesium, sodium, lithium, and potassium.
- Great care must be used when attempting to extinguish in these types of fuels.

- Extinguishing agents for this class of fire are called dry powders and should not be confused with dry chemical.

CLASS E

- Fires involving high voltage electrical installation and bulk LPG.
- This class of fire needs special fire fighting operation by trained personnel.

CLASS K

- Is a new classification of fire as of 1998 and involves fires in combustible cooking fuels such as vegetable or animal oils and fats.
- Its fuels are similar to Class B fuels but involves high temperature cooking oils and therefore have special characteristics.
- Class K agents are usually wet chemicals.

CLASSIFICATION OF CAUSES OF FIRE

1. ACCIDENTAL
 - does not involve deliberate human act to ignite or spread fire into an area where the fire should not be
2. NATURAL
 - caused without direct human intervention
3. INCENDIARY
 - one deliberately set under circumstances in which the person knows the fire should not be set
4. UNDETERMINED
 - cause not be proven, classification undetermined

Pre-Fire Planning

Firefighting Techniques and Procedures

BASIC DIVISION OF FIREFIGHTING

- PRE- FIRE PLANNING

The objective of the pre fire planning is to *fight the fire before it occurs*. It involves collecting information and using information to plan ahead of time how fire will be fought if they occurs in various parts of the building.

During inspection information should be obtained on the following;

- The size and construction of the building
- The life hazard Fire and smoke travel
- The contents of the building
- On site fire protection
- Ventilation problems
- Building access
- Hazardous materials
- Hazards to firefighters
- Utility controls

- Salvage
- Hose requirements
- Water supply
- SIZE- UP
 - Estimate of existing conditions (Personnel, equipment, water supply, life hazard, time of day, weather, type of occupancy, what is burning and the size of the fire.)

The size-up commences long before the alarm sounds and continues throughout the duration of the emergency. For practical purposes it can be divided into 3 parts - the PRE-ALARM SIZE-UP, RESPONSE SIZE-UP, and the FIRE GROUND SIZE-UP.

A. PRE-ALARM SIZE-UP

Pre-alarm size-up first manifest itself when any information on the fire building or its exposure that could affect operations on the fire ground is initially gathered.

This might have taken place on a previous response to the occupancy, however it generally occurs during an inspection of the building which is made prior to the fire.

B. RESPONSE SIZE-UP

Knowing the location of the emergency will provide knowledge as to the number and types of companies that can be expected.

If the address is in a residential area, at least 2 engines companies and a truck companies will be received on the first alarm.

- initial info about the location
- type of occupancy
- time of day
- weather

C. FIRE GROUND SIZE-UP

Fire ground size-up can be divided into two distinct phases

Preliminary size-up is the immediate estimate of the situation made by officer in charge of the fire upon arrival. It form a basis for initial deployment of personnel and equipment and for the calling of additional help.

Continuous size-up is the continuous and comprehensive estimate of the situation as firefighting operations proceeds. Things can change rapidly at a fire, explosion, and backdraft or flashover can quickly change what appeared to a controlled situation into a nightmare.

- RESCUE
 - No greater service can be given by any fire department than the saving of a human life. When fire or other emergency occurs, it is the duty of the fire department to be equipped to render quick and efficient service.
 - In order to meet this responsibility, *firefighters must keep rescue equipment in first-class condition and be thoroughly trained in the proper use and limitations of that equipment.*

Rescue Principles, Practices and Equipment

As applied to fire fighting, rescue is the removal of humans from places involved in fire or other disaster. The factor of life saving or "*life hazard*" decides the first or immediate operating procedure at a fire or other emergency. Rescue is the first consideration to be taken on arrival at a fire. Therefore, each officer and fire fighter should thoroughly understand the principles governing rescue.

A careful search should be made when there is any chance of anyone having failed

to escape from the involved building.

It must be remembered that it only takes a small amount of heated air, smoke or gases to render a person unconscious.

In such places of public assembly as schools, churches, hospitals, dormitories, theaters, factories and stores, the actual fire is not the only factor causing a serious rescue problem.

Panic, rather than fire, has been the major cause of death in places of public assembly. A false shout of fire, the discovery of smoke, some incident such as an explosion, collapse of part of the building or any other unexpected event can cause the necessary spark of excitement which can cause panic.

The best method of *panic prevention* is for the assembled people to be trained to perform a well disciplined emergency exit drill.

This is the reason that systematic emergency exit drills should be conducted. Where it is not possible or practical to train occupants in emergency exit drills, the only safeguard against panic is for the building to have adequate exits which conform with the standard.

- EXPOSURE

Every fire the firefighter encounters present as an exposure hazard. Exposures used in the fire service, *means any building or material that is likely to become involve either directly or in directly with existing fire*.

There are two types of exposure hazard, INTERIOR and EXTERIOR.

The study of exposure covers the works that necessary to prevent the extension of fire to the other parts of the involved building or other building or property.

Ways on which heat may be transmitted:

1. DIRECT CONTACT
2. CONDUCTION
3. RADIATION
4. CONVECTION

COVERING EXPOSURES

The covering of exposures as it applies to fire service consists completely surrounding the fire with streams so that the fire will be checked at each possible avenue of extension.

A quick survey by an officer or department member usually determines at just what joint efforts to combat the fire have to be exerted.

If available, one of the most effective means of covering exposures is by the use of a "deck gun".

It can be placed at such point as to reach either the fire building or the exposed building and, due to easy manipulation of its stream even under high pressure, it can be quickly switched from side to side as necessity demands.

Other methods of covering exposures within the building or adjoining building consist of closing doors, trap doors, and other openings by which the fire may communicate from one building to another or from one part of a building to another.

It is very necessary to see that all wall openings of adjoining buildings are properly protected by fire doors.

- CONFINEMENT

As applied to the first service, confinement *is that action which is necessary to contain the fire in the smallest possible area*.

Modern air-conditioning systems have introduced a new problem in confining fires. Non-standard systems may have ducts lined with combustible material and are not provided with interior automatic fire shutters.

Such non-standard systems may spread smoke and flames through the entire building.

The officer in charge, upon arrival of the department, should *note the direction and velocity of the wind* and then determine which is the most likely *direction the fire might extend* and *take immediate action to halt the progress of the fire in that direction*.

Action must be taken to prevent high tension wires and electrical equipment from catching fire, falling and/or endangering life and property.

- VENTILATION

The planned, methodical, and systematic removal of pressure, heat, smoke, gases and in some cases, even flame from an enclosed area through predetermined paths.

One way is by quick extinguishment of the fire for the heat generated can be transmitted to expose combustible material, causing the fire to spread.

The success attained however, is dependent upon how far the fire progress, the rapidity of the burning, the natural barriers to prevent spread, the ability of the department and available equipment for quick extinguishment.

- EXTINGUISHMENT

One way is by quick extinguishment of the fire for the heat generated can be transmitted to expose combustible material, causing the fire to spread.

The success attained however, is dependent upon how far the fire progress, the rapidity of the burning, the natural barriers to prevent spread, the ability of the department and available equipment for quick extinguishment.

- SALVAGE

It is the process of applying techniques that minimize damage to contents and structure during and after fire suppression.

Two (2) Benefits:

1. There would be a considerable reduction in the fire loss.
2. The public relations of the department would be enhance.

Salvage Company Operations:

- spreading covers
- bagging
- diverting and removing water

- OVERHAUL

Overhaul is the *final task performed by firefighter at the fire scene*.

Although the *primary objective* of overhaul is *to ensure that the fire is out*, it generally includes doing whatever is necessary to leave the premises in as safe and secure as possible.

- POST FIRE ANALYSIS

Assisting the fire investigator is a skill that should be second to all firefighters. The gathering of information from the time of dispatch throughout the incident should become automatic. Every little detail should be noted and passed along to the investigator.

Fire investigators are just another part of the team that is attempting to make this strategy for the owner as tolerable as possible. Determining the cause and origin of the incident is every firefighter's duty and, like all of the other things we do to control an incident, a very

important factor.

Firefighters always want to assist and not hinder an investigation or criminal prosecution.

Firefighters have an obligation to make sure that the building is secured after they have completed all of their operations.

Tools and Equipment and Apparatus

Fire Apparatus - Any fire department emergency vehicles that participate in fire suppression or other emergency situation

Hose - A fire hose is a high-pressure hose used to carry water or other fire retardant (such as foam) to a fire to extinguish it.

Nozzle - A nozzle is a device designed to control the direction or characteristics of a fluid flow (especially to increase velocity) as it exits (or enters) an enclosed chamber or pipe.

Forcible Entry Devices - Devices used to gain entry to secured areas and buildings at fires and other emergencies

- Striking tools
- Prying tools
- Pushing/Pulling tools
- Cutting tools
- Through-the-lock

Striking Tools - Used to deliver impact to other tools in order to drive it into place

Can also be used to deliver impact directly to and break the door or lock to be forced

- Sledgehammer
- Maul
- Ball hammer
- Punches
- Pick head axe
- Flat head axe
- Battering ram

Prying Tools - Used to spread apart a door from its jamb, move objects, or expose a locking device

- Crow bar
- Flat bar
- Pry bar
- Halligan tool
- Claw tool
- Pry axe
- Hydraulic door opener

Pushing/Pulling Tools - Used to open up walls and ceilings, to vent windows, and to pull up roof boards or other building materials

- Pike pole
- Plastic hook
- Clemens hook
- Drywall hook
- San Francisco hook
- Roofman's hook

Cutting tools - Used to cut away materials and expose the locking device or cut through a door or wall to accomplish forcible entry

- Rotary saw
- Ventilation saw
- Chain saw
- Reciprocating saw

- Carpenter's handsaw
- Keyhole saw
- Hacksaw
- Coping saw
- Through-the-lock

The "K-tool" is designed to pull out lock cylinders and expose the mechanism in order to open the lock with the various key tools

- K-tool
- A-tool
- Bam-bam tool
- Hammer headed pick
- Locking pliers and chain
- Hockey puck lock breaker
- Duck-billed lock breaker

Head Protection (HELMET) - Prevents the head from impact and puncture injuries as well as from scalding water

Eye Protection - Protects the wearer's eyes from flying solid particles or liquids

Hearing Protection - Limits noise-induced damage to the fire fighter's ears when loud situations cannot be avoided

Protective hoods - Provides protection of the fire fighter's neck, ears and face but not covered by helmet or coat from exposure to extreme heat

Protective Coats and Trousers - Used to protect the upper and lower extremities against cuts, abrasions, and burn injuries resulting from radiant heat and provide limited protection against corrosive liquids

Feet Protection - Protect the feet from burn injuries and puncture wounds (Safety shoes and boots)

Hand Protection - Protects the hands from cuts, abrasions, wounds, and burn injuries

Must have enough dexterity (handiness) for proper fit to the wearer

Personal Alert Safety System - Provides life-safety protection by emitting a loud shriek if the firefighter should collapse or remain motionless for approximately 30 seconds (PAD-Personal Alert Device)

Personal Escape Safety Kit/System - Provides life-safety protection for the firefighter for fast, reliable means of egress from a burning multi storey structure

Self-Contained Breathing Apparatus (SCBA) - Protects the face and lungs from toxic smoke and gases, and other products of combustion

Portable Fire Extinguisher - Is a device within its chemical, fluids, and gases for extinguishing and used for small area of fire

Operating the Fire Extinguisher

P – Pull the pin

A – Aim to the base of fire

S – Squeeze the operating lever

S – Sway side to side

Fire Safety and Prevention (20%)

Fire Code of the Philippines

Republic Act No. 9514

(Approved by PGMA on December 19, 2008)

AN ACT ESTABLISHING A COMPREHENSIVE FIRE CODE OF THE PHILIPPINES, REPEALING PRESIDENTIAL DECREE NO. 1185 AND FOR OTHER PURPOSES

– "Revised Fire Code of the Philippines of 2008".

Definition of Terms

Abatement - Any act that would remove or neutralize a fire hazard.

Administrator - Any person who acts as agent of the owner and manages the use of a building for him.

Blasting Agent - Any material or mixture consisting of a fuel and oxidizer used to set off explosives.

Cellulose Nitrate or Nitro Cellulose - A highly combustible and explosive compound produced by the reaction of nitric acid with a cellulose material.

Cellulose Nitrate Plastic (Pyroxylin) - Any plastic substance, materials or compound having cellulose nitrate (nitro cellulose) as base.

Combustible, Flammable or Inflammable - Descriptive of materials that are easily set on fire.

Combustible Fiber - Any readily ignitable and free burning fiber such as cotton, oakum, rags, waste cloth, waste paper, kapok, hay, straw, Spanish moss, excelsior and other similar materials commonly used in commerce.

Combustible Liquid - Any liquid having a flash point at or above 37.8_C (100_F).

Corrosive Liquid - Any liquid which causes fire when in contact with organic matter or with certain chemicals.

Curtain Board - A vertical panel of non-combustible or fire resistive materials attached to and extending below the bottom chord of the roof trusses, to divide the underside of the roof into separate compartments so that heat and smoke will be directed upwards to a roof vent.

Cryogenic - Descriptive of any material which by its nature or as a result of its reaction with other elements produces a rapid drop in temperature of the immediate surroundings.

Damper - A normally open device installed inside an air duct system which automatically closes to restrict the passage of smoke or fire.

Distillation - The process of first raising the temperature in separate the more volatile from the less volatile parts and then cooling and condensing the resulting vapor so as to produce a nearly purified substance.

Duct System - A continuous passageway for the transmission of air.

Dust - A finely powdered substance which, when mixed with air in the proper proportion and ignited will cause an explosion.

Electrical Arc - An extremely hot luminous bridge formed by passage of an electric current across a space between two conductors or terminals due to the incandescence of the conducting vapor.

Ember - A hot piece or lump that remains after a material has partially burned, and is still oxidizing without the manifestation of flames.

Finishes - Materials used as final coating of a surface for ornamental or protective purposes.

Fire - The active principle of burning, characterized by the heat and light of combustion.

Fire Trap - A building unsafe in case of fire because it will burn easily or because it lacks adequate exits or fire escapes.

Fire Alarm - Any visual or audible signal produced by a device or system to warn the occupants of the building or fire fighting elements of the presence or danger of fire to enable them to undertake immediate action to save life and property and to suppress the fire.

Fire Door - A fire resistive door prescribed for openings in fire separation walls or partitions.

Fire Hazard - Any condition or act which increases or may cause an increase in the probability of the occurrence of fire, or which may obstruct, delay, hinder or interfere with fire fighting operations and the safeguarding of life and property.

Fire Lane - The portion of a roadway or publicway that should be kept opened and unobstructed at all times for the expedient operation of fire fighting units.

Fire Protective and Fire Safety Device - Any device intended for the protection of buildings or persons to include but not limited to built-in protection system such as sprinklers and other automatic extinguishing system, detectors for heat, smoke and combustion products and other warning system components, personal protective equipment such as fire blankets, helmets, fire suits, gloves and other garments that may be put on or worn by persons to protect themselves during fire.

Fire Safety Constructions - Refers to design and installation of walls, barriers, doors, windows, vents, means of egress, etc. integral to and incorporated into a building or structure in order to minimize danger to life from fire, smoke, fumes or panic before the building is evacuated. These features are also designed to achieve, among others, safe and rapid evacuation of people through means of egress sealed from smoke or fire, the confinement of fire or smoke in the room or floor of origin and delay their spread to other parts of the building by means of smoke sealed and fire resistant doors, walls and floors. It shall also mean to include the treatment of buildings components or contents with flame retardant chemicals.

Flash Point - The minimum temperature at which any material gives off vapor in sufficient concentration to

form an ignitable mixture with air.

Forcing - A process where a piece of metal is heated prior to changing its shape or dimensions.

Fulminate - A kind of stable explosive compound which explodes by percussion.

Hazardous Operation/ Process - Any act of manufacturing, fabrication, conversion, etc., that uses or produces materials which are likely to cause fires or explosions.

Horizontal Exit - Passageway from one building to another or through or around a wall in approximately the same floor level.

Hose Box - A box or cabinet where fire hoses, valves and other equipment are stored and arranged for fire fighting.

Hose Reel - A cylindrical device turning on an axis around which a fire hose is wound and connected.

Hypergolic Fuel - A rocket or liquid propellant which consist of combinations of fuels and oxidizers which ignite spontaneously on contact with each other.

Industrial Baking and Drying - The industrial process of subjecting materials to heat for the purpose of removing solvents or moisture from the same, and/or to fuse certain chemical salts to form a uniform glazing the surface of materials being treated.

Jumper - A piece of metal or an electrical conductor used to bypass a safety device in an electrical system.

Occupancy - The purpose for which a building or portion thereof is used or intended to be used.

Occupant - Any person actually occupying and using a building or portions thereof by virtue of a lease contract with the owner or administrator or by permission or sufferance of the latter.

Organic Peroxide - A strong oxidizing organic compound which releases oxygen readily. It causes fire when in contact with combustible materials especially under conditions of high temperature.

Overloading - The use of one or more electrical appliances or devices which draw or consume electrical current beyond the designed capacity of the existing electrical system.

Owner - The person who holds the legal right of possession or title to a building or real property.

Oxidizing Material - A material that readily yields oxygen in quantities sufficient to stimulate or support combustion.

Pressurized Or Forced Draft Burning Equipment - Type or burner where the fuel is subjected to pressure prior to discharge into the combustion chamber and/or which includes fans or other provisions for the introduction of air at above normal atmosphere pressure into the same combustion chamber.

Public Assembly Building - Any building or structure where fifty (50) or more people congregate, gather, or assemble for any purpose.

Public Way - Any street, alley or other strip of land unobstructed from the ground to the sky, deeded, dedicated or otherwise permanently appropriated for public use.

Pyrophoric - Descriptive of any substance that ignites spontaneously when exposed to air.

Refining - A process where impurities and/or deleterious materials are removed from a mixture in order to produce a pure element of compound. It shall also refer to partial distillation and electrolysis.

Self-Closing Doors - Automatic closing doors that are designed to confine smoke and heat and delay the spread of fire.

Smelting - Melting or fusing of metallic ores or compounds so as to separate impurities from pure metals.

Sprinkler System - An integrated network of hydraulically designed piping installed in a building, structure or area with outlets arranged in a systematic pattern which automatically discharges water when activated by heat or combustion products from a fire.

Standpipe System - A system of vertical pipes in a building to which fire hoses can be attached on each floor, including a system by which water is made available to the outlets as needed.

Vestibule - A passage hall or antechamber between the outer doors and the interior parts of a house or building.

Vertical Shaft - An enclosed vertical space of passage that extends from floor to floor, as well as from the base to the top of the building.

Responsibility for the Enforcement of this Code.

a. Issue implementing rules and regulations, and prescribe standards, schedules of fees/fire service charges and administrative penalties therefore as provided in the pertinent provisions of this Code;

b. Reorganize the BFP as may be necessary and appropriate;

- c. Support and assist fire volunteers, practitioners and fire volunteer organizations in the country who shall undergo mandatory fire suppression, inspection, rescue, emergency medical services and related emergency response trainings and competency evaluations to be conducted by the BFP. In the case of the Fire practitioners, they shall undergo mandatory continuous professional education and competency evaluation of their expertise, knowledge and skills in the area of fire science, engineering and technology to be conducted by the BFP; The BFP may enter into external party agreements for the conduct of training, education and evaluation of fire volunteers, practitioners and fire volunteer organizations, which shall be under the full control and supervision of the BFP: Provided, however, That during firefighting operations, fire volunteer organizations shall be under the direct operational control of the fire ground commanders of the BFP;
- d. Enter into long term agreement, either through public biddings or negotiations in accordance with the provisions of Republic Act No. 9184, otherwise known as the Government Procurement Reform Act of 2003, for the acquisition of fire prevention, fire protection and fire fighting investigation, rescue, paramedics, hazardous material handling equipment, supplies, materials and related technical services necessary for the fire services;
- e. Enter into Memoranda of Agreement with other departments, bureaus, agencies, offices and corporations of the government, as well as private institutions, in order to define areas of cooperation and coordination and delineate responsibility on fire prevention education, fire safety, fire prevention, fire suppression and other matters of common concern;
- f. Call on the police, other law enforcement agencies, and local government assistance to render necessary assistance in the enforcement of this Code;
- g. Designate a fire safety inspector through his/her duly authorized representative, who shall conduct an inspection of every building or structure within his area of responsibility at least once a year and every time the owner, administrator or occupant shall renew his/her business permit or permit to operate; No occupancy permit, business or permit to operate shall be issued without securing a Fire Safety Inspection Certification (FSIC) from the Chief, BFP, or his/her duly authorized representative;
- h. Inspect at reasonable time, any building, structure, installation or premises for dangerous or hazardous conditions or materials as set forth in this Code, provided that in case of single family dwelling, an inspection must be upon the consent of the occupant or upon lawful order from the proper court. The Chief, BFP or his/her duly authorized representative shall order the owner/occupant to remove hazardous materials and/or stop hazardous operation/process in accordance with the standards set by this Code or its implementing rules or regulations or other pertinent laws;
- i. Where conditions exist and are deemed hazardous to life and property, to order the owner/occupant of any building or structure to summarily abate such hazardous conditions;
- j. Require the building owner/occupant to submit plans and specifications, and other pertinent documents of said building to ensure compliance with applicable codes and standards; and
- k. Issue a written notice to the owner and/or contractor to stop work on portion of any work due to absence, or in violation of approved plans and specifications, permit and/or clearance or certification as approved by the Chief, BFP or his/her duly authorized representative. The notice shall state the nature of the violation and no work shall be continued on that portion until the violation has been corrected.

Section 7. Inspections, Safety Measures, Fire Safety, Constructions, and Protective and/or Warning Systems. - As may be defined and provided in the Rules and Regulations, owners, administrators or occupants of buildings, structures and their premises or facilities and other responsible persons shall be required to comply with the following, as may be appropriate:

a. Inspection Requirement - A fire safety inspection shall be conducted by the Chief, BFP or his duly authorized representative as prerequisite to the grants of permits and/or licenses by local governments and other government agencies concerned, for the:

1. Use or occupancy of buildings, structures, facilities or their premises including the installation or fire protection and fire safety equipment, and electrical system in any building structure or facility; and
2. Storage, handling and/or use of explosives or of combustible, flammable, toxic and other hazardous materials;

b. Safety Measures for Hazardous Materials - Fire safety measures shall be required for the manufacture, storage, handling and/or use of hazardous materials involving:

- (1) cellulose nitrate plastic of any kind;
- (2) combustible fibers;
- (3) cellular materials such as foam, rubber, sponge rubber and plastic foam;
- (4) flammable and combustible liquids or gases of any classification;
- (5) flammable paints, varnishes, stains and organic coatings;
- (6) high-piled or widely spread combustible stock;
- (7) metallic magnesium in any form;
- (8) corrosive liquids, oxidizing materials, organic peroxide, nitromethane, ammonium nitrate, or any amount of highly toxic, pyrophoric, hypergolic, or cryogenic materials or poisonous gases as well as material compounds which when exposed to heat or flame become a fire conductor, or generate excessive smoke or toxic gases;
- (9) blasting agents, explosives and special industrial explosive materials, blasting caps, black powder, liquid nitro-glycerine, dynamite, nitro cellulose, fulminates of any kind, and plastic explosives containing ammonium salt or chlorate;
- (10) fireworks materials of any kind or form;
- (11) matches in commercial quantities;
- (12) hot ashes, live coals and embers;
- (13) mineral, vegetable or animal oils and other derivatives/by products;
- (14) combustible waste materials for recycling or resale;
- (15) explosive dusts and vapors; and
- (16) agriculture, forest, marine or mineral products which may undergo spontaneous combustion.
- (17) any other substance with potential to cause harm to persons, property or the environment because of one or more of the following: a) The chemical properties of the substance; b) The physical properties of the substance; c) The biological properties of the substance. Without limiting the definition of hazardous material, all dangerous goods, combustible liquids and chemicals are hazardous materials.

c. Safety Measures for Hazardous Operation/Processes - Fire Safety measures shall be required for the following hazardous operation/processes:

- (1) welding or soldering;
- (2) industrial baking and drying;
- (3) waste disposal;
- (4) pressurized/forced-draft burning equipment;
- (5) smelting and forging;
- (6) motion picture projection using electrical arc lamps;
- (7) refining, distillation and solvent extraction; and
- (8) such other operations or processes as may hereafter be prescribed in the Rules and Regulations.

d. Provision on Fire Safety Construction, Protective and Warning System - Owners, occupants or administrator of buildings, structures and their premises or facilities, except such other buildings or structures as may be exempted in the rules and regulations to be promulgated under Section 5 hereof, shall incorporate and provide therein fire safety construction, protective and warning system, and shall develop and implement fire safety programs, to wit:

- (1) Fire protection features such as sprinkler systems, hose boxes, hose reels or standpipe systems and other fire fighting equipment;
- (2) Fire Alarm systems;
- (3) Fire walls to separate adjoining buildings, or warehouses and storage areas from other occupancies in the same building;
- (4) Provisions for confining the fire at its source such as fire resistive floors and walls extending up to the next floor slab or roof, curtain boards and other fire containing or stopping components;
- (5) Termination of all exits in an area affording safe passage to a public way or safe dispersal area;
- (6) Stairway, vertical shafts, horizontal exits and other means of egress sealed from smoke and heat;
- (7) A fire exit plan for each floor of the building showing the routes from each other room to appropriate exits, displayed prominently on the door of such room;
- (8) Self-closing fire resistive doors leading to corridors;
- (9) Fire dampers in centralized airconditioning ducts;
- (10) Roof vents for use by fire fighters; and
- (11) Properly marked and lighted exits with provision for emergency lights to adequately illuminate exit ways in case of power failure.

Section 8. Prohibited Acts. - The following are declared as prohibited act and omission.

- (a) Obstructing or blocking the exit ways or across to buildings clearly marked for fire safety purposes, such as but not limited to aisles in interior rooms, any part of stairways, hallways, corridors, vestibules, balconies or bridges leading to a stairway or exit of any kind, or tolerating or allowing said violations;
- (b) Constructing gates, entrances and walkways to buildings components and yards which obstruct the orderly and easy passage of fire fighting vehicles and equipment;
- (c) Prevention, interference or obstruction of any operation of the Fire Service, or of duly organized and authorized fire brigades;
- (d) Obstructing designated fire lanes or access to fire hydrants;
- (e) Overcrowding or admission of persons beyond the authorized capacity in movie houses, theaters, coliseums, auditoriums or other public assembly buildings, except in other assembly areas on the ground floor with open sides or open doors sufficient to provide safe exits;
- (f) Locking fire exits during period when people are inside the building;
- (g) Prevention or obstruction of the automatic closure of fire doors or smoke partitions or dampers;
- (h) Use of fire protective of fire fighting equipment of the fire service other than for fire fighting except in other emergencies where their use are justified;
- (i) Giving false or malicious fire alarms;
- (j) Smoking in prohibited areas as may be determined by fire service, or throwing of cigars, cigarettes, burning objects in places which may start or cause fire;
- (k) Abandoning or leaving a building or structure by the occupant or owner without appropriate safety measures;
- (l) Removing, destroying, tampering or obliterating any authorized mark, seal, sign or tag posted or required by the fire service for fire safety in any building, structure or processing equipment; and
- (m) Use of jumpers or tampering with electrical wiring or overloading the electrical system beyond its designated capacity or such other practices that would tend to undermine the fire safety features of the electrical system.

Section 9. Violation, Penalties and Abatement of Fire Hazard. - Fire hazards shall be abated immediately.

The Chief, BFP or his/her duly authorized representative, upon the report that a violation of this Code or other pertinent laws, rules and regulations is being committed, shall issue notice/order to comply to the owner, administrator, occupant or other person responsible for the condition of the building or structure, indicating among other things, the period within which compliance shall be effected, which shall be within ten (10) to fifteen (15) days after the receipt of the notice/order, depending on the reasonableness to adequately comply with the same. If, after the lapse of the aforesaid period, the owner, administrator, occupant or other responsible person failed to comply, the Chief, BFP or his/her authorized representative shall put up a sign in front of the building or structure that it is fire hazard. Specifically, the notice shall bear the words "WARNING:

THIS BUILDING/STRUCTURE IS A FIRE HAZARD", which shall remain posted until such time that the owner, administrator, occupant or other person responsible for the condition of the building, structure and their premises or facilities abate the same, but such period shall not exceed fifteen (15) days from the lapse of the initial period given in the notice/order to comply. Finally, with the failure of the owner, administrator, occupant or other person responsible for the condition of the building, structure and their premises or facilities to comply within the period specified above, the Chief, BFP may issue order for such abatement. If the owner, administrator or occupant of buildings, structure and their premises or facilities does not abate the same within the period fixed in said order, the building, structure, premises or facilities shall be ordered closed by the Chief, BFP or

his/her duly authorized representative notwithstanding any permit clearance or certificate earlier issued by the local authorities.

Any building or structure assessed and declared by the chief, BFP or his/her duly authorized representative as a firetrap on account of the gravity or palpability of the violation or is causing clear and present imminent fire danger to adjoining establishments and habitations shall be declared a public nuisance, as defined in the Civil Code of the Philippines in a notice to be issued to the owner, administrator, occupant or other person responsible for the condition of the building, structure and their premises or facilities. If the assessed value of the nuisance or the amount to be spent in abating the same is not more than One hundred thousand pesos (P100,000.00), the owner, administrator or occupant thereof shall abate the hazard within fifteen (15) days, or if the assessed value is more than One hundred thousand pesos (P100,000.00), within thirty (30) days from receipt of the order declaring said building or structure a public nuisance; otherwise, the Chief, BFP or his/her duly authorized representative shall forthwith cause its summary abatement. Failure to comply within five (5) days from the receipt of the notice shall cause the Chief, BFP or his/her duly authorized representative to put up a sign in front of the building or structure, at or near the entrance of such premises, notifying the public that such building or structure is a "FIRETRAP", which shall remain until the owner, administrator, occupant or other person responsible for the condition of the building, structure and their premises or facilities abate the same within the specified period.

Summary abatement as used herein shall mean all corrective measures undertaken to abate hazards which shall include, but not limited to remodeling, repairing, strengthening, reconstructing, removal and demolition, either partial or total, of the building or structure. The expenses incurred by the government for such summary abatement shall be borne by the owner, administrator or occupant. These expenses shall constitute a prior lien upon such property.

Section 10. Enforcement of The Lien. - If the owner, administrator or occupant fails to reimburse the government of the expenses incurred in the summary abatement within ninety (90) days from the completion of such abatement, the building or structure shall be sold at public auction in accordance with existing laws and rules. No property subject of lien under Section 9 hereof, may be sold at a price lower than the abatement expenses incurred by the government. The property shall be forfeited in favor of the government if the highest bid is not at least equal to the abatement expenses.

Section 11. Penalties. –

1. Against the private individual:

a) Administrative fine - Any person who violates any provision of the Fire Code or any of the rules and regulations promulgated under this Act shall be penalized by an

administrative fine of not exceeding Fifty thousand (P50,000.00) pesos or in the proper case, by stoppage of operations or by closure of such buildings, structures and their premises or facilities which do not comply with the requirements or by both such administrative fine and closure/stoppage of operation to be imposed by the Chief, BFP. Provided, That the payment of the fine, stoppage of operations and/or closure of such buildings, structures, and their premises or facilities shall not absolve the violator from correcting the deficiency or abating the fire hazard. The decision of the Chief, BFP, under this subsection, may be appealed to the Secretary of the Interior and Local Government. Unless ordered by the Secretary of the Interior and Local Government the appeal shall not stay the execution of the order of the Chief, BFP. The decision of the Secretary of the Interior and Local Government shall be final and executory.

(b) Punitive - In case of willful failure to correct the deficiency or abate the fire hazard as provided in the preceding subsection, the violator shall, upon conviction, be punished by imprisonment of not less than six (6) months nor more than six (6) years, or by a fine of not more than One hundred thousand (P100,000.00) pesos or both such fine and imprisonment; Provided, however, that in case of a corporation, firm, partnership or association, the fine and/or imprisonment shall be imposed upon its officials responsible for such violation, and in case the guilty party is an alien, in addition to the penalties herein prescribed, he shall immediately be deported; Provided, finally, that were the violation is attended by injury, loss of life and/or damage to property, the violator shall be proceeded against under the applicable provisions of the Revised Penal Code.

Any person who, without authority, maliciously removes the sign that a building or structure is a fire hazard/firetrap placed by the authorized person in this Code shall be liable for imprisonment for thirty (30) days or a fine not exceeding One hundred thousand pesos (P100,000.00) or both in the discretion of the court.

Any person, who disobeys the lawful order of the fire ground commander during a firefighting operation shall be penalized with imprisonment of one (1) day to thirty (30) days and a fine of five thousand pesos (P5,000.00).

2. Against the public officer/employee

a) Administrative - The following acts or omissions shall render the public officer/employee in charge of the enforcement of this Code, its implementing rules and regulation and other pertinent laws, administratively liable, and shall be punished by reprimand, suspension or removal in the discretion of the disciplining authority, depending on the gravity of the offense and without prejudice to the provisions of other applicable laws:

(1) Unjustified failure of the public officer/employee to conduct inspection of buildings or structures at least once a year;

(2) Deliberate failure to put up a sign in front of the building or structure within his/her area of responsibility found to be violating this Code, its implementing rules and regulations and other pertinent laws, that the same is a "FIRE HAZARD" or a "FIRETRAP";

(3) Endorsing to the Chief, BFP or his/her duly authorized representative for the certification, or submitting a report that the building or structure complies with the standards set by this Code, its implementing rules or regulations or other pertinent laws when the same is contrary to fact;

(4) Issuance or renewal of occupancy or business permit without the fire safety inspection certificate issued by the Chief, BFP or his/her duly authorized representative;

(5) Failure to cancel the occupancy or business permit after the owner, administrator, occupant or other person responsible for the condition of the building, structure and other premises failed to comply with the notice/order for compliance with the standards set by this Code, its implementing rules and regulations and other pertinent laws, within the specified period;

(6) Failure to abate a public nuisance within fifteen (15) days after the owner, administrator, occupant or other responsible person failed to abate the same within the period contained in the notice to abate;

(7) Abusing his/her authority in the performance of his/her duty through acts of corruption and other unethical practices; or

(8) Other willful impropriety or gross negligence in the performance of his/her duty as provided in this act or its implementing rules and regulations.

b) Punitive - In the case of willful violation involving the abovementioned acts or omissions enumerated under Section 11 subparagraph 2(A) the public officer/employees shall, upon conviction, be punished by imprisonment of not less than six (6) months nor more than six (6) years or by a fine of not more than One hundred thousand (P100,000.00) or both such fine and imprisonment: Provided, That where the violation is attended by injury, loss of life and/or property, the violator shall be proceeded against under the applicable provisions of the Revised Penal Code.

Section 12. Appropriation and Sources of Income. -

(a) To support the manpower, infrastructure and equipment needs of the fire service of the BFP, such amount as may be necessary to attain the objectives of the Fire Code shall be appropriated and included in the annual appropriation of the BFP.

(b) To partially provide for the funding of the fire service the following taxes and fees which shall accrue to the General Fund of the National Government, are hereby imposed:

(1) Fees to be charged for the issuance of certificates, permits and licenses as provided for in Section 7 (a) hereof;

(2) One-tenth of one per centum (0.1%) of the verified estimated value of buildings or structures to be erected, from the owner thereof, but not to exceed fifty thousand (P50,000.00) pesos, one half to be paid prior to the issuance of the building permit, and the balance, after final inspection and prior to the issuance of the use and occupancy permit;

(3) One-hundredth of one per centum (0.10%) of the assessed value of buildings or structures annually payable upon payment of the real estate tax, except on structures used as single family dwellings;

(4) Two per centum (2%) of all premiums, excluding re-insurance premiums for the sale of fire, earthquake and explosion hazard insurance collected by companies, persons or agents licensed to sell such insurances in the Philippines;

(5) Two per centum (2%) of gross sales of companies, persons or agents selling fire fighting equipment, appliances or devices, including hazard detection and warning systems; and

(6) Two per centum (2%) of the service fees received from fire, earthquake, and explosion hazard reinsurance surveys and post loss service of insurance adjustment companies doing business in the Philippines directly through agents.

Section 13. Collection of Taxes, Fees and Fines. - All taxes, fees and fines provided in this Code, shall be collected by the BFP. Provided, That twenty percent (20%) of such collection shall be set aside and retained for use by the city or municipal government concerned, which shall appropriate the same exclusive for the use of the operation and maintenance of its local fire station, including the construction and repair of fire station: Provided, further, That the remaining eighty (80%) shall be remitted to the National Treasury under a trust fund assigned for the modernization of the BFP.

"Sec. 13-A. Assessment of Fire Code Taxes, Fees and Fines. - The assessment of fire code taxes, fees and fines is vested upon the BFP. The BFP shall, subject to the approval of the DILG, prescribe the procedural rules for such purpose.

Sec. 13-B. Collection and Assessment of Local Taxes, Fees and Fines. - The collection and assessment of taxes, fees and fines as prescribed in the Local Government Code, except those contained in this Code, shall be function of the concerned local government units.

Sec. 13-C. Use of Income Generated from the Enforcement of the Fire Code. - The Chief, BFP is authorized, subject to the approval of the Secretary of the Interior and Local Government, to use the income generated under the Fire Code for procurement of fire protection and fire fighting investigation, rescue, paramedics, supplies and materials, and related technical services necessary for the fire service and the improvement of facilities of the Bureau of Fire Protection and abatement of fire hazards.

The BFP shall determine the optimal number of equipment, including, but not limited to, fire trucks and fire hydrants, required by every local government unit for the proper delivery of fire protection services in its jurisdiction.

In the procurement of fire fighting and investigation supplies and materials, the Bureau of Product Standards of the Department of Trade and Industry shall evaluate, determine and certify if the supply to procured conforms to the product standards fixed by the BFP. For this purpose, the BFP shall submit to the Bureau of Product Standards a detailed set of product standards that must be complied with in the procurement of fire fighting and investigation supplies and materials within six (6) months from the effectivity of this act.

Sec. 13-D. Monitoring the Implementation of the Fire Code and the Amount of the Fees Collected. - The Chief, BFP shall, within six (6) month from the effectivity of this Code, submit to the Secretary of the Interior and Local Government for his/her approval, a management tool or mechanism that would ensure effective monitoring of the enforcement of the Fire Code to include the amount of Fire Code fees collected.

IRR of RA 9514

***NOTES**

SECTION 13.0.0.3 JURISDICTION

A. Fines

1. Fines up to thirty thousand pesos (PhP 30,000.00) shall be imposed by the City/Municipal Fire Marshal having jurisdiction.
2. Fines exceeding thirty thousand pesos but not more than forty thousand pesos (PhP 40,000.00) shall be imposed by the Provincial/District Fire Marshal having jurisdiction.
3. Fines exceeding forty thousand pesos up to fifty thousand pesos (PhP 50,000.00) shall be imposed by the Regional Director having jurisdiction.

B. Stoppage of Operation/Closure of Buildings

This penalty shall be imposed by the Regional Director upon the recommendation of the City/Municipal Fire Marshal having jurisdiction thru channel. The implementation of this order may be delegated to the Provincial/District Fire Marshal having jurisdiction.

C. Declaration of Public Nuisance

The declaration of a building, structure or facility as a public nuisance pursuant to Section 9 of RA 9514 shall be made by the Chief, BFP upon the recommendation of the City/Municipal Fire Marshal having jurisdiction thru channel.

SECTION 10.2.4.2 CLASSIFICATION OF HAZARD OF CONTENTS

A. The hazard of contents of any building or structure shall be classified as follows:

1. Low Hazard

Those of such low combustibility that no self-propagating fire therein can occur and that consequently, the only probable danger requiring the use of emergency exits will be from panic, fumes or smoke or fire from some external source.

2. Moderate Hazard

Those which are liable to burn with moderate rapidity or to give off a considerable volume of smoke but from which neither poisonous fumes nor explosions are to be expected in the event of fire.

3. High Hazard

Those which are liable to burn with extreme rapidity or from which poisonous gases or explosions are to be expected in the event of fire.

Classification of Occupancy

1. Assembly
2. Educational
3. Health Care
4. Detention & Correctional
5. Residential
6. Mercantile
7. Business
8. Industrial
9. Storage
10. Mixed Occupancies
11. Miscellaneous

Fire Marshals – has descretion on the classifications of buildings

3 or less storeys bldg – heat resistance = 1hr

4 or more storeys bldg – heat resistance = 2hr

Means of Egress – a continous and unobstructed path of travel (either horizontal or vertical) from the remotest part of the bldg leading to a public way

3 Distinct Parts of Means of Egress

1. Exit Access – should not be more than 46m; leads to an exit; 61m if w/ sprinklers/emergency lights
2. Exit – separated from all other spaces of bldg/structure by construction/equipment that provides a protected path of travel to the exit discharge
3. Exit Discharge

Drills – inculcating safest & fastest way to evacuate a bldg during emergency situations

Exit sign – illuminated

Exit door – self-closing

Exit discharge – between the termination of an exit and a public way

High-rise bldg – 15m and above; 1storey = 3m/4-5m

FDAS – Fire Detection & Alarm System

Sound Alarm – not less than 85 decibels

Strobe Lights – blinkers

Dry Standpipe – orifice 1 ½; connect hose from firetruck to connect to sprinklers

Wet Standpipe – inlet w/ 4inches orifice; has water; mandatory to bldg w/ occupant load of ≥ 1000 ;

4storey & above; school, hospital, detention & correctional

FIRE EXTINGUISHERS FOR DIFFERENT TYPES OF CLASS A HAZARDS

TYPE OF HAZARD	MIN. EXTINGUISHER RATING	MAX. TRAVEL DISTANCE TO EXTINGUISHER (m)	MAX. AREA (OPEN AREA) PER EXTINGUISHER (m2)
Low	2-A	15	200
Moderate	3-A	12	100
High	4-A	10	75

FIRE EXTINGUISHERS FOR DIFFERENT TYPES OF CLASS B HAZARDS

TYPE OF HAZARD	MIN. EXTINGUISHER RATING	MAX. TRAVEL DISTANCE TO EXTINGUISHER (m)	MAX. AREA (OPEN AREA) PER EXTINGUISHER (m2)
Low	5-B	10	200
Moderate	10-B	10	100
High	40-B	10	75

Fire Safety Related Codes, NFPA Laws and other BFP issuances (Building Code, Electrical Code)

Fire Safety Related Codes:

1. Memorandum Circular (MC) No. 2010-017 – Guidelines in the Approval of Alternative And/Or Remedial Fire Safety Measures
2. MC No. 2010-67 – Repeal of MC 2005-143, dated Dec. 15, 2005, and Titled, “Fire and Life Safety Assessment Report”
3. MC no. 2011-05 – Intensifying Fire Safety Enforcement in the BFP and Institutionalizing Standard Processes in the Conduct of Inspection and Defining Accountabilities of Concerned BFP Personnel in the Inspection and Issuance of Fire Safety Inspection Certificate
4. MC No. 2011-06 – Supplemental Guidelines for the Effective Transitory Compliance from the Old

Fire Code (PD 1185) to the New Fire Code of 2008 (RA 9514) Amending Sec 14.0.0.7 of the Implementing Rules and Regulations of RA 9514

5. MC No. 2009-010 – Submission of Accomplishment Report for Fire Prevention Activities
6. MC No. 2009-011 – Creation of the Fire Code Implementation Action Group (FCIAG)
7. MC No. 2009-016 – Training Module for Fire Volunteers, Members of Fire Brigade and Fire Safety Practitioners
8. MC No. 2009-017 – Guidelines on the Issuance of Certificate of Competency for Fire Volunteers, Members of Fire Brigades, Fire Safety Practitioners and Organizations Dealing with Fire Safety
9. MC No. 2009-018 – Guidelines in the Production, Control and Distribution of Standard Fire Prevention Forms
10. MC No. 2011-007 – Guidelines in the Printing and Production of BFP Warning Signs
11. MC No. 2011-009 – Supplemental Guidelines in the Printing of Standard Fire Prevention Forms and Posting of BFP Advocacy Campaign Against Personnel Directly or Indirectly Participating in the Selling and/or Posing as Agent of Fire
12. MC No. 2012-06 – Collection of Fire Code Revenues
13. MC No. 2011-73 – Implementing Details of Sec.14.0.0.7 of the IRR of RA 9514
14. MC No. SOP-2012-001 – SOP in the Preparation and Issuance of Inspection Order, After Inspection Report and Level of Authority of City/Municipal Fire Station, Provincial/District Offices and Regional Headquarters in the Conduct of Fire Safety Inspection
15. MC No. 2009-188 – Guidelines for the Assessment, Collection, Deposit, Remittance and Utilization of the Fire Code Revenues

BFP Issuances

1. Fire Safety Inspection Clearance
2. Fire Safety Evaluation Clearance
3. Fire Safety Inspection Certificate
4. Certificate of Competency
5. Fire Safety Installation Certificate

ELECTRICAL CODE:

BRANCHES OF ENGINEERING IN THE FIELD OF ELECTRICITY

Electrical Engineering – A field that is concerned with the generation, distribution, and use of electrical power.

Electronics Engineering – A related branch of the field of electricity devoted to the processing, communication, and storage of information by electronic means.

EXCERPTS FROM THE PHILIPPINE ELECTRICAL CODE (2000 Edition)

Includes all revisions and additions adopted by the Code Committee indorsed by the Institute of Electrical Engineers and approved by the Board of Electrical Engineering Professional Regulations Commission. It supersedes all previous editions dated 1962, 1969, 1980, 1985, and 1992.

Objective: The Philippine Electrical Code have been formulated and developed to safeguard persons and property from hazards arising from the use of electricity.

Authority: Resolution #57 (Board of Electrical Engineering, PRC) – Adoption of the Revised Philippine Electrical Code, 2000Ed as part of the rules and regulations governing the practice of electrical engineering as a referral code

ENFORCEMENT

This code is intended for mandatory application by government bodies exercising legal jurisdiction over

electrical installation.

These government bodies will have the responsibility of implementing the provisions of this code in deciding on the approval of equipment and materials and for granting the special permission contemplated in this code, where it is assured that equivalent objectives can be achieved by establishing and maintaining effective safety.

SCOPE

This Code covers electric conductors, cables, and equipment installed within or on, to or from:

1. Private and public buildings;
2. Electric generating plants;
3. Industrial plants;
4. Transformer stations;
5. Permanent and temporary sub-stations;
6. Airfields;
7. Railways switchyards;
8. Yards, carnival, parking and other lots;
9. Quarries and mines;
10. Watercrafts;
11. Dockyards;
12. Trailers;
13. Mobile homes;
14. Offshore facilities; and
15. Other premises requiring electrical installations, except aircraft, motor vehicles and railway rolling stocks.

DEFINITION OF TERMS

1. *Accessible (as applied to wiring methods)* – Capable of being removed or exposed without damaging the

building structure or finish or not permanently closed in by the structure or finish of the building.

2. *Accessible (as applied to equipment)* – Admitting close approach, not guarded by locked doors, elevation or other effective means.

3. *Accessible, readily* – Capable of being reached quickly for operation, renewal or inspection, without requiring those to whom ready access is requisite to climb over or remove obstacles or to resort to portable ladders.

4. *Ampacity* – The current in amperes that a conductor can carry continuously under the conditions of use without exceeding its temperature rating.

5. *Amperage* – Strength of an electrical current.

6. *Appliances* – Utilization equipment, generally other than industrial, normally built in standardized sizes or types, which are installed or connected as a unit to perform one or more functions.

7. *Circuit* – The entire course traversed by an electrical current.

8. *Branch Circuit* - The circuit conductors between the final overcurrent device protecting the circuit and the outlet/s.

9. *Circuit Breaker* – A device designed to open and close a current by non-automatic means and to open the circuit automatically on a predetermined overcurrent without damage to itself when properly applied within its rating.

10. *Closed Circuit* – Current is not interrupted and the flow of electricity is continuous.

11. *Open Circuit* – When the circuit is interrupted and the current will stop flowing.

12. *Current* – Movement or flow of electricity passing through a conductor.

13. *Alternating Current* - Current which periodically reverses its direction.

14. *Direct Current* – Current flowing continuously from one direction.

15. *Electric sign* – A fixed, stationary or portable electrical illuminated utilization equipment with words or symbols designed to convey information or attract attention.

16. *Emergency light* – All lights in theaters or any other building used for public assembly which is kept lighted continuously while the building is being used to provide safe exit or entry.

17. *Exposed* – As applied to live parts, capable of being inadvertently touched or approached nearer than a safe place or distance by a person.

18. *Jumper* – A short length of conductor used for connection between terminals or around a break in a circuit.

19. *Junction box* – A box with a cover which serves the purpose of joining different run of wires or cables and is provided with sufficient space for connection or branching of enclosed conductors.

20. *Outlet* – A point on the wiring system at which current is taken to supply utilization equipment.

21. *Over current* – Any current in excess of the rated current of an equipment or ampacity of a conductor.

22. *Overload* - Operation of an equipment in excess of normal full load rating, or of a conductor in excess of greater ampacity.

23. *Service drop* – The overhead service conductors from the last pole or other aerial support to and including the splices, if any, connecting the service entrance conductors at the building or other structure.

24. *Voltage drop* – The difference between the magnitude of the sending end voltage and the receiving end voltage.

KINDS OF RULES

1. *Mandatory Rules* – Mandatory rules of this Code are those that identify actions that are specifically required or prohibited and are characterized by the use of the terms *shall* and *shall not*.

2. *Permissive Rules* – Those that identify actions that are allowed but not required, and are normally used to describe options or alternative methods and are characterized by the use of the terms *shall be permitted* or *shall not be required*.

3. *Explanatory Materials* – Explanatory materials, such as references to other standards, references to related sections of this Code, or information related to referral Code rule, are included in this Code in the form of *fine print notes* (FPN). Fine print notes are informational only and are not enforceable as requirements of this Code.

EXAMINATION OF EQUIPMENT FOR SAFETY

It is the intent of this Code that factory-installed internal wiring or the construction of equipment need not be inspected at the time of installation of the equipment, except to detect alterations or damage, if the equipment has been tested by a qualified testing laboratory that is recognized as having facilities described above and that requires suitability for installation in accordance with this Code.

WIRING PLANNING

1. *Future Expansion and Convenience* – Plans and specifications that provide ample space in raceways, spare raceways, and additional spaces will allow for future increases in the use of electricity. Distribution

centers located in readily accessible locations will provide convenience and safety for operation.

2. *Number of Circuits in Enclosures* – It is provided in this Code that the number of wires and circuits confined in a single enclosure will minimize the damaging effects from short circuit or ground fault in the circuit.

PERMITS AND INSPECTION CERTIFICATES

Before starting any installation work, alteration, repair, or extension on any electrical system, the owner, leaser, operator, occupant, or electrical practitioner shall obtain an Electrical Permit for buildings, trailers, mobile houses or other premises from the Office of the Local Building Official and for watercrafts from the Maritime Industry Authority (MARINA).

REQUIREMENTS FOR APPLICATION OF ELECTRICAL PERMITS

1. Application filed in due form, with following information contained:

Box 1 – Duly qualified Electrical Practitioner.

Box 2 – Professional Electrical Engineer who signed and sealed electrical plans and specifications.

Box 3 – Duly registered Electrical Contractor with specialty in electrical works.

Box 4 – Electrical Practitioner in charge of installation.

Box 5 – Owner/ Authorized Representative.

2. Five (5) sets of complete electrical plans and specifications signed and sealed by Professional Electrical Engineer.

ISSUANCE OF ELECTRICAL PERMIT

The application, upon receipt, shall be checked immediately by the Local Building Official or his representative for compliance of requirements. If complied, the electrical permit shall be issued upon payment of the corresponding fees.

If the project is extensive and require more time for checking and computations of fees, the issuance of an electrical permit need not be issued immediately. The delay shall be longer than five (5) working days after which the application, together with the accompanying plans shall be considered as complying with all the requirements and the electrical permit shall issued immediately thereafter, upon payment of fees.

POSTING OF ELECTRICAL PERMIT

A copy of the electrical permit shall be posted in a conspicuous location on the job site and shall not be removed until final inspection and approval of the work shall have been made.

ELECTRICAL INSPECTIONS

Application for Inspection – An application for inspection shall be filed with the government authority concerned before preliminary or final inspection is done.

Certificate of Inspection – No electrical installation, alteration and/or addition shall be connected or reconnected to any power supply or any other source of electrical energy without a Certificate of Final Inspection/Completion obtained from the government authority concerned.

SPECIAL PERMITS

Temporary Installation – For temporary electrical installation, the same procedure stated shall be followed. At the end of the period covered by the certificate of inspection, the temporary installation shall be removed. Extended use of the temporary installation shall require a new approved electrical permit.

Reconnection of Disconnected Service – Where service has been cut off for more than one (1) year, a new certificate of final electrical inspection shall be required before reconnection.

Installation Without Permit – Installation of not more than two (2) additional general purpose branch circuit for lighting and receptacle/convenience outlets may be done without electrical permit and certificate of final inspection/completion.

Special Permission – Electrical equipment and wiring not specifically covered or mentioned in the various articles of this Code shall require special permission and approval of the enforcing government authority concerned prior to installation.

PLANS AND SPECIFICATIONS

Plan Requirements:

1. Location and site plans
2. Legend and symbols.
3. General notes and or specifications.
4. Electrical layout.
5. Schedule of loads.
6. Design analysis.
7. One-line Diagram.

OTHER DETAILS

Exposed Conductors:

1. Means of support and type of insulator.

2. Spacing and clearances.

Private pole installation

LOCATION OF POLES AND CLEARANCES OF POWER LINES ALONG PUBLIC ROADS

All poles located on public roads shall be covered by Approved Pole Location plan from the Highway District City/Municipal Engineer.

Poles and transformer supports shall be located *not more than 500 mm. inside* from the road right-of-way or property line, and shall not obstruct the sidewalk, pedestrian path and/or the road drainage canal or structure, existing or proposed.

Primary lines shall have a minimum vertical clearance of *10 M.* from the crown of the pavement when crossing the highway and *7.5 M.* from the top of the shoulder or sidewalk when installed along the side of the highway or street in a highly urbanized areas.

Secondary, neutral and service lines shall have a minimum vertical clearance of *7.5 M.* from the crown of the road pavement when crossing the highway and from the top of the shoulder or sidewalk when installed along the side of the highway or street in highly urbanized areas.

Clearances of Supporting Structures such as Poles, Towers, and others and their guys and braces measured from the nearest part of the objects concerned:

1. From **fire hydrants**, *not less than 5 M.*
2. From Street Corners, where **fire hydrants** are *located*, poles and towers shall not be set so far from the corners as to make necessary the use of the flying taps which are inaccessible from the poles.
3. From curbs, *not less than 150 mm.* measured from the curb away from the roadway.
4. Guy wires and other structures shall in no way be installed as to obstruct pedestrian and/or vehicular traffic.

ATTACHMENT ON AND CLEARANCES FROM BUILDINGS

Where buildings exceed *15 M.* in height, overhead lines shall be arranged where practicable so that a clear space or zone at least *2 M.* wide will be left, either adjacent to the building or beginning not over *2.5 M.* from the building to facilitate the *raising of ladders when necessary for fire fighting.*

CLEARANCES OF SERVICE DROPS

Clearances Over Roof: Conductors shall have a clearance of *not less than 2.5 M.* from the highest point of roofs over which they pass with the following exceptions:

1. Where the voltage between the conductors does not exceed 300 volts and the roof has a slope of not less than *100 mm. in 300 mm.*, the clearance may not be *less than 1 M.*

2. Service drop conductors of 300 volts or less which do not pass over, other than a maximum of *1.2 M.* of the overhang portion of the roof for the purpose of terminating at a through-the-roof service raceway or approved support may be maintained at a minimum of *500 mm.* from any portion of the roof over which they pass.

Clearance from the Ground: Conductors shall have a clearance of *not less than 3 M.* from the ground or from any platform or projection from which they might be reached.

Clearance from Building Openings: Conductors shall have a horizontal clearance of *not less than 1 M.* from windows, doors, porches, **fire escapes**, or similar locations and shall be run at least *500 mm.* above the top level of a window or opening.

Service Drop of communication lines, when crossing a street, shall have a clearance of *not less than 5.5 M.* from the crown of the street or sidewalk over which it passes.

Service drop of communication lines shall have a minimum clearance of *3.0 M.* above ground at its point of attachment to the building or pedestal.

EMERGENCY SYSTEMS

The provisions of this Section shall apply to the installation, operation and maintenance of circuits, systems and equipment intended to supply illumination and power in the event of failure of the normal supply or in the event of accident to elements of a system and property where such systems or circuits are required by the **Fire Code** or by any government agency having jurisdiction.

Emergency systems are generally installed in places of assembly where artificial illumination is required, such as buildings subject to occupancy by large numbers of persons, hotels, theaters, sports arenas, hospitals and similar institutions. Emergency systems provide power for such functions as refrigeration, operation of mechanical breathing apparatus, ventilation essential to human life, illumination and power for hospital rooms, **fire alarm systems**, **fire pumps**, industrial processes where current interruption would produce serious hazards, and other similar functions.

INTERPRETATION

The Board of Electrical Engineers, Professional Regulations Commission, shall render the final decision in the interpretation of any portion of the Philippine Electrical Code in case of a controversy.

THE NEW NATIONAL BUILDING CODE

IMPLEMENTING RULES AND REGULATIONS

RULE I: GENERAL PROVISIONS

1. Title

1.1 REVISED IMPLEMENTING RULES AND REGULATIONS OF THE NATIONAL BUILDING CODE OF THE PHILIPPINES (P.D. 1096) referred to as the IRR

2. Declaration of Policy

2.1 To safeguard life, health, property, and public welfare and to provide a framework of minimum standards and requirements to regulate and control the location of buildings, site, design, quality of material, construction, use and maintenance.

3. Scope and Application

3.1 Shall cover architectural, civil/structural, electrical, mechanical, sanitary, plumbing, electronics and interior design. Shall apply to design, location, siting, construction, alteration, repair, conversion, use, occupancy, maintenance, moving, demolition of and addition to public and private building and structures except traditional indigenous family dwellings and economic and socialized housing projects.

3.2 Existing buildings without building permits/certificates of occupancy may be issued same provided they conform to these rules and regulations

RULE II “ ADMINISTRATION AND ENFORCEMENT

1. Responsibility for Administration and Enforcement “ Secretary of Department of Public Works and Highways

2. Professional and Technical Assistance “ created the National Building Code Development Council (NBCDC) with the Board of Consultants (BOC) “ undertake research and development of building systems to develop suitable guidelines, standards, upgrade existing IRR and other codes.

3. Fees

1. Bases of assessment

1. Character of occupancy or use of building
2. Cost of construction “ 10,000/sq.m (A,B,C,D,E,G,H,I), 8,000 (F), 6,000 (J)
3. Floor area
4. Height

4. Administrative Sanctions

4.1 Administrative sanctions for non-compliance of the Code:

4.1.1 Non-issuance, suspension or revocation of permits

4.1.2 Non-issuance, suspension or revocations of certificates of occupancy

4.1.3 Issuance of Work Stoppage Order or Notice.

4.1.4 Issuance of Order for Discontinuance of Use or Occupancy of Buildings or parts thereof

5. Abatement and/or demolition of dangerous/ruinous buildings
6. Impositions of administrative fines, surcharges and penalties

5. Grounds for the Non-issuance, Suspension, Revocation of Permit

1. Non-compliance of plans and specifications with the Code
2. Incorrect or inaccurate data or information found in the application
3. Non-compliance with terms and conditions of permit
4. Failure to commence work within one year
5. Abandonment of work for 120 calendar days
6. Unauthorized change in the submitted plans and specifications and in the type of construction
7. Failure to engage an architect/civil engineer to undertake full time supervision or failure to keep a logbook of the progress of construction
8. Failure to submit the original design plans stamped by the BO or the as-built plans prior to renovation, alteration, conversion or any change affecting structural stability, architectural presentability and type of construction

6. Grounds for Non-issuance or revocation of Certificates of Occupancy:

1. Non-compliance with terms and conditions of permits
2. Incorrect or inaccurate data or information supplied and incomplete requirements in the application
3. Failure to submit the logbook, duly notarized Certificate of Completion, as-built plans and specifications, and building inspection sheets

7. Issuance of Work Stoppage Order or Notice:

1. Non-compliance with the terms and conditions of permits
2. Unauthorized change, modification or alteration in the approved plans and specifications or in the type of construction
3. Failure to engage the services of an architect/civil engineer to supervise construction
4. Erecting, constructing, altering, moving, converting or demolishing without permit
5. Alteration, addition, repair in buildings constructed before the adoption of this

- code without permit
- 6. Unauthorized change during construction from the approved plans and specifications
- 8. Issuance of Order for Discontinuance of Use or Occupancy “ annual inspection
 - 1. Dangerous or Ruinous Building
 - 2. Occupancy of building without a Certificate of Occupancy
 - 3. Change in the existing use or occupancy classification without Certificate of Change of Occupancy
 - 4. Errors found in the application for Certificate of Occupancy, As-built plan, Notarized Certificate of Completion and Logbook
 - 5. Maintaining hazardous, dangerous and excessive occupancy loading beyond the designed capacity of the building
- 9. Non-conforming Use or Occupancy
 - 1. The use of non-conforming buildings legally authorized under the Code maybe continued.
 - 2. However, non-conforming buildings cannot be enlarged, increased or extended to occupy a greater area of land than that already occupied.
- 10. Abatement/Demolition of Dangerous/Ruinous Building
 - 1. The BO shall order the repair, vacation or demolition of dangerous or ruinous building. Conditions or defects of dangerous or ruinous buildings:
 - 1. Structural Hazards
 - 2. Fire Hazard
 - 3. Hazardous Electrical Wiring
 - 4. Hazardous Mechanical Installation
 - 5. Inadequate Sanitation/Plumbing and Health Facilities
 - 6. Improper Occupancy and Architectural Eyesore
 - 7. Improper/Unauthorized Location
 - 8. Illegal Construction

RULE III “ BUILDING PERMITS AND INSPECTIONS

1. Building Permits

1.1 No person, firm or corporation shall construct, alter, repair, convert, use, occupy, move, demolish and add any building without a building permit.

2. Ancillary Permits

2.1.1 Architectural Permit

2.1.2 Civil/Structural Permit

2.1.3 Electrical Permit

2.1.4 Mechanical Permit

2.1.5 Sanitary Permit

2.1.6 Plumbing Permit

2.1.7 Electronics Permit

2.1.8 Interior Design Permit

2.1.9 Other Permits for other professional disciplines

3. Building/Structure Accessory Permits “ accessory parts with very special functions indicated or implied in the plans and specifications

3.1 Bank and records vaults

3.2 Swimming pools

3.3 Firewalls separate from the building

3.4 Towers

3.5 Silos

3.6 Smokestacks

3.7 Chimneys

3.8 Commercial/industrial fixed ovens

3.9 Industrial kilns/furnaces

3.10 Water/Waste water treatment tanks, septic vault

3.11 Concrete and steel tank

3.12 Booths, kiosks and stages

3.13 Tombs, mausoleums and niches

3.14 Others

4 Accessory Permits - activities

4.1 Ground preparation and excavation permit

4.2 Encroachment of foundation to public area permit

4.3 Fencing permit for fence exceeding 1.80 m high

4.4 Sidewalk construction permit

4.5 Temporary sidewalk enclosure and occupancy permit

4.6 Erection of scaffolding permit

4.7 Erecting, repair, removal of sign permit

4.8 Repairs permit

4.9 Raising Permit

4.10 Demolition permit

4.11 Moving permit

4.12 Other

5. Exemption from Building Permits

A building permit shall not be required for the following minor constructions:

Minor Constructions

Sheds, outhouses, greenhouses, childrens playhouses, aviaries, poultry houses and the like not exceeding six sq.m. completely detached from any building

Addition of open terraces or patios directly on the ground not exceeding twenty sq.m. for private use

Installation of window grilles

Garden pools, aquarium fish not exceeding five hundred mm in depth and for private use

Garden masonry wall not exceeding 1.20 m in height, footpaths, residential garden walks and driveways

2. Repair works

1. Repair works not affecting structural members
2. Repair of non-load bearing partition walls
3. Repair of any interior portion of a house not involving addition or alteration
4. Repair/replacement of doors and windows
5. Repair/replacement of flooring
6. Repair of perimeter fence and walls
7. Repair/replacement of plumbing fixtures, fittings or pipings for single detached dwellings and duplexes
8. Repair/replacement of defective and deteriorated wires, wiring devices, fixtures and safety devices provided that no alterations on the electrical service entrance and the main safety switch or circuit breaker and without additional circuits to existing installations for single detached dwellings

6. Requirements

- In case the applicant is the registered owner of the lot:
 - Certified true copy of OCT/TCT, on file with the Registry of Deeds
 - Tax Declaration
 - Current Real Property Tax Receipt
 - In case the applicant is not the registered owner of the lot in addition to the above:
 - Duly notarized copy of the Contract of Lease or Sale
 - Duly notarized copy of the Deed of Absolute Sale
3. Five sets of survey plans, design plans, specifications signed and sealed by:
 1. Architect, in case of architectural documents
 2. Civil Engineer, in case of civil/structural documents
 3. Professional Electrical Engineer, in case of electrical documents
 4. Professional Mechanical Engineer, in case of mechanical documents
 5. Sanitary Engineer, in case of sanitary documents
 6. Master Plumber, in case of plumbing documents

7. Electronics Engineer, in case of electronics documents
8. Environmental Planner who is also an architect or civil engineer in case of developmental/environmental documents
9. Interior Designer, in case of interior design documents
10. Geodetic Engineer, in case of lot survey documents

7. Issuance of Building Permit

7.1 When satisfied that the plans and specifications conforms to the requirements of the Code and its IRR, the BO shall within fifteen days from payment of the required fees, issue the Building Permit.

2. Non-issuance, Suspension or Revocation of Building Permit
 1. Errors found in the plans and specifications
 2. Incorrect or inaccurate data or information supplied
 3. Non-compliance with the pertinent provisions of the Code and its IRR
3. Terms and Conditions of Permits
 1. Submitted plans and specifications shall not be changed, modified or altered without the approval of the BO.
4. Validity of a Building Permit
 1. A building permit shall become null and void if the work is not commenced within one year and if suspended or abandoned for 120 days.

8. Processing of Application for Certificate of Occupancy

1. The owner shall submit to the BO
 1. A duly notarized Certificate of Completion together with the logbook, as-built plans and specifications and the Building Inspection Sheet all signed by the contractor and the architect/engineer who undertook the full time supervision.
 2. As-built plans and specifications signed and sealed by the design professionals, supervisor and contractor.
 3. Changes, alterations and amendatory permit.

RULE IV " TYPES OF CONSTRUCTION

1.1 Type I " wood construction

2. Type II " wood construction with protective fire-resistant materials and one-hour

fire resistive all throughout

3. Type III “ masonry and wood construction and one-hour fire resistive all throughout
4. Type IV “ steel, iron, concrete, or masonry construction and walls, ceiling and permanent partitions shall be of incombustible fire-resistive construction
5. Type V “ four hour fire-resistive throughout

RULE V “ REQUIREMENTS FOR FIRE ZONES

- Definition “ Fire zones are areas within which only certain types of buildings are permitted to be constructed based on their use or occupancy, type of construction and resistance to fire.
- Buildings located in more than one fire zone “ a building located partly in one fire zone and partly in another shall be considered to be in the more highly restrictive fire zone, when more than one third of its total floor area is located in such zone.

RULE VI “ FIRE RESISTIVE REQUIREMENTS IN CONSTRUCTION

- Definitions
 - Fire-resistive rating “ the degree to which a material can withstand fire as determined by generally recognized and accepted test methods.
 - Fire-Resistive Time Period Rating “ the length of time a material can withstand being burned which may be one hour, two hours, three hours, four hours
- 2. Fire-Resistive Regulations
 1. Attic access opening shall be provided at the ceiling of a floor of a building with combustible roof construction “ 600 mm sq.

RULE VII “ CLASSIFICATION AND GENERAL REQUIREMENTS OF BUILDINGS BY USE OR OCCUPANCY

GROUP A “ RESIDENTIAL (DWELLINGS)

Division A-1 residential buildings for exclusive use of single family occupants

- Indigenous family dwelling units
- single-detached units
- school or company staff housing
- church rectories
- single family dwellings
- churches or similar places of worship
- community facilities and social centers
- parks, playgrounds, pocket parks, parkways, promenades and playlots
- clubhouses and recreational uses such as golf courses, tennis courts operated by the government or private individuals as membership organizations for the benefit of their members, families and guests.

Division A-2 residential buildings for the exclusive use of non-leasing occupants not exceeding 10 persons

- single-attached or duplex or townhouse, each privately owned
- school dormitories (on-campus)
- convents and monasteries
- military or pocket barracks
- all uses in Division A-1
- pre-schools, elementary and high schools with not more than 16 classrooms
- outpatient clinics, family planning clinics, lying-in clinics, diagnostic clinics, medical and clinical laboratories
- branch library and museum
- steam/dry cleaning outlets
- party needs and accessories

GROUP B “ RESIDENTIAL (BUILDINGS/STRUCTURES, HOTELS AND APARTMENTS)

Division B-1

1. all uses in Divisions A-1 and A-2
2. Leased single detached dwelling unit, cottage with more than one independent unit and duplexes
3. boarding and lodging houses
4. multiple housing units for lease or for sale
5. townhouses, each privately owned
6. boarding houses
7. accessories, rowhouses, townhouses, tenements and apartments
8. multiple privately-owned condominium
9. hotels, motels, inns, pension houses and apartels
10. private or off-campus dormitories
11. elementary schools and highschoools not more than 20 classrooms

GROUP C- EDUCATION AND RECREATION (INSTITUTIONAL)

Division C-I

- amusement halls and parlors
- massage and sauna parlors
- health studios and reducing salons
- billiard halls, pool rooms, bowling alleys and golf club
- dancing schools, disco parks, dance and amusement hall
- gymnasias, pelota courts and sports complex

Division C-2

- educational institutions like schools, colleges, universities, vocational, seminaries, convents, including school auditoriums, gymnasia, reviewing stands, little theaters, concert halls, opera houses
- seminar/workshop facilities
- training centers/facilities
- libraries, museums, exhibition halls and art galleries
- civic centers, clubhouses, lodges, community centers
- churches, mosque, temples, shrines, chapels and similar places of worship
- civic or government centers
- other types of government buildings

GROUP D GOVERNMENT AND HEALTH SERVICES (INSTITUTIONAL)

Division D-1 (institutional where personal liberties of inmates are restrained or quarters of those rendering public assistance and maintaining peace and order)

1. mental hospitals, sanitarium and mental asylums
2. police and fire stations, guard houses
3. jails, prisons, reformatories and correctional institutions
4. rehabilitation centers
5. leprosaria and quarantine station

Division D-2 (institutional buildings for health care)

- hospitals, sanitarium and homes for the aged
- nurseries for children of kindergarten age or non-ambulatory patients accommodating more than 5 persons

Division D-3 (institutional for ambulatory patients or children over kindergarten age)

5. nursing homes for ambulatory patients
6. school and home for children over kindergarten age
7. orphanages

GROUP E “ BUSINESS AND MERCANTILE (COMMERCIAL)

Division E-1 (business and mercantile where no work is done except change of parts and maintenance requiring no open flames, welding or use of highly flammable liquids)

- all uses in Division B-1
- gasoline filling and station

- storage garage and boat storage
- commercial garage and parking buildings, display for cars, tractors, etc.
- bus and railways depots and terminals and offices
- port facilities
- airports and heliport facilities
- all other types of transportation complexes
- all other types of large complexes for public services
- pawnshops, money shops, photo and portrait studios, shoeshine/repair stands, retail drugstores, tailoring and dress shops
- bakeshops and bakery goods stores
- construction supplies and building materials such as electrical and electronic stores, plumbing supply stores

Division E-2 (business and mercantile in nature)

- wholesale and retail stores
- shopping centers, malls and supermarkets
- wet and dry markets
- restaurants, drinking and dining establishments with less than one hundred occupancies
- day and night clubs, bars, cocktails

Division E-3 (business and mercantile where no repair work is done except exchange of parts and maintenance requiring no open flames, welding or use of highly flammable liquid)

- aircraft hangars
- commercial parking lots and garages
- department stores, shopping malls

GROUP F “ INDUSTRIAL (NON-POLLUTIVE/NON-HAZARDOUS INDUSTRIES AND NON-POLLUTIVE/HAZARDOUS INDUSTRIES)

Division F-1 (Light industrial)

GROUP G “ STORAGE AND HAZARDOUS INDUSTRIAL (POLLUTIVE/NON-HAZARDOUS INDUSTRIES AND POLLUTIVE/HAZARDOUS INDUSTRIES ONLY)

Division G-1 (Medium Industrial which shall include storage and handling of hazardous and highly flammable materials)

Division G-2 (Medium Industrial buildings for storage and handling of flammable materials)

Division G-3 (Medium Industrial buildings for wood working activities, paper cardboard manufacturers, textile and garment factories)

Division G-4 (Medium Industrial, for repair garages and engine manufacture)

Division G-5 (Medium Industrial for aircraft facilities)

GROUP H “ ASSEMBLY FOR LESS THAN 1,000 (CULTURAL AND/OR RECREATIONAL)

Division H-1 (Recreational, which are assembly buildings with stage and having an occupant load of less than 1,000.

- Theaters and auditoriums
- concert hall and opera houses
- convention halls
- little theater, audio-visual room

Division H-2 (Recreational which are assembly buildings with stage and having an occupant load of 300 or more)

- dance halls, cabarets, ballrooms
- skating rinks
- cockfighting areas

Division H-3 (Recreational which are assembly buildings with stage and having an occupant load of less than 300

- dance halls, ballrooms
- skating rinks

GROUP J

Division J-1 agricultural structures

3. sheds
4. barns
5. poultry houses
6. piggeries
7. hatcheries

8. stables
9. greenhouses
10. granaries

Division J-2 Accessory

- private garages, carports
- towers and silos, smokestacks and chimneys
- swimming pools including shower and locker room
- stages, platforms and similar structures
- pelota, tennis or basketball courts
- tombs, mausoleums, niches
- fence over 1.80 m high
- steel or concrete tanks
- aviaries and aquariums and zoo structures
- banks and record vaults

3. Occupant loads

1. Determination of occupant load “ the occupant load shall be determined by dividing the floor area assigned to that use by the unit area per occupant set forth in Table VIII.3.1 or in the Architectural Code of the Philippines whichever required more exits.
2. The occupant load of any area having fixed seats shall be determined by the number of fixed seats installed.

4. Parking Slot, Parking Area and Loading/Unloading Space Requirements “ refer to attached Table VII.5.1

- In computing for parking slots, a fraction of 50% and above shall be considered as one car parking slot.
- In areas where adequate public parking lots/multi-floor parking garages are available within 200 m of the proposed building, only 30% of parking requirement need to be provided within their premises.

5. Allowable Maximum Total Gross Floor Area (TGFA)

1. General. The Allowable Maximum Total Gross Floor Area (TGFA) of any proposed building shall only be as allowed under this Rule
2. TGFA Limitation “ In Table VII.6.1. the percentages indicated in the 3rd through 8th columns are the percentages of the Total Lot Area (TLA) that may be used to determine the Allowable Maximum TGFA while the multiplier numbers 3, 5, 12, 18 and 30 represent the number of storeys.
3. The Allowable Maximum TGFA should not exceed the Allowable Maximum Volume of Building (AMVB). If exceeded, the Allowable Maximum TGFA must be adjusted since the AMVB must always prevail.

6. Allowed Height of Buildings/Structures

1. General. The maximum height and number of storeys of proposed building shall be

dependent upon the character of use or occupancy, on the type of construction, on end-user population density, light and ventilation, width of road right-of-way, building bulk, off-street cum off-site parking requirements and local land use plan and zoning regulations.

2. The Building Height Limit (BHL) shall only be as allowed under this Rule or under the duly approved city zoning ordinance, whichever is more restrictive (refer to Table VII.7.1)

RULE VIII “ LIGHT AND VENTILATION

1. Definitions

1. Maximum Allowable PERCENTAGE OF SITE OCCUPANCY (PSO) “ Maximum Allowable Building Footprint (AMBF) divided by Total Lot Area (TLA). Percentage of the maximum allowable enclosed floor area of any building at the ground floor in relation to the TLA. (Table VIII.4.1)
2. Maximum Allowable IMPERVIOUS SURFACE AREA (ISA) “ percentage of the maximum allowable floor area of any paved, tiled or hardscaped surface at the ground floor in relation to the TLA.
3. Maximum Allowable Construction Area (MACA) “ the combined total of the Maximum Allowable PSO and the Maximum Allowable ISA.
4. Maximum Allowable Unpaved Surface Area (USA) “ portion of the lot that shall remain unpaved and reserved for softscaping/planting
5. Total Open Space Within Lot (TOSL) “ the total open space required for each type of use.

2. General Provisions

1. Every building shall be designed, constructed and equipped to provide adequate light and ventilation
2. All buildings shall face a street or public alley or a private street which has been duly approved.
3. No building shall be altered nor arranged so as to reduce the size of any room or the relative area of windows to less than that provided for buildings, or to create an additional room unless it conforms to the requirements of this Rule.
4. No building shall be enlarged so that the dimensions of the required court or yard would be less than what is prescribed for such building lot.

3. Percentage of Site Occupancy (PSO)

1. Maximum site occupancy shall be governed by use, type of construction and height of the building and the use, area, nature and location of the site and subject to local zoning requirements.

4. Minimum Requirements for Total Open Spaces within Lot (TOSL)

- Group A buildings or Residential 1 (R-1) uses shall follow the minimum yard standards in Table VIII.6.1 to comply with the TOSL.

5. Sizes and dimensions of courts and yards

1. Minimum horizontal dimension of courts and yards shall be not less than two m. all inner courts shall be connected to a street or yard, either by a passageway with a minimum width of 1.20 m or by a door through a room or rooms.
2. Abutments on the side and rear property lines may be allowed provided that the following

requirements are first complied with:

1. Open space as prescribed in Tables VIII.5.1 and VIII.6.1
2. Window opening as prescribed in Section 10
3. Firewall with a minimum of two hours fire-resistive rating constructed with a minimum height clearance of 0.40 m above the roof. Fig. VIII.6.1
4. The required open space shall be located totally or distributed anywhere within the lot in such a manner as to provide maximum light and ventilation into the building (Fig. VIII.6.2 to VIII.6.5).
5. Every court shall have a width of not less than 2 m for one or two storey buildings, however this may be reduced to 1.50 m in case of quadruplexes, rowhouses with adjacent courts with an area of not less than 3.00 sq.m. provided that the separation fence shall not be higher than 2.00 m. irregularly-shaped lots may be exempted from having a minimum width of not less than what is required in Table VIII.5.2 and as shown in Figures VIII.6.6, VIII.6.7, VIII.6.8 and VIII.6.9.
6. For buildings of more than two storeys in height, the minimum width of the rear or side court shall be increased at the rate of 300 mm for each additional storey up to the fourteenth storey. For buildings exceeding 14 storeys in height, the required width of the court shall be computed on the basis of 14 storeys.

6. Ceiling Heights

1. Habitable rooms provided with artificial ventilation shall have ceiling heights not less than 2.40m. For buildings of more than 1 storey, the minimum ceiling height of the first storey shall be 2.70 m, for the second storey, 2.40 m. and for the succeeding storeys, 2.10 m. Above-stated rooms with natural ventilation shall have ceiling heights of not less than 2.70m.
2. Mezzanine floors shall have a clear ceiling height of not less than 1.80 m above and below it.

7. Sizes and Dimension of Rooms

1. Minimum sizes of rooms and their least horizontal dimensions shall be as follows:
 1. Rooms for human habitation " 6.00 sq.m. with a least dimension of 2.00 m.
 2. Kitchen " 3.00 sq. m. with a least dimension of 1.50 m.
 3. Bath and Toilet " 1.20 sq. m. with a least dimension of 900mm.

8. Window Openings

1. Rooms intended for any use not provided with artificial ventilation shall be provided with a window with a total free area equal to at least 10% of the floor area of the room but not less than 1.00 sq.m. Toilet and bath rooms and laundry rooms shall be provided with window with an area not less than 1/20 of the floor area but not less than 240 sq.mm. Such windows shall open directly to a court, yard, public street or alley or open watercourse.
2. Eaves, canopies, awnings over required windows shall not be less than 750 mm from the side and rear property lines.
3. There shall absolutely be no openings on/at/within/through all types of abutments (firewalls) erected along property lines except for permitted vent wells (3.00 m x 1.50 m).

9. Roads Right-of-Way (RROW) Access Streets

9.1 No building shall be constructed unless it adjoins or has direct access to public space, yard or street/road on at least 1 of its sides. All buildings shall face a public street, alley or a road.

RULE 1X SANITATION

- All buildings shall be provided with adequate and potable water supply, plumbing installation and suitable wastewater treatment or disposal system, storm water drainage, pest and vermin control, noise abatement device and other measures for protection and promotion of health of persons occupying the premises and others living nearby.

RULE X BUILDING PROJECTION OVER PUBLIC STREET

- Footings and foundations may be permitted to project into alleys or streets provided the same shall not obstruct any existing utilities/services such as power, water, sewer, gas, communication, and drainage lines
- The horizontal clearance between the outermost edge of marquee and the curb line shall be not less than 300 mm while the vertical clearance shall be not less than 3.00 m.

RULE XI PROTECTION OF PEDESTRIANS DURING CONSTRUCTION OR DEMOLITION

- No person shall use or occupy a street, alley or public sidewalk for the performance of work covered by a building permit except in accordance with the provisions of this Rule.

RULE XII GENERAL DESIGN AND CONSTRUCTION REQUIREMENTS

- All buildings shall be placed in or upon private property or duly designated public land and shall be securely constructed in conformance with the requirements of this Code.

BFP Citizens Charter, SOP/MC's on Fire Safety Inspection

Fire Investigation (15%)

The Law on Arson in the Philippines (RPC)

MALACAÑANG

M a n i l a

PRESIDENTIAL DECREE No. 1613

AMENDING THE LAW ON ARSON

WHEREAS, findings of the police and intelligence agencies of the government reveal that fires and other crimes involving destruction in Metro Manila and other urban centers in the country are being perpetrated by criminal syndicates, some of which have foreign connections;

WHEREAS, the current law on arson suffers from certain inadequacies that impede the successful enforcement and prosecution of arsonists;

WHEREAS, it is imperative that the high incidence of fires and other crimes involving destruction be prevented to protect the national economy and preserve the social, economic and political stability of the country;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order and decree as part of the law of the land, the following:

Section 1. Arson. Any person who burns or sets fire to the property of another shall be punished by Prison Mayor.

The same penalty shall be imposed when a person sets fire to his own property under circumstances which expose to danger the life or property of another.

Section 2. Destructive Arson. The penalty of Reclusion Temporal in its maximum period to Reclusion Perpetua shall be imposed if the property burned is any of the following:

1. Any ammunition factory and other establishment where explosives, inflammable or combustible materials are stored.
2. Any archive, museum, whether public or private, or any edifice devoted to culture, education or social services.
3. Any church or place of worship or other building where people usually assemble.
4. Any train, airplane or any aircraft, vessel or watercraft, or conveyance for transportation of persons or property
4. Any building where evidence is kept for use in any legislative, judicial, administrative or other official proceedings.
5. Any hospital, hotel, dormitory, lodging house, housing tenement, shopping center, public or private market, theater or movie house or any similar place or building.
6. Any building, whether used as a dwelling or not, situated in a populated or congested area.

Section 3. Other Cases of Arson. The penalty of Reclusion Temporal to Reclusion Perpetua shall be imposed if the property burned is any of the following:

1. Any building used as offices of the government or any of its agencies;
2. Any inhabited house or dwelling;
3. Any industrial establishment, shipyard, oil well or mine shaft, platform or tunnel;
4. Any plantation, farm, pastureland, growing crop, grain field, orchard, bamboo grove or forest;
4. Any rice mill, sugar mill, cane mill or mill central; and
5. Any railway or bus station, airport, wharf or warehouse.

Section 4. Special Aggravating Circumstances in Arson. The penalty in any case of arson shall be imposed in its maximum period;

1. If committed with intent to gain;

2. If committed for the benefit of another;
3. If the offender is motivated by spite or hatred towards the owner or occupant of the property burned;
4. If committed by a syndicate.

The offense is committed by a syndicate if its is planned or carried out by a group of three (3) or more persons.

Section 5. *Where Death Results from Arson.* If by reason of or on the occasion of the arson death results, the penalty of Reclusion Perpetua to death shall be imposed.

Section 6. *Prima Facie evidence of Arson.* Any of the following circumstances shall constitute prima facie evidence of arson:

1. If the fire started simultaneously in more than one part of the building or establishment.
2. If substantial amount of flammable substances or materials are stored within the building not necessary in the business of the offender nor for household use.
3. If gasoline, kerosene, petroleum or other flammable or combustible substances or materials soaked therewith or containers thereof, or any mechanical, electrical, chemical, or electronic contrivance designed to start a fire, or ashes or traces of any of the foregoing are found in the ruins or premises of the burned building or property.
4. If the building or property is insured for substantially more than its actual value at the time of the issuance of the policy.
4. If during the lifetime of the corresponding fire insurance policy more than two fires have occurred in the same or other premises owned or under the control of the offender and/or insured.
5. If shortly before the fire, a substantial portion of the effects insured and stored in a building or property had been withdrawn from the premises except in the ordinary course of business.
6. If a demand for money or other valuable consideration was made before the fire in exchange for the desistance of the offender or for the safety of the person or property of the victim.

Section 7. *Conspiracy to commit Arson.* Conspiracy to commit arson shall be punished by Prison Mayor in its minimum period.

Section 8. *Confiscation of Object of Arson.* The building which is the object of arson including the land on which it is situated shall be confiscated and escheated to the State, unless the owner thereof can prove that he has no participation in nor knowledge of such arson despite the exercise of due diligence on his part.

Section 9. *Repealing Clause.* The provisions of Articles 320 to 326-B of the Revised Penal Code and all laws, executive orders, rules and regulations, or parts thereof, inconsistent with the provisions of this Decree are hereby repealed or amended accordingly.

Section 10. *Effectivity.* This Decree shall take effect immediately upon publication thereof at least once in a newspaper of general circulation.

Done in the City of Manila, this 7th day of March, in the year of Our Lord, nineteen hundred and seventy-nine.

Constitutional Rights of the Accused

1. The right to free access to the courts and adequate legal assistance.
2. The right to be informed of his right to remain silent and to have counsel when under investigation for the commission of an offense.
3. The right against the use of torture, force, violence, threat, intimidation, or any other means which

vitiates the free will.

4. The right against being held in secret, incommunicado, or similar forms of solitary detention;
5. The right to bail and against excessive bail.
6. The right to due process of law.
7. The right to presumption of innocence.
8. The right to be heard by himself and counsel.
9. The right to be informed of the nature and cause of the accusation against him.
10. The right to have speedy, impartial, and public trial.
11. The right to meet the witnesses face to face.
12. The right to have compulsory process to secure the attendance of witnesses and the production of evidence in his behalf.
13. The right against self-incrimination.
14. The right against detention by reason of political beliefs and aspirations.
15. The right against excessive fines.
16. The right against cruel, degrading or inhuman punishment.
17. The right against infliction of the death penalty except for heinous crimes.
18. The right against double jeopardy.
19. The right against ex post facto law and bill of attainder.

Prima Facie Evidence of Arson

Prima Facie evidence of Arson. Any of the following circumstances shall constitute prima facie evidence of arson:

1. If the fire started simultaneously in more than one part of the building or establishment.
2. If substantial amount of flammable substances or materials are stored within the building not necessary in the business of the offender nor for household use.
3. If gasoline, kerosene, petroleum or other flammable or combustible substances or materials soaked therewith or containers thereof, or any mechanical, electrical, chemical, or electronic contrivance designed to start a fire, or ashes or traces of any of the foregoing are found in the ruins or premises of the burned building or property.
4. If the building or property is insured for substantially more than its actual value at the time of the issuance of the policy.
4. If during the lifetime of the corresponding fire insurance policy more than two fires have occurred in the same or other premises owned or under the control of the offender and/or insured.
5. If shortly before the fire, a substantial portion of the effects insured and stored in a building or property had been withdrawn from the premises except in the ordinary course of business.

6. If a demand for money or other valuable consideration was made before the fire in exchange for the desistance of the offender or for the safety of the person or property of the victim.

Rules of Court

Procedure and Techniques

Identification, Preservation and Handling of Evidence

Other Related Procedure and Techniques

SOP's on Fire and Arson Investigation

REPUBLIC OF THE PHILIPPINES

DEPARTMENT OF INTERIOR AND LOCAL GOVERNMENT

BUREAU OF FIRE PROTECTION

Rm 618, 145 Union Square Condominium, 15th Avenue, Cubao, Quezon City

Tel. No. 911-7085 Tel Fax: (02)911-7060

BUREAU OF FIRE PROTECTION

STANDARD OPERATING PROCEDURE

(BFP-SOP) NUMBER: IID 2008-01

OPERATIONAL STANDARDS ON COMPREHENSIVE

FIRE AND ARSON INVESTIGATION

AND FILING OF CRIMINAL COMPLAINT PROCEDURES

I. GENERAL

As mandated by the provisions of Section 50, Rule VIII, Implementing Rules and Regulations of Republic Act 6975, otherwise known as the Department of the Interior and Local Government Act of 1990, stipulates among others that the Bureau of Fire Protection shall have the power to investigate all causes of fire and if necessary, file the proper complaint with the City or Provincial Prosecutor's Office which has jurisdiction over the case. The tasks and responsibility of the fire arson investigators are not only limited in conducting exhaustive investigations and filing of complaints to the prosecutor's office but also includes the appearance and giving of testimonies before the court of law during legal proceedings.

The criminal offense of Arson is punishable under the Revised Penal Code particularly Articles 320 to 326-B as amended by Presidential Decree 1613, 1744 and Section 10 of Republic Act 7659 (Heinous Crime Law). As provided by law it is the prosecution who has burden of proof and the quantum of evidence is proof beyond reasonable doubt. Once proven, the maximum highest penalty for its commission is life imprisonment under the present rule since the abolition of the death penalty law. Arson is a classic heinous crime that requires skillful, scientific and systematic investigation procedure thus, the respective chiefs of the investigation and intelligence offices of the BFP are joined closely supervise the conduct of the investigation in order to attain effective and plausible results.

This BFP Standard Operating Procedure Nr. IID 2008 – 01 shall be known as: **OPERATIONAL STANDARDS ON COMPREHENSIVE FIRE AND ARSON INVESTIGATION AND FILING OF CRIMINAL COMPLAINT PROCEDURES.**

II. PURPOSE

A. To have a uniform and systematic procedures in the conduct of fire and arson investigation from the BFP National Headquarters down to the lowest investigation and intelligence units, to include the prompt submission of fire investigation reports.

B. To have a clear and explicable guidelines in conducting fire and arson investigation and the filing of the necessary complaint documents before the office of the City/Provincial Prosecutor.

C. To ensure the quality and value of the investigation being conducted by all BFP fire and arson investigators and to expedite the investigation process and disposition of fire and arson cases.

III. INITIAL ACTIONS DURING FIRE ALARM

During the occurrence of a fire incident, the following initial actions should be assumed by the fire arson investigator.

Section 1. – Upon the notification of a fire call or fire incident, the duty Fire Arson Investigator (FAI) who has jurisdiction over the location of the fire incident shall mandatory to immediately respond

at the soonest possible time. The conduct of initial inquiry through interview and elicitation from all available witnesses at the fire scene must be done instantaneously.

Section 2. – As soon as the area of origin or the focal point of the fire is ascertained, the FAI shall make necessary coordination with BFP firefighting personnel to include the volunteer fire brigades to exert diligent and careful efforts in the conduct of fire suppression operation in the identified AREA OF ORIGIN to preserve the EVIDENTIAL VALUE and the focal point of the fire that might be destroyed due to excessive flooding in the area.

Section 3. – The fire scene should be well protected and secured. Coordination with the local police units or barangay personnel should be done in order to secure the fire scene from looters and other persons who has intention of entering the burned premises, so as to avoid contamination of the fire area.

Section 4. – In the event that the FAI discovered SUSPECTED HAZARDOUS MATERIALS / suspected illegal or regulated chemicals, during the conduct of investigation of the burned premises, the circumstances shall be immediately reported to proper office (e.g: BFP Hazardous Materials Office, or other law enforcement agency).

Section 5. – Once the Fire Ground Commander (FGC) declared “FIRE OUT” the FAI shall take cognizance the responsibilities of PROTECTING and SECURING the whole fire scene by sealing / closing the perimeter with barricade tape (Fire Lines). Posting of uniformed BFP personnel for security purposes may also be carry out as deemed necessary.

IV. DUTIES OF THE FIRE ARSON INVESTIGATOR

The following are the mandatory duties of the Fire Arson Investigators conducting thorough investigation on the fire scene:

Section 1. – Shall perform systematic scientific examinations and visual reconstruction of the fire scene. This is also to include the COMPLETE DOCUMENTATION AND PROPER RECORDING of the fire area by the use of photography, diagrammatic sketch and notes. The diagrammatic sketch should clearly depict the FIRE SCENE, its AREA / POINT OF ORIGIN, AREA MEASUREMENTS, LOCATION OF EVIDENCE and other important details.

Section 2. – Conduct interview to all witnesses. The interview should be done in QUESTION AND ANSWER FORM and shall be done under oath preferably by a person of authority whenever available, or be administered by the concerned BFP officer with the rank of INSPECTOR and above. The authority of a BFP officer to administer oath is pursuant to the provisions of Chapter III, Section 50 of R.A. 6975. All witnesses to be conducted with a formal interview shall be FORMALLY INVITED to the fire station / investigation office concerned in a form of INVITATION LETTER. *(Please see attached Invitation Letter for reference – Annex A)*

Section 3. – Conduct THOROUGH ANALYSIS of the fire scene in order to identify the IGNITION SOURCE, initial materials ignited and other factors which bring them together to produce a fire. Examination of FIRE SPREAD and FIRE PATTERN which includes thermal effects on materials such as charring, oxidation, consumption of combustibles, smoke and soot deposits, distortion, melting effect, color change, changes of material structure and structural collapse, must be conducted.

Section 4. – Identify, recognize and collect physical evidence found at the fire scene that have PROBATIVE VALUE on fire cause determination. Pieces of evidence to be collected shall be photographed first and shall be collected in the presence of witnesses independent to the investigating body. PROPER DOCUMENTATION, SEALING and PACKAGING of evidence recovered prior to submission to Arson Laboratory Section (ALS) – BFP National Headquarters for laboratory examination shall be observed.

The FAI shall strictly follow the instructions pertaining to evidence collection and handling as stipulated in **MEMORANDUM CIRCULAR NR: 2006-01: GUIDELINES IN THE HANDLING, PRESERVATION, TRANSPORT AND SUBMISSION OF PHYSICAL EVIDENCE AT THE ALS – BFP NATIONAL HEADQUARTERS.** *(Memorandum Circular Nr. 2006-01 is hereto attached for reference – Annex B)*

Section 5. – On the first phase of the investigation, the FAI shall prepare the LISTING OF DOCUMENTS needed to be accomplished / submitted by the fire victim/s, building occupant/s and other parties affected by fire. The required documents are as follows: *(Please see attached standard letter for these requirements for the fire victims – Annex C)*

A. Affidavit of Loss pertaining to Fire Damage (itemized and duly notarized)

- B. Sworn statement of loss submitted to insurance adjusters / companies**
- C. Latest complete inventory of stocks prior to the fire incident**
- D. Complete inventory of salvaged items after the fire incident**
- E. Complete copies of insurance policies to include co-insurances**
- F. Income Tax Return (ITR) for the last three (3) years**
- G. Financial statements for the last three (3) years**
- H. Balance sheets for the last three (3) years**
- I. Mayor's permit and Business License**
- J. Occupancy permit**
- K. Department of Trade and Industry (DTI) registration**
- L. Securities and Exchange Commission (SEC) registration**
- M. Latest Fire Safety Inspection Certificate (FSIC)**
- N. Complete list of employees**
- O. Approved Floor, Building and Electrical Plans**
- P. Copy of lease contract agreement**
- Q. Land title / tax declaration**

Section 5.1 – The above listed documents to be secured to the fire victim will vary based on the TYPE OF OCCUPANCY or the INVOLVED STRUCTURE gutted by fire. Any other documents that may be irrelevant based on type of occupancy may not be required. In addition, the FAI are also AUTHORIZE TO REQUIRE any other pertinent documents, materials and items to the fire victims as determined by the FAI concerned, that will give support to the conduct of investigation.

Section 6 – The FAI must inform all concerned persons, occupants and managements of the burned premises that the fire scene is RESTRICTED TO ENTRY to any person until the investigation being conducted by the BFP at the burned premises is COMPLETED and / or TERMINATED.

Any REMOVAL, RETRIEVAL of items stored at the scene of the fire, DEMOLITION, RECONSTRUCTION and REHABILITATION of the fire scene is only allowed upon securing approval to the investigating body through submission of a formal written request by the fire victim.

The said formal written request should contain specific purpose. It should be addressed to the respective CHIEFS OF THE BFP INVESTIGATION AND INTELLIGENCE OFFICES through the FIRE ARSON INVESTIGATOR handling the case. The concerned Chief of the Investigation and Intelligence Office, together with his proper recommendation, shall endorse the subject letter request of the fire victim to the concerned BFP HEAD OF OFFICE, who shall then issue the PROPERTY RECOVERY AND CLEARING PERMIT (PRCP), to the requesting party. *(Please see attached standard PRCP format for reference –*

Annex D)

In such case that the fire incident is suspected to be INTENTIONAL in nature, issuance of PRCP is temporarily RESTRICTED, until proven otherwise. If the fire incident is found to be intentional in nature and case was already filed in the court of law, it will be the discretion of the court handling the case whether to issue appropriate document in the clearing or demolition of the burned premises.

Section 7. – In such event that death results from a fire incident (FATAL FIRES), the concerned FAI shall immediately sought the assistance of the Philippine National Police – Scene Of the Crime Operation (PNP – SOCO), or any other legal / recognized group for lifting and autopsy of the cadaver / body found at the fire / crime scene.

Section 8. – All conduct of follow-up investigation to the fire incident should be covered with appropriate Letter / Mission Order signed by the respective BFP Head of Office. *(Please see attached standard form of Mission Order for reference –*

Annex E)

Section 9. – All FAI are also directed and mandated to perform any other task as deemed essential to the development of case build-up and the exhaustive investigation being conducted.

V. FIRE REPORT CLASSIFICATIONS AND REPORTING SYSTEM

A. Spot Investigation Report (SIR) – Shall be made and accomplished by the FAI concerned during the actual response to a fire incident. The SIR should contain basic information about the fire incident. *(Please see attached standard SIR format for reference –*

Annex F)

All SIR must be submitted IMMEDIATELY (within 24 hours) to respective Fire Marshals with copy furnished the OFFICE OF THE CHIEF, BUREAU OF FIRE PROTECTION, thru fax message at the office of the INVESTIGATION AND INTELLIGENCE DIVISION – BFP National Headquarters with Telephone / Fax

Number: (02) 911-7223, for immediate information and recording purposes.

The copy (original copy / photo copy) of the SIR of all fire incident transpired within the respective Area Of Responsibility (AOR) shall be consolidate and be submitted thru proper CHANNEL. The respective OFFICE OF THE REGIONAL DIRECTOR FOR FIRE PROTECTION shall then submit the consolidate SIR to the office of the IID – BFP National Headquarters in BI-MONTHLY basis (every 15th and 30th day of the month) thru mail courier, for recording and proper disposition.

B. Progress Investigation Report (PIR) – Shall be made and accomplished by the FAI concerned after the conduct of follow-up investigation was made. The PIR or any succeeding PIRs (2nd PIR) shall be accomplished within 7 to 15 days. *(Please see attached standard PIR format for reference –Annex G)*
The copy (original copy / photo copy) of the PIR of all fire incident transpired within the respective (AOR) shall be consolidate and be submitted thru proper CHANNEL. The respective OFFICE OF THE REGIONAL DIRECTOR FOR FIRE PROTECTION shall then submit the consolidate PIR to the office of the IID – BFP National Headquarters in BI-MONTHLY basis (every 15th and 30th day of the month) thru mail courier, for recording and proper disposition.

C. Final Investigation Report (FIR) – Shall be made and accomplished by the FAI concerned upon the completion of the exhaustive investigation. All completed FIR should be signed by the concerned FAI and its respective Chief of the Investigation and Intelligence Office. *(Please see attached standard FIR format for reference – Annex H)*

The FIR should be submitted the soonest time the case was resolved by the investigating office handling the case. The maximum allowable time for the investigating body to submit the FIR shall be 30 to 45 DAYS commencing from the first day of investigation. On the given period, the FAI shall already come up with a proper RESOLUTION or RECOMMENDATION about the case being investigated. For the lower investigating units, the FIR shall be accomplished in five (5) complete copies for distribution to:

1. Office of the Chief, BFP thru the office of the Investigation and Intelligence Division, BFP National Headquarters;
2. Office of the Regional Director for Fire Protection;
3. Office of the District / Provincial Fire Marshal;
4. Office of the City / Municipal Fire Marshals.

The last copy (ORIGINAL or DOCUMENT ORIGINAL) shall remain in the possession of the FAI concerned for his own personal copy and for future verification.

No UNDETERMINED cause should be reflected in any FIR.

D. Fire Incident Investigation Report (FIIR) – This kind of investigation report can only be made in such circumstances that the investigation report cannot be completed for some reasons independent to the will of the FAI. *(Please see attached standard FIIR format for reference – Annex I)*

FIIR can only be accomplished in fire cases with UNDETERMINED cause and this kind of case should be considered as ON_PENDING INVESTIGATION, subject to REOPENING in circumstances that relevant evidence and / or a witness shall surface in the future.

The copy (original copy / photo copy) of the FIIR of all fire incident transpired within the respective AOR should also be consolidated and be submitted thru proper CHANNEL to the higher headquarters in BI-MONTHLY basis (every 15th and 30th day of the Month) thru mail courier, for recording and proper disposition.

VI. LEVEL OF AUTHORITY TO CONDUCT INVESTIGATION

Since fire incidents entails damages to property, the level of authority in conducting fire and arson investigation and completion of FIR will be based on the degree or the amount and value of the total (aggregated) damages incurred in a certain fire incident. These levels of authority are as follows:

A. Municipal Fire Marshal – Municipal Limit, LEVEL 1 – The municipal level, through its **MUNICIPAL INVESTIGATION AND INTELLIGENCE UNIT (MIIU)** shall have the full responsibility and power to investigate fire incidents with a total amount of damage not exceeding to Twenty Million Pesos (Php 20,000,000.00).

B. City Fire Marshal – City Limit, LEVEL 2 – The city level, through its **CITY INVESTIGATION AND INTELLIGENCE SECTION (CIIS)** shall have the full responsibility and power to investigate fire incidents with a total amount of damage not exceeding to Thirty Million Pesos (Php 30,000,000.00).

C. **District Fire Marshal** – District Limit, LEVEL 3 – The district level, through its **DISTRICT INVESTIGATION AND INTELLIGENCE BRANCH (DIIB)** shall have the full responsibility and power to investigate fire incidents with a total damages amounting to above Thirty Million Pesos (Php 30,000,000.00), but not exceeding to Forty Million Pesos (Php 40,000,000.00). DIIB operatives can assume the conduct of investigation on fire incidents with damages amounting to more than 20 Million Pesos in Municipal Levels only within their respective jurisdictions.

D. **Provincial Fire Marshal** – Provincial Limit, LEVEL 3 – The provincial level, through its **PROVINCIAL INVESTIGATION AND INTELLIGENCE BRANCH (PIIB)** shall have the full responsibility and power to investigate fire incidents with a total damages amounting to above Thirty Million Pesos (Php 30,000,000.00), but not exceeding to Forty Million Pesos (Php 40,000,000.00). PIIB operatives can assume the conduct of investigation on fire incidents with damages amounting to more than 20 Million Pesos in Municipal Levels only within their respective jurisdictions.

E. **Regional Director for Fire Protection** – Regional Limit, LEVEL 4 – The regional director for fire protection level, through its **REGIONAL INVESTIGATION AND INTELLIGENCE BRANCH (RIIB)** shall have the full responsibility and power to investigate fire incidents with a total damages amounting to above Forty Million Pesos (Php 40,000,000.00), but not exceeding to Sixty Million Pesos (Php 60,000,000.00).

F. **Chief, Bureau of Fire Protection** – National, LEVEL 5 – The Chief, Bureau of Fire Protection, through the office of the **INVESTIGATION AND INTELLIGENCE DIVISION – BFP National Headquarters (IID)** shall have the full responsibility and power to investigate fire incidents with a total damages amounting to above Sixty Million Pesos (Php 60,000,000.00).

- SPECIAL PROVISIONS ON CHAPTER VI OF THIS SOP:

Section 1. – In determination of the total damages incurred in a certain fire incident, the copy of the AFFIDAVIT OF LOSS (duly notarized and itemized) from the fire victim shall prevail. The amount of damages to be determined with regards to the Level of Authority to Conduct Investigation shall be the TOTAL AGGREGATED DAMAGES or the TOTAL SUM OF DAMAGES of all fire victims of the subject fire incident.

Section 2. – The fire damage estimate made by the investigating team / FAI shall not be the full basis for determination of jurisdictional level of investigation. Be it noted that Aggregate Damages refers to the total damage of the whole area burned, which will be used to determine the Level of Authority to Conduct Investigation. In such circumstances that the damage to property is apparently high or evidently beyond the level of authority of the present investigating units, the case shall be turned-over to higher investigating unit.

Section 3. – In circumstances that the property gutted by fire is currently insured in any insurance company, all copy of the duly accomplished SWORN STATEMENT OF LOSS submitted to the INSURANCE ADJUSTERS by the fire victim must also FORM PART and be ATTACHED together with the AFFIDAVIT OF LOSS submitted by the fire victim to the BFP investigating body.

Section 4. – In connection with the Level of Authority to Conduct Investigation, the concerned office handling the investigation of the fire incident shall issue FIRE CLEARANCE CERTIFICATE (FCC) to the fire victim in lieu of the Final Investigation Report (FIR), for purposes of insurance claims and for other lawful applications. FCC can only be issued to fire incidents which is ACCIDENTAL in nature. *(Please see attached two forms of FCC, for insurance and non-insurance purpose – Annex J)*

In such case that any BUILDING PREMISES WITH MULTIPLE OCCUPANCIES were gutted by fire, the FCC should only be issued to the concerned party where the FIRE ORIGINATED. Other occupants AFFECTED by the fire incident shall be issued with FIRE INCIDENT CERTIFICATION (FIC) for their record purposes and other legal use upon request. *(Please see attached two forms of FCC, for insurance and non-insurance purpose – Annex K)*

Section 5. – Issuance of the copy of the FIR to any concerned party can only be allowed in circumstances that RELEVANT LEGAL ISSUES and or QUESTIONABLE MATTERS may arise. The request for FIR should be made in writing by the requesting party and should be addressed to respective Chiefs of BFP Offices / Fire Marshals who handled the conduct of investigation on the fire incident for their appropriate action.

Section 6. – All written request for a copy of the FIR should COPY FURNISHED the Chief, Bureau of Fire Protection with attention to the office of the IID – BFP National Headquarters, for documentary

reference.

VII. TURN OVER OF INVESTIGATION TO HIGHER HEADQUARTERS

Once a fire incident could be determined by the investigating body to be beyond their Level of Authority to Conduct Investigation, the Conduct of Investigation, the conduct of investigation should be immediately turned-over to the proper office concerned in a form of ENDORSEMENT, together with the SIR and or PIR, to include all pertinent documents / attachments. *(Please see attached standard Endorsement form for reference – Annex L)*

Any other recognized investigating body of the government cannot INTERCEDE in the conduct of fire and arson investigation without formal communication to the concerned office handling the investigation. The intercession of any investigating body of the government should have LEGAL AUTHORITY in order to be allowed to conduct LATERAL INVESTIGATION in the investigation being conducted by the BFP. In case that a CONTROVERSY INVOLVED and / or CONCERNING TO CONFLICTING ISSUES arises in the conduct of investigation, subject fire incident case shall be turned over to the NEXT LEVEL OF INVESTIGATING BODY for appropriate action and disposition. However, lower investigating units are fully encouraged to resolve fire cases that fall within their respective Level of Authority.

In case that a fire incident resulted to a GREAT NUMBERS OF FATALITY / MULTIPLE DEATHS (death of 10 persons and above), or any other issues concerning to the death of the fire victims, the investigation of the subject fire incident upon the approval of the Chief BFP, should be turned over to the office of the IID – BFP National Headquarters for appropriate action.

Any other fire incidents shall be immediately turned over to the higher headquarters for investigation and completion of the Final Investigation Report upon the written order and direction of the Chief, Bureau of Fire Protection.

VIII. FILING OF COMPLAINT PROCEDURE

If a prima facie evidence of arson is established or the case is suspected to be INTENTIONAL in nature, the FAI concerned with the guidance of their respective City / Municipal Fire Marshal, should IMMEDIATELY file the appropriate charge to the prosecutors office who has jurisdiction over the case and the same must also be reported to the IID, BFP National Headquarters for further appropriate disposition and guidance. *(Please see attached Complaint Sheet for reference – Annex M)*

Whenever death results in any fire incident identified to be INTENTIONAL in nature, the MOTIVE for the commission of arson must immediately established in order to ascertain whether a crime of MURDER qualifies. Murder cases committed thru the burning of one's property may be referred to the Philippine National Police for proper disposition. However, the FAI should still pursue the filing of the arson case.

The FAI can immediately effect arrest on any suspect/s once such person is / are POSITIVELY IDENTIFIED by a complaint or witnesses to be the one who perpetrated the commission of the crime during the course of actual investigation, most specifically during the event of the actual fire incident, and in accordance with the law.

The following rights of the arrested suspect shall be observed by the FAI during CUSTODIAL INVESTIGATION as embodied under the provisions of R.A. 7438. The suspect shall be apprised of his constitutional rights in accordance to Section 12, Article III, 1987 Constitution, to wit:

- a. Any person under investigation for the commission of an offense shall have the right to be informed of his right to remain silent;
- b. To have competent and independent counsel preferably of his own choice;
- c. If the person cannot afford to the services of counsel, he must be provided with one;
- d. These rights cannot be waived except in writing and in the presence of a counsel.

All suspects, once arrested / invited by the FAI and determined to have the probability to commit the crime must immediately be INQUEST to the city / municipal prosecutor before the lapse of thirty six (36) hours or the legal regulated period.

The following are the special / supplemental guidelines for FAI in conducting arson investigation and filing of complaint procedures:

- Arson is established by proving the *corpus delicti*, usually in the form of CIRCUMSTANCIAL EVIDENCE such as the criminal agency, meaning the substance used, like gasoline, kerosene, or other combustible materials which caused the fire. It can also be in the form of electrical wires, mechanical, chemical or electronic contrivance designed to start a fire; or ashes or traces of such objects which are

found in the ruins of the burned premises.

- If the crime of ARSON was employed by the offender as a means to kill the offended party, the crime committed is MURDER. The burning of the property as the MEANS to kill the victim is what is contemplated by the word “fire” under Article 248 of the Revised Penal Code which qualifies the crime to MURDER.

- When the burning of the property was done by the offender only to cause damage but the ARSON resulted to the DEATH of the person, the crime committed is still ARSON because the death of the victim is a mere CONSEQUENCE and not the INTENTION of the offender.

- There is no special complex crime of ARSON WITH HOMICIDE. What matters in resolving cases involving arson is the CRIMINAL INTENT of the offender.

- When the burning of one’s property results from reckless imprudence and it leads to serious physical injuries and / or damage to property of another, the penalty to be imposed shall not be for the crime of arson under P.D. 1613 but rather, the penalty shall be based on Article 365 of the Revised Penal Code as a felony committed by means of *culpa* – imprudence and negligence. (e.g. *Reckless Imprudence Resulted to Damage to Property / Reckless Imprudence Resulted to Serious Physical Injuries*)

IX. GENERAL RESPONSIBILITIES

Section 1. – The respective Regional Directors for Fire Protection / District and Provincial Fire Marshals / City and Municipal Fire Marshals shall supervise the proper implementation of this Standard Operating Procedure to ensure that their subordinates will comply and respond effectively to the requirements as stipulated in this Standard Operating Procedure.

Section 2. – City / Municipal Fire Marshals shall seek assistance from their respective District / Provincial / Regional Investigation and Intelligence Offices or at the office of the Investigation and Intelligence Division – BFP National Headquarters, if deemed needed.

Section 3. – As the highest fire and arson investigating agency of the Bureau of Fire Protection, the Office of the Investigation and Intelligence Division – BFP National Headquarters shall have the authority to monitor, evaluate, conduct of arbitrary verification to the fire cases and investigation procedures conducted by the lower investigating units of the BFP. The aforementioned office may also be sought to provide technical knowledge, assistance, suggestions and recommendations to lower investigating units of the BFP.

X. RESCISSION CLAUSE

All publications, memoranda and SOPs in which by any form or part found to be inconsistent with this new Standard Operating Procedures are hereby rescinded.

XI. ADMINISTRATIVE SANCTION / PENALTY

All BFP personnel found violating any provision of this Standard Operating Procedure shall be subjected to administrative action for neglect of duty / any other related charges (criminal), and if found guilty, shall be immediately relieved from post.

Administrative sanctions shall be governed by the R.A. 6713, otherwise known as The Code of Ethics and Professional Standards for Government Employees, other pertinent Civil Service Laws, Office Rules, Regulations and Policies, without prejudice of filing criminal charges if evidence so warrants.

XII. SEPARABILITY CLAUSE

If for any reason, any part of this Standard Operating Procedure is declared as contrary to law, the remainder hereof not affected shall continue to remain in force and effect.

SIGNED, this 18th day of September 2008 at the Bureau of Fire Protection National Headquarters, Union Square Condominium, Nr. 145, 15th Avenue, Cubao, Quezon City, Philippines.
THIS STANDARD OPERATING PROCEDURE SHALL TAKE EFFECT IMMEDIATELY.

Administrative Matters (10%)

RA 6975 and its IRR

The Lawphil Project - Arellano Law Foundation

REPUBLIC ACT No. 6975 December 13, 1990

REPUBLIC ACT No. 6975

AN ACT ESTABLISHING THE PHILIPPINE NATIONAL POLICE UNDER A REORGANIZED

DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT, AND FOR OTHER PURPOSES

Section 1. *Title of the Act.* ? This Act shall be known as the "Department of the Interior and Local Government Act of 1990."

Section 2. *Declaration of Policy.* ? It is hereby declared to be the policy of the State to promote peace and order, ensure public safety and further strengthen local government capability aimed towards the effective delivery of the basic services to the citizenry through the establishment of a highly efficient and competent police force that is national in scope and civilian in character. Towards this end, the State shall bolster a system of coordination and cooperation among the citizenry, local executives and the integrated law enforcement and public safety agencies created under this Act.

The police force shall be organized, trained and equipped primarily for the performance of police functions. Its national scope and civilian character shall be paramount. No element of the police force shall be military nor shall any position thereof be occupied by active members of the Armed Forces of the Philippines.

Section 3. *Promulgation of Comprehensive Policies by Congress.* ? Subject to the limitations provided in the Constitution, the President shall recommend to Congress the promulgation of policies on public order and safety to protect the citizenry from all forms of lawlessness, criminality and other threats to peace and order.

CHAPTER I

THE DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT

Section 4. *The Department of the Interior and Local Government.* ? To carry out the policies and purposes of this Act, the Department of Local Government is hereby reorganized into the Department of the Interior and Local Government, hereinafter referred to as the Department, in accordance with the provisions of this Act.

Section 5. *Powers and Functions of the Department.* ? In furtherance of the objectives of this Act, the Department shall continue to exercise the powers and functions of the Department of Local Government in addition to the powers and functions as herein provided.

Section 6. *Organization.* ? The Department shall consist of the Department Proper, the existing bureaus and offices of the Department of Local Government, the National Police Commission, the Philippine Public Safety College, and the following bureaus: the Philippine National Police, the Bureau of Fire Protection, and the Bureau of Jail Management and Penology.

Section 7. *Department Proper.* ? The Department Proper shall consist of the existing staff services as provided for under Executive Order No. 262 and the following offices:

(a) Office of the Secretary. ? The office of the Secretary shall consist of the Secretary and his immediate staff; and

(b) Office of the Undersecretaries and Assistant Secretaries. ? The Secretary shall be

Page 1 of 27 R.A. 6975

2/3/2009 http://www.lawphil.net/statutes/repacts/ra1990/ra_6975_1990.html

assisted by two (2) Undersecretaries, one (1) for local government and the other for peace and order, at least one (1) of whom must belong to the career executive service, and three (3) career Assistant Secretaries.

Section 8. *Head of Department.* ? The head of the Department. ? The head of the Department, hereinafter referred to as the Secretary, shall also be the ex-officio Chairman of the National Police Commission and shall be appointed by the President subject to confirmation of the Commission on Appointments. No retired or resigned military officer or police official may be appointed as Secretary within one (1) year from the date of his retirement or resignation.

Section 9. *General Powers, Term of Office and Compensation of the Secretary.* ? The authority and responsibility for the exercise of the Department's powers and functions shall be vested in the Secretary, who shall hold office at the pleasure of the President and shall receive the compensation, allowances and other emoluments to which heads of departments are entitled.

Section 10. *Specific Powers and Functions of the Secretary.* ? In addition to his powers and functions as provided in Executive Order No. 262, the Secretary as Department head shall have the following powers and functions:

- (a) Prepare and submit periodic reports, including a Quarterly Anti-Crime Operations Report and such other reports as the President and Congress may require;
- (b) Act as Chairman and Presiding Officer of the National Police Commission; and
- (c) Delegate authority to exercise any substantive or administrative function to the members of the National Police Commission or other officers of rank within the Department.

Section 11. *Regional Offices.* ? The Department shall establish, operate and maintain a regional office in each of the administrative regions of the country to implement the policies and programs of the Department. Each regional office shall be headed by a regional director to be assisted by two (2) assistant regional directors: one (1) for jail management and penology and another for fire protection in addition to the present assistant regional directors of the Department of Local Government.

Section 12. *Relationship of the Department with the Department of National Defense.* ? During a period of twenty-four (24) months from the effectivity of this Act, the Armed Forces of the Philippines (AFP) shall continue its present role of preserving the internal and external security of the State: Provided, That said period may be extended by the President, if he finds it justifiable, for another period not exceeding twenty-four (24) months, after which, the Department shall automatically take over from the AFP the primary role of preserving internal security, leaving to the AFP its primary role of preserving external security. However, even after the Department has assumed primary responsibility on matters affecting internal security, including the suppression of insurgency, and there are serious threats to national security and public order, such as where insurgents have gained considerable foothold in the community thereby necessitating the employment of bigger tactical forces and the utilization of higher caliber armaments and better armored vehicles, the President may, upon recommendation of the peace and order council, call upon the Armed Forces of the Philippines to assume the primary role and the Philippine National Police (PNP) to play the supportive role in the area concerned.

In times of national emergency, all elements of the PNP, the Bureau of Fire Protection, and the Bureau of Jail Management and Penology shall, upon direction of the President, assist the Armed Forces of the Philippines in meeting the national emergency.

Page 2 of 27 R.A. 6975

2/3/2009 http://www.lawphil.net/statutes/repacts/ra1990/ra_6975_1990.html

The complementary relationship between the Department of the Interior and Local Government and the Department of National Defense in any of the preceding eventualities shall be jointly prescribed by their respective Secretaries in a memorandum of agreement that shall thereafter be published and implemented.

CHAPTER II

THE NATIONAL POLICE COMMISSION

Section 13. *Creation and Composition.* ? A National Police Commission, hereinafter referred to as the Commission, is hereby created for the purpose of effectively discharging the functions prescribed in the Constitution and provided in this Act. The Commission shall be a collegial body within the Department. It shall be composed of a Chairman and four (4) regular commissioners, one (1) of whom shall be designated as Vice-Chairman by the President. The Secretary of the Department shall be the ex-officio Chairman of the Commission, while the Vice-Chairman shall act as the executive officer of the Commission.

Section 14. *Powers and Functions of the Commission.* ? The Commission shall exercise the following powers and functions:

- (a) Exercise administrative control over the Philippine National Police;
- (b) Advise the President on all matters involving police functions and administration;
- (c) Foster and develop policies and promulgate rules and regulations, standards and procedures to improve police services based on sound professional concepts and principles;
- (d) Examine and audit, and thereafter establish the standards for such purposes on a continuing basis, the performance, activities, and facilities of all police agencies

throughout the country;

(e) Prepare a police manual prescribing rules and regulations for efficient organization, administration, and operation, including recruitment, selection, promotion and retirement;

(f) Establish a system of uniform crime reporting;

(g) Conduct surveys and compile statistical data for the proper evaluation of the efficiency and effectiveness of all police units in the country;

(h) Render to the President and to Congress an annual report on its activities and accomplishments during the thirty (30) days after the end of the calendar year, which shall include an appraisal of the conditions obtaining in the organization and administration of police agencies in the municipalities, cities and provinces throughout the country, and recommendations for appropriate remedial legislation;

(i) Approve or modify plans and programs on education and training, logistical requirements, communications, records, information systems, crime laboratory, crime prevention and crime reporting;

(j) Affirm, reverse or modify, through the National Appellate Board, personnel disciplinary actions involving demotion or dismissal from the service imposed upon members of the Philippine National Police by the Chief of the Philippine National Police;

(k) Exercise appellate jurisdiction through the regional appellate boards over

Page 3 of 27 R.A. 6975

2/3/2009 http://www.lawphil.net/statutes/repacts/ra1990/ra_6975_1990.html

administrative cases against policemen and over decisions on claims for police benefits;

(l) Recommend to the President, through the Secretary, within sixty (60) days before the commencement of each calendar year, a crime prevention;

(m) Prescribe minimum standards for arms, equipment, and uniforms and, after consultation with the Philippine Heraldry Commission, for insignia of ranks, awards and medals of honor;

(n) Issue subpoena and subpoena duces tecum in matters pertaining to the discharge of its own powers and duties, and designate who among its personnel can issue such processes and administer oaths in connection therewith; and

(o) Perform such other functions necessary to carry out the provisions of this Act and as the President may direct.

Section 15. *Qualifications.* ? No person shall be appointed regular member of the Commission unless:

(a) He is at least thirty-five (35) years of age;

(b) A member of the Philippine Bar or a holder of a master's degree in public administration, business administration, management, sociology, criminology, law enforcement, national security administration, defense studies, and other related discipline; and

(c) Has had experience in law enforcement work for at least five (5) years .

Section 16. *Term of Office.* ? The four (4) regular and full-time Commissioners shall be appointed by the President upon the recommendation of the Secretary. Of the first four (4) commissioners to be appointed, two (2) commissioners shall serve for six (6) years and the two (2) other commissioners for four (4) years. All subsequent appointments shall be for a period of six (6) years each, without reappointment or extension.

Section 17. *Temporary or Permanent Incapacity of the Chairman.* ? In case of absence due to temporary or permanent incapacity of the Chairman, the President shall designate an Acting Chairman. In case of death or permanent incapacity or disqualification of the Chairman, the Acting Chairman shall also act as such until a new Chairman shall have been appointed and qualified.

Section 18. *Removal from Office.* ? The members of the Commission may be removed from office for cause. All vacancies in the Commission, except through expiration of term, shall be filled up for the unexpired term only: Provided, That any person who shall be appointed in this case shall be eligible for regular appointment for another full term.

Section 19. *Prohibitions.* ? The Chairman and members of the Commission shall not engage in

the practice of any profession, or intervene, directly or indirectly, in the management and control of any private enterprise. They shall not, directly or indirectly, have any financial or material interest in any transaction requiring the approval of their office.

Section 20. Organizational Structure. ? The Commission shall consist of the following units:

(a) Commission Proper. ? This is composed of the offices of the Chairman and the four (4) commissioners.

Page 4 of 27 R.A. 6975

2/3/2009 http://www.lawphil.net/statutes/repacts/ra1990/ra_6975_1990.html

(b) Staff Services. ? The staff services of the Commission shall be as follows:

(1) The planning and Research Service, which shall provide technical services to the Commission in areas of overall policy formulation, strategic and operational planning, management systems or procedures, evaluation and monitoring of the Commission's programs, projects and internal operations; and shall conduct thorough research and analysis on social and economic conditions affecting peace and order in the country;

(2) The Legal Affairs Service, which shall provide the Commission with efficient and effective service as legal counsel of the Commission; draft or study contracts affecting the Commission and submit appropriate recommendations pertaining thereto; and render legal opinions arising from the administration and operation of the Philippine National Police and the Commission;

(3) The Crime Prevention and Coordination Service, which shall undertake criminological researches and studies; formulate a national crime prevention plan; develop a crime prevention and information program and provide editorial direction for all criminology research and crime prevention publications;

(4) The Administrative Service, which shall provide the Commission with assistance on budgetary and financial matters; provide the necessary services relating to records, correspondence, supplies, property and equipment, security and general services, and the maintenance and utilization of facilities; and provide services relating to manpower, career planning and development, personnel transactions and employee welfare;

(5) The Inspection and Monitoring Service, which shall conduct continuous inspection and management audit of personnel, facilities and operations at all levels of command of the PNP and shall monitor the implementation of the Commission's programs and projects relative to law enforcement; and

(6) The Installations and Logistics Service, which shall review the Commission's plans and programs and formulate policies and procedures regarding acquisition, inventory, control, distribution, maintenance and disposal of supplies and shall oversee the implementation of programs on transportation facilities and installations and the procurement and maintenance of supplies and equipment.

(c) Disciplinary Appellate Boards. ? The Commission shall establish a formal administrative disciplinary appellate machinery consisting of the National Appellate Board and the regional appellate boards.

The National Appellate Board shall decide cases on appeal from decisions rendered by the PNP chief, while the regional appellate boards shall decide cases on appeal from decisions rendered by officers other than the PNP chief, the mayor, and the People Law Enforcement Board (PLEB) created hereunder.

Section 21. Regional Offices. ? The Commission shall establish, operate and maintain regional offices headed by regional directors who shall implement the policies and programs of the Commission in their respective regions. For administrative purposes, the regional offices of the Commission shall be attached to the general offices of the Department.

Subject to the standards that shall be prescribed by the Commission, the regional offices shall likewise perform the functions of adjudication of benefit claims.

Page 5 of 27 R.A. 6975

2/3/2009 http://www.lawphil.net/statutes/repacts/ra1990/ra_6975_1990.html

Section 22. *Qualifications of Regional Directors.* ? No person shall be appointed regional director unless:

- (a) He is at least thirty (30) years of age;
- (b) A holder of a baccalaureate degree and appropriate civil service eligibility; and
- (c) Has at least five (5) years experience in the field of law enforcement, criminology or police administration.

CHAPTER III

A. THE PHILIPPINE NATIONAL POLICE ORGANIZATION

Section 23. *Composition.* ? Subject to the limitations provided for in this Act, the Philippine National Police, hereinafter referred to as the PNP, is hereby established, initially consisting of the members of the police forces who were integrated into the Integrated National Police (INP) pursuant to Presidential Decree No. 765, and the officers and enlisted personnel of the Philippine Constabulary (PC). For purposes of this Act, the officers and enlisted personnel of the PC shall include those assigned with the Narcotics Command (NARCOM) or the Criminal Investigation Service (CIS); and those of the technical services of the AFP assigned with the PC and the civilian operatives of the CIS. The regular operatives of the abolished NAPOLCOM Inspection, Investigation and Intelligence Branch may also be absorbed by the PNP. In addition, a PC officer or enlisted personnel may transfer to any of the branches or services of the Armed Forces of the Philippines in accordance with the provisions of Section 85 of this Act. In order to be qualified for transfer to the PNP units in Metropolitan Manila and in highly urbanized cities, an individual must have completed not less than second year collegiate work or its equivalent in training of seventy-two (72) collegiate units.

Anyone who has any pending administrative or criminal case or has been adjudged liable or convicted of any crime pending appeal shall be allowed to join the PNP provisionally without prejudice to final judgment by a body of competent jurisdiction.

The permanent civilian employees of the present PC, INP, Narcotics Command, CIS, and the technical services of the AFP assigned with the PC, including NAPOLCOM hearing officers holding regular items as such, shall be absorbed by the Department as employees thereof, subject to existing laws and regulations.

Section 24. *Powers and Functions.* ? The PNP shall have the following powers and functions:

- (a) Enforce all laws and ordinances relative to the protection of lives and properties;
- (b) Maintain peace and order and take all necessary steps to ensure public safety;
- (c) Investigate and prevent crimes, effect the arrest of criminal offenders, bring offenders to justice and assist in their prosecution;
- (d) Exercise the general powers to make arrest, search and seizure in accordance with the Constitution and pertinent laws;
- (e) Detain an arrested person for a period not beyond what is prescribed by law, informing the person so detained of all his rights under the Constitution;

Page 6 of 27 R.A. 6975

2/3/2009 http://www.lawphil.net/statutes/repacts/ra1990/ra_6975_1990.html

- (f) Issue licenses for the possession of firearms and explosives in accordance with law;
- (g) Supervise and control the training and operations of security agencies and issue licenses to operate security agencies, and to security guards and private detectives, for the practice of their professions; and
- (h) Perform such other duties and exercise all other functions as may be provided by law.

In addition, the PNP shall absorb the office of the National Action Committee on Anti-Hijacking (NACAH) of the Department of National Defense, all the functions of the present Philippine Air Force Security Command (PAFSECOM), as well as the police functions of the Coast Guard. In order to perform its powers and functions efficiently and effectively, the PNP shall be provided with adequate land, sea, and air capabilities and all necessary material means of resources.

Section 25. *Organization.* ? The PNP shall be headed by a Chief who shall be assisted by two (2) deputy chief, one (1) for operations and one (1) for administration, both of whom shall be appointed by the President upon recommendation of the Commission from among the most senior and qualified officers in the service: Provided, however, That in no case shall any officer

who has retired or is retireable within six (6) months from his compulsory retirement age be appointed as Chief of the PNP. The PNP shall be composed of a national office, regional offices, provincial offices, district offices, city or municipal stations.

At the national level, the PNP shall maintain its office in Metropolitan Manila which shall house the directorial staff, service staff and special support units.

At the regional level, the PNP shall have regional offices, including that of the National Capital Region, which may be divided into two (2) separate regions without prejudice to the pertinent provisions of the Organic Act for the Autonomous Regions of the Cordilleras and Muslim Mindanao relative to the creation of a regional police force in the area of autonomy. Each of these regional offices shall be headed by a regional director for peace and order.

At the provincial level, there shall be a PNP office, each headed by a provincial director. In the case of large provinces, police districts may be established by the Commission to be headed by a district director.

At the city or municipal level, there shall be a PNP station, each headed by a chief of police.

The Chief of the PNP shall, within sixty (60) days from the effectivity of this Act and in accordance with the broad guidelines set forth herein, recommend the organizational structure and staffing pattern of the PNP to the Commission.

Section 26. Powers, Functions and term of Office of the PNP Chief. ? The command and direction of the PNP shall be vested in the Chief of the PNP who shall have the power to direct and control tactical as well as strategic movements, deployment, placement, utilization of the PNP or any of its units and personnel, including its equipment, facilities and other resources. Such command and direction of the Chief of the PNP may be delegated to subordinate officials with the respect to the units under their respective commands, in accordance with the rules and regulation prescribed by the Commission. The Chief of the PNP shall also have the power to issue detailed implementing policies and instructions regarding personnel, funds, properties, records, correspondence and such other matters as may be necessary to effectivity carry out the functions, powers and duties of the Bureau. The Chief of the PNP shall be appointed by the President from among the senior officers down to the rank of chief superintendent, subject to confirmation by the Commission on Appointments: Provided, That the Chief of the PNP shall serve a term of office not to exceed four (4) years: Provided, further, That in times of war or other national emergency declared by Congress, the President may extend such term of office.

Page 7 of 27 R.A. 6975

2/3/2009 http://www.lawphil.net/statutes/repacts/ra1990/ra_6975_1990.html

Section 27. Manning Levels. ? On the average nationwide, the manning levels of the PNP shall be approximately in accordance with a police-to-population ratio of one (1) policeman for every five hundred (500) persons. The actual strength by cities and municipalities shall depend on the state of peace and order, population density and actual demands of the service in the particular area: Provided, That the minimum police-to-population ratio shall not be less than one (1) policeman for every one thousand (1,000) persons: Provided, further, That urban areas shall have a higher minimum police-to-population ratio as may be prescribed by regulations.

Section 28. Rank Classification. ? For purposes of efficient administration, supervision and control, the rank classification of the members of the PNP shall be as follows:

Director General

Deputy Director General

Director

Chief Superintendent

Senior Superintendent

Superintendent

Chief Inspector

Senior Inspector

Inspector

Senior Police Officer IV

Senior Police Officer III

Senior Police Officer II

Senior Police Officer I
Police Officer III
Police Officer II
Police Officer I

Section 29. Key Positions. ? The head of the PNP with the rank director general shall have the position title of Chief of the PNP. The second in command of the PNP with the rank of deputy director general shall be the Deputy Chief of the PNP for Administration. The third in command with the rank also of deputy director general shall be the Deputy Chief of the PNP for Operations.

At the national office, the head of the directorial staff with the rank of deputy director general shall be known as Chief of the Directorial Staff of the PNP.

The heads of the various staff divisions in the directorial staff shall have the rank of director with
Page 8 of 27 R.A. 6975

2/3/2009 http://www.lawphil.net/statutes/repacts/ra1990/ra_6975_1990.html

the position title of Director of the Directorial Staff of their respective functional divisions. The head of the Inspectorate Division with the rank of chief superintendent shall assume the position title of Inspector General. The heads of the administrative and operational support divisions shall have the rank of chief superintendent.

The head of the NCR with the rank of director shall assume the position title of NCR Director.

The heads of the regional offices with the rank of chief superintendent shall assume the position title of Regional Director.

The heads of the NCR district offices with the rank of chief superintendent shall have the position title of District Director.

The heads of provincial offices with the rank of senior superintendent shall be known as Provincial Director.

The heads of the district offices with the rank of superintendent shall have the position title of District Director.

The heads of the municipality or city offices with the rank of chief inspector shall be known as Chief of Police.

Section 30. General Qualifications for Appointment. ? No person shall be appointed as officer or member of the PNP unless he possesses the following minimum qualifications:

- (a) A citizen of the Philippines;
- (b) A person of good moral conduct;
- (c) Of sound mind and body;
- (d) Must possess a formal baccalaureate degree for appointment as officer and must have finished at least second year college or the equivalent of seventy-two (72) collegiate units for appointment as non-officer or an equivalent training or experience for those already in the service upon the effectivity of this Act.
- (e) Must be eligible in accordance with the standards set by the Commission;
- (f) Must not have been dishonorably discharged from military employment or dismissed for cause from any civilian position in the Government;
- (g) Must not have been convicted by final judgment of an offense or crime involving moral turpitude;
- (h) Must be at least one meter and sixty-two centimeters (1.62 m.) in height for male and one meter and fifty-seven centimeters (1.57 m.) for female;
- (i) Must weight not more or less than five kilograms (5 kg.) of the standard weight corresponding to his or her height, age, and sex; and
- (j) For a new applicant, must not be less than twenty-one (21) nor more than thirty (30) years of age.

Section 31. Appointment of PNP Officers and Members. ? The appointment of the officers and
Page 9 of 27 R.A. 6975

2/3/2009 http://www.lawphil.net/statutes/repacts/ra1990/ra_6975_1990.html

members of the PNP shall be effected in the following manner:

- (a) Police Officer I to Senior Police Officer IV . ? Appointed by the PNP regional director

for regional personnel or by the Chief of the PNP for the national headquarters personnel and attested by the Civil Service Commission.

(b) Inspector to Superintendent. ? Appointed by the Chief of the PNP, as recommended by their immediate superiors, attested by the Civil Service Commission;

(c) Senior Superintendent to Deputy Director General. ? Appointed by the President upon recommendation of the chief of the PNP, with proper endorsement by the Chairman of the Civil Service Commission and subject to confirmation by the Commission on Appointments; and

(d) Director General. ? Appointed by the President from among the senior officers down to the rank of chief superintendent in the service, subject to confirmation by the Commission on Appointments: Provided, That the Chief of the PNP shall serve a tour of duty not to exceed four (4) years: Provided, further, That, in times of war or other national emergency declared by Congress, the President may extend such tour of duty.

Section 32. *Examinations for Policemen.* ? The Civil Service Commission shall administer the qualifying entrance examinations for policemen on the basis of the standards set by the NAPOLCOM.

Section 33. *Lateral Entry of Officers into the PNP.* ? In general, all original appointments of commissioned officers in the PNP shall commence with the rank of inspector, to include all those with highly technical qualifications applying for the PNP technical services, such as dentist, optometrists, nurses, engineers, and graduates of forensic sciences. Doctors of medicine, members of the Bar, and chaplains shall be appointed to the rank of senior inspector in their particular technical service. Graduates of the Philippine National Police Academy (PNPA) shall be automatically appointed to the initial rank of inspector. Licensed criminologists may be appointed to the rank of inspector to fill up any vacancy after promotions from the ranks are completed.

Section 34. *Qualifications of Chief of City and Municipal Police Stations.* ? No person may be appointed chief of a city police station unless he holds a bachelor's degree from a recognized institution of learning or has served in the Philippine Constabulary or in the police department of any city or municipality with the rank of captain or its equivalent therein for at least three (3) years.

No person may be appointed chief of a municipal police station unless he holds a bachelor's degree from a recognized institution of learning or has served as officer in the Philippine Constabulary or in the police department of any city or municipality for at least two (2) years with the rank lieutenant or its equivalent: Provided, That a member of the Bar with at least five (5) years experience in active law practice and who possesses the general qualifications under Section 30 of this Act shall be qualified for appointment as chief of a city or municipal police station: Provided, further, That the chief of police shall be appointed in accordance with the provisions of Section 51, paragraph b), subparagraph (4) (i) of this Act.

Section 35. *Support Units.* ? The PNP shall be supported by administrative and operational support units. The administrative support units shall consist of the Crime Laboratory, Logistic Unit, Communications Unit, Computer Center, Finance Center and Civil Security Unit. The operational support units shall be composed of the Maritime Police Unit, Police Intelligence Unit, Police Security Unit, Criminal Investigation Unit, Special Action Force, Narcotics units, Aviation Security Unit, Traffic Management Unit, the Medical and Dental Centers and the Civil Relations

Page 10 of 27 R.A. 6975

2/3/2009 http://www.lawphil.net/statutes/repacts/ra1990/ra_6975_1990.html

Unit. To enhance police operational efficiency and effectiveness, the Chief of the PNP may constitute such other support units as may be necessary subject to the approval of the Commission: Provided, That no support unit headed by a chief superintendent or a higher rank can be created unless provided by law.

(a) Administrative Support Units. ? (1) Crime Laboratory. There shall be established a central Crime Laboratory to be headed by a Director with the rank of chief superintendent, which shall provides scientific and technical investigative aid and support to the PNP and other government investigative agencies.

It shall also provide crime laboratory examination, evaluation and identification of physical evidences involved in crimes with primary emphasis on their medical, chemical, biological and physical nature.

There shall be likewise be established regional and city crime laboratories as may be necessary in all regions and cities of the country.

(2) Logistic Unit. ? Headed by a Director with the rank of chief superintendent, the Logistics Unit shall be responsible for the procurement, distributions and management of all the logistical requirements of the PNP including firearms and ammunition.

(3) Communications Unit. ? Headed by a Director with the rank of chief superintendent, the Communications Unit shall be responsible for establishing an effective police communications network.

(4) Computer Center. ? Headed by a Director with the rank of chief superintendent, the Computer Center shall be responsible for the design, implementation and maintenance of a database system for the PNP.

(5) Finance Center. ? Headed by a Director with the rank of chief superintendent, the Finance Center shall be responsible for providing finance services to the PNP.

(6) Civil Security Unit. ? Headed by a Director with the rank of chief superintendent, the Civil Security Unit shall provide administrative services and general supervision over organization, business operation and activities of all organized private detectives, watchmen, security guard agencies and company guard houses.

The unit shall likewise supervise the licensing and registration of firearms and explosives. The approval applications for licenses to operate private security agencies, as well as the issuance of licenses to security guards and the licensing of firearms and explosives, shall be decentralized to the PNP regional offices.

(b) Operational Support Units. ? (1) Maritime Police Unit. Headed by a Director with the rank of chief superintendent, the Maritime Police Unit shall perform all police functions over Philippine territorial waters and rivers.

(2) Police Intelligence Unit. ? Headed by a Director with the rank of chief superintendent, the Police Intelligence Unit shall serve as the intelligence and counterintelligence operating unit of the PNP.

(3) Police Security Unit. ? Headed by a Director with the rank of chief superintendent, Police Security Unit shall provide security for government officials, visiting dignitaries and private individuals authorized to be given protection.

Page 11 of 27 R.A. 6975

2/3/2009 http://www.lawphil.net/statutes/repacts/ra1990/ra_6975_1990.html

(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.

This 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).

(5) Special Action Force. ? Headed by a Director with the rank of chief superintendent, the Special Action Force shall function as a mobile strike force or reaction unit to augment regional, provincial, municipal and city police forces for civil disturbance control, counterinsurgency, hostage-taking rescue operations, and other special operations.

(6) Narcotics Unit. ? Headed by a Director with the rank of chief superintendent, the Narcotics Unit shall enforce all laws relative to the protection of the citizenry against dangerous and other prohibited drugs and substances.

(7) Aviation Security Unit. ? Headed by a Director with the rank of chief

superintendent, the Aviation Security Unit, in coordination with airport authorities, shall secure all the country's airports against offensive and terroristic acts that threaten civil aviation, exercise operational control and supervision over all agencies involved in airport security operation, and enforce all laws and regulations relative to air travel protection and safety.

(8) Traffic Management Unit. ? Headed by a Director with the rank of chief superintendent, the Traffic Management Unit shall enforce traffic laws and regulations.

(9) Medical and Dental Centers. ? Headed by a Director with the rank of chief superintendent, the Medical and Dental Centers shall be responsible for providing medical and dental services for the PNP.

(10) Civil Relations Units. ? Headed with a Director with the rank of chief superintendent, the Civil Relations Unit shall implement plans and programs that will promote community and citizens' participation in the maintenance of peace and order and public safety.

Section 36. *Status of Members of the Philippine National Police.* ? The members of the PNP shall be considered employees of the National Government and shall draw their salaries therefrom: Provided, That PNP members assigned in Metropolitan Manila, chartered cities and first class municipalities may be paid in additional monthly allowance by the local government unit concerned.

B. PROFESSIONALISM, WELFARE AND BENEFITS

Section 37. *Performance Evaluation System.* ? There shall be established a performance evaluation system which shall be administered in accordance with the rules, regulations and standards, and a code of conduct promulgated by the Commission for members of the PNP. Such performance evaluation system be administered in such a way as to foster the improvement of individual efficiency and behavioral discipline as well as the promotion of organizational effectiveness and respect for the constitutional and human rights of citizens, Page 12 of 27 R.A. 6975

2/3/2009 http://www.lawphil.net/statutes/repacts/ra1990/ra_6975_1990.html

democratic principles and ideals and the supremacy of civilian authority over the military.

The rating system as contemplated herein shall be based on standards prescribed by the Commission and shall consider results of annual physical, psychological and neuropsychiatric examinations conducted on the PNP officer or member concerned.

Section 38. *Promotions.* ? (a) A member of the PNP shall not be eligible for promotion to a higher position or rank unless he has successfully passed the corresponding promotional examination given by the Commission, or the Bar or corresponding board examinations for technical services and other professions, and has satisfactorily completed an appropriate and accredited course in the PNP or equivalent training institutions. In addition, no member of the PNP shall eligible for promotion unless he has been cleared by the People's Law Enforcement Board (PLEB) of complaints proffered against him, if any.

(b) Special promotion may be extended to any member of the PNP for acts of conspicuous courage and gallantry at the risk of his life above and beyond the call of duty, or selected as such in a nationwide search conducted by the PNP or any accredited civic organization.

Section 39. *Compulsory Retirement.* ? Compulsory retirement, for officer and non-officer, shall be upon the attainment of age fifty-six (56): Provided, That, in case of any officer with the rank of chief superintendent, director or deputy director general, the Commission may allow his retention in the service for an unextendible period of one (1) year.

Section 40. *Optional Retirement.* ? Upon accumulation of at least twenty (20) years of satisfactory active service, an officer or non-officer, at his own request and with the approval of the Commission, shall be retired from the service and entitled to receive benefits provided by law.

C. ADMINISTRATIVE DISCIPLINARY MACHINERY

Section 41. (a) *Citizen's Complaints.* ? Any complaint by an individual person against any

member of the PNP shall be brought before the following:

(1) Chiefs of police, where the offense is punishable by withholding of privileges, restriction to specified limits, suspension or forfeiture of salary, or any combination thereof for a period not exceeding fifteen (15) days;

(2) Mayors of cities or municipalities, where the offense is punishable by withholding of privileges, restriction to specified limits, suspension or forfeiture of salary, or any combination thereof, for a period of not less than sixteen (16) days but not exceeding thirty (30) days;

(3) People's Law Enforcement Board, as created under Section 43 hereof, where the offense is punishable by withholding of privileges, restriction to specified limits, suspension or forfeiture of salary, or any combination thereof, for a period exceeding thirty (30) days; or by dismissal.

The Commission shall provide in its implementing rules and regulations a scale of penalties to be imposed upon any member of the PNP under this section.

(b) Internal Discipline. ? In dealing with minor offenses involving internal discipline found to have been committed by any regular member of their respective commands, the duly designated supervisors and equivalent officers of the PNP shall, after due notice and summary hearing, exercise disciplinary powers as follows:

Page 13 of 27 R.A. 6975

2/3/2009 http://www.lawphil.net/statutes/repacts/ra1990/ra_6975_1990.html

(1) Chiefs of police or equivalent supervisors may summarily impose the administrative punishment of admonition or reprimand; restriction to specified limits; withholding of privileges; forfeiture of salary or suspension; or any of the combination of the foregoing: Provided; That, in all cases, the total period shall not exceed fifteen (15) days;

(2) Provincial directors or equivalent supervisors may summarily impose the administrative punishment of admonition or reprimand; restriction to specified limits; withholding of privileges; forfeiture of salary or suspension; or any combination of the foregoing: Provided, That, in all cases, the total period shall not exceed thirty (30) days;

(3) Police regional directors or equivalent supervisors shall have the power to impose upon any member the disciplinary punishment of dismissal from the service. He may also impose the administrative punishment of admonition or reprimand; restriction to specified limits; withholding of privileges; suspension or forfeiture of salary; demotion; or any combination of the foregoing: Provided, That, in all cases, the total period shall not exceed sixty (60) days;

(4) The Chief of the PNP shall have the power to impose the disciplinary punishment of dismissal from the service; suspension or forfeiture of salary; or any combination thereof for a period not exceeding one hundred eighty (180) days.

(c) Exclusive Jurisdiction. ? A complaint or a charge filed against a PNP member shall be heard and decided exclusively by the disciplining authority who has acquired original jurisdiction over the case and notwithstanding the existence of concurrent jurisdiction as regards the offense: Provided, That offenses which carry higher penalties referred to a disciplining authority shall be referred to the appropriate authority which has jurisdiction over the offense.

For purposes of this Act, a "minor offense" shall refer to an act or omission not involving moral turpitude, but affecting the internal discipline of the PNP, and shall include, but not limited to:

(1) Simple misconduct or negligence;

(2) Insubordination;

(3) Frequent absences or tardiness;

(4) Habitual drunkenness; and

(5) Gambling prohibited by law.

Section 42. Summary Dismissal Powers of the PNP Chief and Regional Directors. ? The Chief of the PNP and regional directors, after due notice and summary hearings, may immediately

remove or dismiss any respondent PNP member in any of the following cases:

- (a) When the charge is serious and the evidence of guilt is strong;
- (b) When the respondent is a recidivist or has been repeatedly charged and there are reasonable grounds to believe that he is guilty of the charges; and
- (c) When the respondent is guilty of conduct unbecoming of a police officer.

Page 14 of 27 R.A. 6975

2/3/2009 http://www.lawphil.net/statutes/repacts/ra1990/ra_6975_1990.html

Section 43. People's Law Enforcement Board (PLEB). ? (a) Creation and Functions. ? Within thirty (30) days from the issuance of the implementing rules and regulations by the Commission, there shall be created by the sangguniang panlungsod/bayan in every city and municipality such number of People's Law Enforcement Boards (PLEBs) as may be necessary: Provided, That there shall be at least one (1) PLEB for every municipality and for each of the legislative districts in a city. The PLEB shall have jurisdiction to hear and decide citizen's complaints or cases filed before it against erring officers and members of the PNP. There shall be at least one (1) PLEB for every five hundred (500) city or municipal police personnel.

(b) Composition and Term of Office. ? The PLEB shall be composed of the following:

- (1) Any member of the sangguniang panlungsod/bayan chosen by his respective sanggunian;
- (2) Any barangay captain of the city or municipality concerned chosen by the association of barangay captains; and
- (3) Three (3) other members who shall be chosen by the 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 member of the Bar or, in the absence thereof, a college graduate, or the principal of the central elementary school in the locality. The Chairman of the PLEB shall be elected from among its members. The term of office of the members of the PLEB shall be for a period of two (2) years from assumption of office. Such member shall hold office until his successor shall have been chosen and qualified.

(c) Compensation ? Membership in the PLEB is a civic duty. However, PLEB members may be paid per diem as may be determined by the city or municipal council from city or municipal funds.

(d) Procedure ? (1) The PLEB, by a majority vote of all its members and its Chairman shall determine whether or not the respondent officer or member of the PNP is guilty of the charge upon which the complaint is based.

(2) Each case shall be decided within sixty (60) days from the time the case has been filed with the PLEB.

(3) The procedures in the PLEB shall be summary in nature, conducted in accordance with due process, but without strict regard to technical rules of evidence.

(4) The Commission shall issue the necessary implementing guidelines and procedures to be adopted by the PLEB, including graduated penalties which may be imposed by the PLEB.

(5) The Commission may assign the present NAPOLCOM hearing officers to act as legal consultants of the PLEBs and provide, whenever necessary, legal services, assistance and advise to the PLEBs in hearing and deciding cases against officers and members of the PNP, especially those involving difficult questions of law: Provided, That these lawyers may also be assigned to investigate claims for death and disability benefits of PNP members or their heirs.

(e) Decisions ? The decision of the PLEB shall become final and executory: Provided, That a decision involving demotion or dismissal from the service may be appealed by

Page 15 of 27 R.A. 6975

2/3/2009 http://www.lawphil.net/statutes/repacts/ra1990/ra_6975_1990.html

either party with the regional appellate board within ten (10) days from receipt of the copy of the decision.

Section 44. *Disciplinary Appellate Boards.* ? The formal administrative disciplinary machinery for the PNP shall be the National Appellate Board and the regional appellate boards.

The National Appellate Board shall consist of four (4) divisions, each division composed of a Commissioner as Chairman and two (2) other members. The Board shall consider appeals from decisions of the Chief of the PNP.

The National Appellate Board may conduct its hearings or sessions in Metropolitan Manila or any part of the country as it may deem necessary.

There shall be at least one (1) regional appellate board per administrative region in the country to be composed of a senior officer of the regional Commission as Chairman and one (1) representative each from the PNP, and the regional peace and order council as members. It shall consider appeals from decisions of the regional directors, other officials, mayors, and the PLEBs: Provided, That the Commission may create additional regional appellate boards as the need arises.

Section 45. *Finality of Disciplinary Action.* ? The disciplinary action imposed upon a member of the PNP shall be final and executory: Provided, That a disciplinary action imposed by the regional director or by the PLEB involving demotion or dismissal from the service may be appealed to the regional appellate board within ten (10) days from receipt of the copy of the notice of decision: Provided, further, That the disciplinary action imposed by the Chief of the PNP involving demotion or dismissal may be appealed to the National Appellate Board within ten (10) days from receipt thereof: Provided, furthermore, That the regional or National Appellate Board, as the case may be, shall decide the appeal within sixty (60) days from receipt of the notice of appeal: Provided, finally, That failure of the regional appellate board to act on the appeal within said period shall render the decision final and executory without prejudice, however, to the filing of an appeal by either party with the Secretary.

Section 46. *Jurisdiction in Criminal Cases.* ? Any provision of law to the contrary notwithstanding, criminal cases involving PNP members shall within the exclusive jurisdiction of the regular courts: Provided, That the courts-martial appointed pursuant to Presidential Decree No. 1850 shall continue to try PC-INP members who have already been arraigned, to include appropriate actions thereon by the reviewing authorities pursuant to Commonwealth Act No. 408, otherwise known as the Articles of War, as amended, and Executive Order No. 178, otherwise known as the Manual for Courts-Martial: Provided, further, That criminal cases against PC-INP members who may have not yet been arraigned upon the effectivity of this Act shall be transferred to the proper city or provincial prosecutor or municipal trial court judge.

Section 47. *Preventive Suspension Pending Criminal Case.* ? Upon the filing of a complaint or information sufficient in form and substance against a member of the PNP for grave felonies where the penalty imposed by law is six (6) years and one (1) day or more, the court shall immediately suspend the accused from office until the case is terminated. Such case shall be subject to continuous trial and shall be terminated within ninety (90) days from arraignment of the accused.

Section 48. *Entitlement to Reinstatement and Salary.* ? A member of the PNP who may have been suspended from office in accordance with the provisions of this Act or who shall have been terminated or separated from office shall, upon acquittal from the charges against him, be entitled to reinstatement and to prompt payment of salary, allowances and other benefits withheld from him by reason of such suspension or termination.

Page 16 of 27 R.A. 6975

2/3/2009 http://www.lawphil.net/statutes/repacts/ra1990/ra_6975_1990.html

Section 49. *Legal Assistance.* ? The Secretary of the Department of Justice, the Chairman of the Commission or the Chief of the PNP may authorize lawyers of their respective agencies to provide legal assistance to any member of the PNP 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 his official duty: Provided, That government lawyers so authorized shall have the power to administer oaths. The Secretary of Justice, the Chairman of the Commission, and the Chief of the PNP shall jointly promulgate rules and regulations to implement the provisions of this section.

Section 50. Power to Administer Oaths. ? Officials of the Commission who are appointed by the President, as well as officers of the PNP from rank of inspector to senior superintendent, shall have the power to administer oaths on matters which are connected with the performance of their official duties.

D. PARTICIPATION OF LOCAL EXECUTIVES IN THE ADMINISTRATION OF THE PNP

Section 51. Powers of Local Government Officials Over the PNP Units or Forces. ? Governors and mayors shall be deputized as representatives of the Commission in their respective territorial jurisdiction. As such, the local executives shall discharge the following functions:

(a) Provincial Governor ? (1) Power to Choose the Provincial Director. ? The provincial governor shall choose the provincial director from a list of three (3) eligible recommended by the PNP regional director.

(2) Overseeing the Provincial Public Safety Plan Implementation. ? The governor, as chairman of the provincial peace and order council, shall oversee the implementation of the provincial public safety plan, which is prepared taking into consideration the integrated community safety plans, as provided under paragraph (b) (2) of this section.

(b) City and Municipal Mayors ? (1) Operational Supervision and Control. The city and municipal mayors shall exercise operational supervision and control over PNP units in their respective jurisdiction except during the thirty (30) day period immediately preceding and the thirty (30) days following any national, local and barangay elections. During the said period, the local police forces shall be under the supervision and control of the Commission on Elections.

The term "operational supervision and control" shall mean the power to direct, superintend, oversee and inspect the police units and forces.

It shall include the power to employ and deploy units or elements of the PNP, through the station commander, to ensure public safety and effective maintenance of peace and order within the locality. For this purpose, the term "employ" and "deploy" shall mean as follows:

"Employ" refers to utilization of units or elements of the PNP for purposes of protection of lives and properties, enforcement of laws, maintenance of peace and order, prevention of crimes, arrest of criminal offenders and bringing the offenders to justice, and ensuring public safety, particularly in the suppression of disorders, riots, lawless violence, rebellious seditious conspiracy, insurgency, subversion or other related activities.

"Deploy" shall mean the orderly organized physical movement of elements or units of the PNP within the province, city or municipality for purposes of employment as herein defined.

Page 17 of 27 R.A. 6975

2/3/2009 http://www.lawphil.net/statutes/repacts/ra1990/ra_6975_1990.html

(2) Integrated Community Safety Plans. ? The municipal/city mayor shall, in coordination with the local peace and order council of which he is the chairman pursuant to Executive Order No. 309, as amended, develop and establish an integrated area/community public safety plan embracing priorities of action and program thrusts for implementation by the local PNP stations.

It shall, likewise, be the duty of the city or municipal mayor to sponsor periodic seminars for members of the PNP assigned or detailed in his city or municipality in order to update them regarding local ordinances and legislations.

(3) Administrative Disciplinary Powers. ? In the areas of discipline, city and municipal mayors shall have the powers to impose, after due notice and summary hearings, disciplinary penalties for minor offenses committed by members of the PNP assigned to their respective jurisdictions, as provided in Section 41 of this Act.

(4) Other Powers. ? In addition to the aforementioned powers, city and municipal mayors shall have the following authority over the PNP units in their respective jurisdictions:

- (i) Authority to choose the chief of police from a list of five (5) eligibles recommended by the provincial police director, preferably from the same province, city or municipality.
- (ii) Authority to recommend the transfer, reassignment or detail of PNP members outside of their respective city or town residences; and
- (iii) Authority to recommend, from a list of eligibles previously screened by the peace and order council, the appointment of new members of the PNP to be assigned to their respective cities or municipalities without which no such appointment shall be attested.

Section 52. *Suspension of Operational Supervision and Control.* ? The President may, upon consultation with the provincial governor and congressman concerned, suspend the power of operational supervision and control of any local executive over police units assigned or stationed in his jurisdiction for any of the following grounds:

- (a) Frequent unauthorized absences;
- (b) Abuse of authority;
- (c) Providing material support to criminal elements; or
- (d) Engaging in acts inimical to national security or which negate the effectiveness of the peace and order campaign.

Upon good cause shown, the President may, *motu proprio* or upon the recommendation of the National Police Commission, restore such power withdrawn from any local executive.

CHAPTER IV

BUREAU OF FIRE PROTECTION

Section 53. *Composition.* ? The Bureau of Fire Protection, hereinafter referred to as the Fire Bureau, is hereby created initially consisting of the existing officers and uniformed members of the fire service of the Integrated National Police as constituted under Presidential Decree No.

Page 18 of 27 R.A. 6975

2/3/2009 http://www.lawphil.net/statutes/repacts/ra1990/ra_6975_1990.html
765.

Section 54. *Powers and Functions.* ? The Fire Bureau shall be responsible for the prevention and suppression of all destructive fires on buildings, houses and other structures, forest, land transportation vehicles and equipment, ships or vessels docked at piers or wharves or anchored in major seaports, petroleum industry installations, plane crashes and other similar incidents, as well as the enforcement of the Fire Code and other related laws.

The Fire Bureau shall have the power to investigate all causes of fires and, if necessary, file the proper complaints with the city or provincial prosecutor who has jurisdiction over the case.

Section 55. *Organization.* ? The Fire Bureau shall be headed by a chief who shall be assisted by a deputy chief. It shall be composed of provincial offices, district offices and city or municipal stations.

At the provincial level, there shall be an office of the provincial fire marshal which shall implement the policies, plans and programs of the Department; and monitor, evaluate and coordinate the operations and activities of the fire service operating units at the city and municipal levels. In the case of large provinces, district offices may be established, to be headed by a district fire marshal.

At the city or municipal level, there shall be a fire station, each headed by a city or municipal fire marshal: Provided, That, in the case of large cities and municipalities, a district office with subordinate fire stations headed by a district fire marshal may be organized as necessary.

The Fire Chief shall recommend to the Secretary the organizational structure and staffing pattern, as well as the disciplinary machinery for officers and men of the Bureau, in accordance with the guidelines set forth herein and as provided in Section 85 of this Act.

The local government units at the city and municipal levels shall be responsible for the fire protection and various emergency services such as rescue and evacuation of injured people at fire-related incidents and, in general, all fire prevention and suppression measures to secure the safety of life and property of the citizenry.

Section 56. *Establishment of Fire Station.* ? There shall be established at least one (1) fire

station with adequate personnel, firefighting facilities and equipment in every provincial capital, city and municipality subject to the standards, rules and regulations as may be promulgated by the Department. The local government unit shall, however, provide the necessary and or site of the station.

Section 57. Qualification Standards. ? The qualification standards of the members of the Fire Bureau shall be as prescribed by the Department based on the requirement of the service.

Section 58. Rank Classification. ? For purposes of efficient administration, supervision and control, the rank classification of the members of the Fire Bureau shall be as follows:

Director

Chief Superintendent

Senior Superintendent

Superintendent

Page 19 of 27 R.A. 6975

2/3/2009 http://www.lawphil.net/statutes/repacts/ra1990/ra_6975_1990.html

Chief Inspector

Senior Inspector

Inspector

Senior Fire Officer IV

Senior Fire Officer III

Senior Fire Officer II

Senior Fire Officer I

Fire Officer III

Fire Officer II

Fire Officer I

Section 59. Key Positions. ? The head of the Fire Bureau with the rank of director shall have the position title of Chief of the Fire Bureau. He shall be assisted by a deputy chief with the rank of chief superintendent.

The assistant heads of the Department's regional offices with the rank of senior superintendent shall assume the position title of Assistant Regional Director for Fire Protection as provided in Section 11 of this Act; the heads of the NCR district offices with the rank of senior superintendent shall have the position title of District Fire Marshall; the heads of the provincial offices with the rank of superintendent shall be known as Provincial Fire Marshall; the heads of the district offices with the rank of chief inspector shall have the position title of District Fire Marshall; and the heads of the municipal or city stations with the rank of senior inspector shall be known as Chief of Municipal/City Fire Station.

CHAPTER V

BUREAU OF JAIL MANAGEMENT AND PENOLOGY

Section 60. Composition. ? The Bureau of Jail Management and Penology, hereinafter referred to as the Jail Bureau, is hereby created initially consisting of officers and uniformed members of the Jail Management and Penology Service as constituted under Presidential Decree No. 765.

Section 61. Powers and Functions. ? The Jail Bureau shall exercise supervision and control over all city and municipal jails. The provincial jails shall be supervised and controlled by the provincial government within its jurisdiction, whose expenses shall be subsidized by the National Government for not more than three (3) years after the effectivity of this Act.

Section 62. Organization. ? The Jail Bureau shall be headed by a Chief who shall be assisted by a deputy chief.

The jail Bureau shall composed of city and municipal jails, each headed by a city or municipal jail warden: Provided, That, in the case of large cities and municipalities, a district jail with subordinate jails headed by a district jail warden may be established as necessary.

The Chief of the Jail Bureau shall recommended to the Secretary the organizational structure and staffing pattern of the Bureau as well as the disciplinary machinery for officers and men of

Page 20 of 27 R.A. 6975

2/3/2009 http://www.lawphil.net/statutes/repacts/ra1990/ra_6975_1990.html

the Bureau in accordance with the guidelines set forth herein and as prescribed in Section 85 of

this Act.

Section 63. *Establishment of District, City or Municipal Jail.* ? There shall be established and maintained in every district, city and municipality a secured, clean adequately equipped and sanitary jail for the custody and safekeeping of city and municipal prisoners, any fugitive from justice, or person detained awaiting investigation or trial and/or transfer to the national penitentiary, and/or violent mentally ill person who endangers himself or the safety of others, duly certified as such by the proper medical or health officer, pending the transfer to a medical institution.

The municipal or city jail service shall preferably be headed by a graduate of a four (4) year course in psychology, psychiatry, sociology, nursing, social work or criminology who shall assist in the immediate rehabilitation of individuals or detention of prisoners. Great care must be exercised so that the human rights of this prisoners are respected and protected, and their spiritual and physical well-being are properly and promptly attended to.

Section 64. *Rank Classification.* ? For purpose of efficient administration, supervision and control, the rank classification of the members of the Jail Bureau shall be as follows:

Director

Chief Superintendent

Senior Superintendent

Superintendent

Chief Inspector

Senior Inspector

Inspector

Senior Jail Officer IV

Senior Jail Officer III

Senior Jail Officer II

Senior Jail Officer I

Jail Officer III

Jail Officer II

Jail Officer I

Section 65. *Key Positions.* ? The head of the Jail Bureau with the rank of director shall have the position title of Chief of Jail Bureau. He shall be assisted by a deputy chief with the rank of chief superintendent.

The assistant heads of the Department's regional offices with the rank of senior superintendent

Page 21 of 27 R.A. 6975

2/3/2009 http://www.lawphil.net/statutes/repacts/ra1990/ra_6975_1990.html

shall assume the position title of Assistant Regional Director of Jail Management and Penology as provided by Section 12 of this Act; the heads of district offices with the rank of chief inspector shall have the position title of District Jail Warden; and the heads of the city or municipal stations with the rank of senior inspector shall be known as City/Municipal Jail Warden.

CHAPTER VI

THE PHILIPPINE PUBLIC SAFETY COLLEGE

Section 66. *Creation of the Philippine Public Safety College.* ? There is hereby created the Philippine Public Safety College (PPSC), which shall be the premier educational institution for the training, human resource development and continuing education of all personnel of the PNP, Fire and Jail Bureaus.

Said College shall be under the direct supervision of a Board of Trustees composed of the Secretary and the three (3) bureau heads.

Section 67. *Composition, Powers and Functions.* ? The College shall consist of the present Philippine National Police Academy (PNPA) established pursuant to Section 13 of Presidential Decree No. 1184, the Fire Service Training Center, the Philippine National Training Center (PNTC), the National Police College, and other special training centers as may be created by the Department, whose functions shall be as follows:

- (a) Formulate and implement training programs for the personnel of the Department;
- (b) Establish and maintain adequate physical training facilities;

- (c) Develop and implement research and development to support educational training programs;
- (d) Conduct an assessment of the training needs of all its clientele; and
- (e) Perform such other related functions as may be prescribed by the Secretary.

Section 68. Organization. ? The structure and staffing pattern of the College shall be prescribed by the Secretary.

CHAPTER VII

COMMON PROVISIONS FOR UNIFORMED PERSONNEL

Section 69. Incentives and Awards. ? There shall be established an incentives and awards system which shall be administered by a board under such rules, regulations and standards as may be promulgated by the Department: Provided, That equivalent awards shall be given by the Department for every award duly given by respectable civic organizations in a nationwide selection for outstanding achievement and/or performance of any member.

Section 70. Health and Welfare. ? It shall be the concern of the Department to provide leadership and assistance in developing health and welfare programs for its personnel. The heads of all bureaus and other offices created under this Act shall take all proper steps towards the creation of an atmosphere conducive to a good supervisor-subordinate relationship and the improvement of personnel morale.

Section 71. Longevity Pay and Allowances. ? Uniformed personnel of the Department shall be entitled to a longevity pay of ten percent (10%) of their basic monthly salaries for every five (5)

Page 22 of 27 R.A. 6975

2/3/2009 http://www.lawphil.net/statutes/repacts/ra1990/ra_6975_1990.html

years of service, which shall be reckoned from the date of the personnel's original appointment in the AFP, or appointment in the police, fire jail or other allied services to the integration of the PC and the INP: Provided, That the totality of such longevity pay shall not exceed fifty percent (50%) of the basic pay. They shall also continue to enjoy the subsistence allowance, quarters allowance, clothing allowance cost of living allowance, hazard pay, and all other allowances as provided by existing laws.

Section 72. Active Service. ? For purposes of this Act, active service of the uniformed personnel shall refer to services rendered as an officer and non-officer, cadet, trainee or draftee in the PNP, Fire or Jail Force or in the municipal police prior to the integration of the PC-INP or in the AFP, and services rendered as a civilian official or employee in the Philippine Government prior to the date of separation or retirement from the PNP, Fire or Jail Force: Provided, That, for purposes of retirement he shall have rendered at least ten (10) years of active service as officer or non-officer in the AFP, and /or in the INP and/or in the PNP, Fire or Jail Force: Provided, further, That services rendered as cadet, probationary officer, trainee or draftee in the AFP or as cadet or trainee in the INP and PNP shall be credited for purposes of longevity pay: Provided, finally, That, for cadet services, the maximum number of service to be credited shall not exceed the duration of the pre-commissionship course specified in the curriculum.

Section 73. Permanent Physical Disability. ? An officer or non-officer who, having accumulated at least twenty (20) years of active service, incurs total permanent physical disability in line of duty shall be compulsorily retired: Provided, That, if he has accumulated less than twenty (20) years of active service, he shall be separated from the service and be entitled to a separation pay equivalent to one and one-fourth (1 1/4) months base pay for every year of service, or a fraction thereof, and longevity pay of the permanent grade he holds.

Section 74. Retirement in the Next Higher Grade. ? Uniformed personnel covered under this Act shall, for purposes of retirement pay, be retired in one (1) grade higher than the permanent grade last held: Provided, That they have served for at least one (1) year of active service in the permanent grade.

Section 75. Retirement Benefits. ? Monthly retirement pay shall be fifty percent (50%) of the base pay and longevity pay of the retired grade in case of twenty (20) years of active service, increasing by two and one-half percent (2.5%) for every year of active service rendered beyond twenty (20) years to a maximum of ninety percent (90%) for thirty-six (36) years of active service and over.

Section 76. *Death and Disability Benefits.* ? A uniformed personnel and/or his heirs shall be entitled to all benefits relative to the death or permanent incapacity of said personnel, as provided for under this Act, and/or other existing laws.

Section 77. *Exemption from Attachment and Taxes.* ? All benefits granted by this Act, including benefits received from the Government Service Insurance System, shall not be subject to attachment, levy, execution or any tax of whatever nature.

Section 78. *Uniformed Personnel Missing in Action.* ? Any uniformed personnel who while in the performance of duty or by reason of his being an officer or member of the PNP, Fire or Jail Force, is officially confirmed missing in action, kidnapped or captured by lawless elements shall, while so absent, be entitled to receive or to have credited to his account the same pay and allowances to which such officer or uniformed member was entitled at the time of the incident: Provided, That the compulsory retirement of a person missing in action shall be processed to allow the members of the next of kin to enjoy the retirement benefits: Provided, further, That should the Chief of the PNP, Fire or Jail Force, as the same may be, upon the recommendation of the proper authority and/or immediate supervisor, subsequently determine that the officer or uniformed member concerned have been absent from duty without authority, such member or his heirs shall reimburse the PNP, Fire or Jail Force all such amount and allowances received by
Page 23 of 27 R.A. 6975

2/3/2009 http://www.lawphil.net/statutes/repacts/ra1990/ra_6975_1990.html
him in accordance with this section and the following section.

Section 79. *Payment of Salary and Allowances to the Heirs of Uniformed Personnel.* ? In case any uniformed personnel has been officially confirmed as missing in action under any of the circumstances provided in the preceding section, the Chief of the PNP, Fire or Jail Force, as the case may be, shall direct payment of the absent uniformed personnel's monthly salary and allowances and other emoluments pertinent thereto his/her heirs for their support for a maximum period of one (1) year from the date of commencement of absent or when last heard from as those kidnapped or captured by lawless elements.

Section 80. *Finding of Death and Termination of Payment of Salary and Allowances.* ? Upon the termination of the one (1) year period as specified in the preceding section, the missing uniformed personnel shall be automatically terminated. In the event said personnel shall thereafter be found to have been alive and is not entitled to the benefits paid under the preceding sections of this Act, said benefits shall be reimbursed to the State within six (6) months from the discovery of the fact or his reappearance. However, if his continued disappearance was fraudulent or made in bad faith he shall, together with his co-conspirators, be prosecuted according to law.

Section 81. *Complaints and Grievances.* ? Uniformed personnel shall have the right to present complaints and grievances to their superiors or commanders and have them heard and adjudicated as expeditiously as possible in the best interest of the service, with due regard to due process in every case. Such complaints or grievances shall be resolved at the lowest possible level in the unit of command and the respondent shall have the right to appeal from an adverse decision to higher authorities.

Section 82. *Prohibitions; Penalties.* ? As professional police, fire and jail officers and members responsible for the maintenance of peace and order and public safety, the members and officers of the PNP, Fire or Jail Force are hereby prohibited from engaging in strikes, rallies, demonstrations and other similar concerted activities, or performing other acts prejudicial to good order and police discipline.

Any PNP, fire or Jail Force member found guilty by final judgment of violating the provisions of the preceding paragraph shall be dismissed from the service without prejudice to whatever criminal or civil liability he may have incurred in relation to such violations.

CHAPTER VIII

TRANSITORY PROVISIONS

Section 83. *Secretary of the Department of Local Government on Holdover Capacity.* ? The incumbent Secretary of the Department of Local Government shall perform the functions of the Secretary of the Interior and Local Government on holdover capacity until such time when a new

Secretary shall have been appointed by the President and confirmed by the Commission on Appointments.

Section 84. *Special Oversight Committee.* ? A special Oversight Committee is hereby created, composed of the Secretary as Chairman, the Secretary of Budget and Management as Cochairman, the Secretary of National defense, the incumbent PC-INP Director General, the incumbent Chairman of the Civil Service Commission, the respective Chairmen of the Committee on Local Government and the Committee on National Defense and Security in the Senate, and the respective Chairmen of the Committee on Public Order and Security and the Committee on National Defense in the House of Representatives, as members, which shall plan and oversee the expeditious implementation of the transfer, merger and/or absorption into the Department of the personnel, property, appropriations and installations of involved agencies.

Page 24 of 27 R.A. 6975

2/3/2009 http://www.lawphil.net/statutes/repacts/ra1990/ra_6975_1990.html

Section 85. *Phases of Implementation.* ? The implementation of this Act shall be undertaken in three (3) phases, to wit:

Phase I ? Exercise of option by the uniformed members of the Philippine Constabulary, the PC elements assigned with the Narcotics Command, CIS, and the personnel of the technical services of the AFP assigned with the PC to include the regular CIS investigating agents and the operatives and agents of the NAPOLCOM Inspection, Investigation and Intelligence Branch, and the personnel of the absorbed National Action Committee on Anti-Hijacking (NACAH) of the Department of National Defense to be completed within six (6) months from the date of the effectivity of this Act. At the end of this phase, all personnel from the INP, PC; AFP Technical Services, NACAH and NAPOLCOM Inspection, Investigation and Intelligence Branch shall have been covered by official orders assigning them to the PNP, Fire and Jail Forces by their respective units.

Phase II ? Approval of the table of organization and equipment of all bureaus and offices created under this Act, preparation and filling up of their stalling pattern, transfer of assets to the Department and organization of the Commission, to be completed within twelve (12) months from the effectivity date hereof. At the end of this phase, all personnel to be absorbed by the Department shall have been issued appointment papers, and the organized Commission and the PNP shall be fully operational.

The PC officers and enlisted personnel who have not opted to join the PNP shall be reassigned to the Army, Navy or Air Force, or shall be allowed to retire under existing AFP rules and regulations. Any PC-INP officer or enlisted personnel may, within the twelvemonth period from the effectivity of this Act, retire and be paid retirement benefits corresponding to a position two (2) ranks higher than his present grade, subject to the conditions that at the time he applies for retirement, he has rendered at least twenty (20) years of service and still has, at most, twenty-four (24) months of service remaining before the compulsory retirement age as provided by existing law for his office.

Phase III ? Adjustment of ranks and establishment of one (1) lineal roster of officers and another for non-officers, and the rationalization of compensation and retirement systems; taking into consideration the existing compensation schemes and retirement and separation benefit systems of the different components of the PNP, to ensure that no member of the PNP shall suffer any diminution in basic longevity and incentive pays, allowances and retirement benefits due there before the creations of the PNP, to be completed within eighteen (18) months from the effectivity of this Act. To accomplish the task of Phase III, the Commission shall create a Board of officers composed of the following: NAPOLCOM Commissioner as Chairman and one (1) representative each for the PC, Budget and Management.

Upon the effectivity of this Act, the Secretary shall exercise administrative supervision as well as operational control over the transferred, merged and/or absorbed AFP and INP units. The incumbent Director General of the PC-INP shall continue to act as Director General of the PNP until such time as he shall have been replaced by the President.

Section 86. *Assumption by the PNP of Police Functions.* ? The PNP shall absorb the functions

of the PC, the INP and the Narcotics Command upon the effectivity of this Act.

All functions of the PAFSECOM and the police functions of the Coast Guard shall be taken over by the PNP when it acquires the capability to perform such functions after the transition period of eighteen (18) months. The personnel of the PAFSECOM or the Coast Guard shall, within the transition period, have the option to join the PNP or remain with the PAFSECOM or the Coast Guard, as the case may be.

Section 87. *Absorption by the Department of the National Action Committee on Anti-Hijacking.* ?

Page 25 of 27 R.A. 6975

2/3/2009 http://www.lawphil.net/statutes/repacts/ra1990/ra_6975_1990.html

The Department shall absorb the National Action Committee on Anti-Hijacking under the Department of National Defense, and the transfer of assets, personnel and accountabilities of this office to the Department shall proceed in accordance with the provisions of this chapter.

Section 88. *Transfer, Merger, and Absorption of Offices and Personnel.* ? All properties, equipment, finances of the transferred and absorbed agencies, including their respective accountabilities, are hereby transferred to the Department.

The transfer, merger and/or absorption of any government office/unit concerned shall include the functions, appropriations, funds, records, equipment, facilities, choses in action, rights, other assets, and liabilities, if any, of the transferred Office/unit as well as the personnel thereof, who shall; unless removed for cause and after due process; in a holdover capacity, continue to perform their respective duties and responsibilities and receive their corresponding salaries and benefits. Those personnel of the transferred, merged, and/or absorbed office/unit whose positions are not included in the new position structure and staffing pattern approved by the Department or who are not reappointed shall be given preference to join the Department or any of the offices thereunder or shall be allowed to retire under existing laws, rules and regulations. Otherwise, they shall be deemed separated and paid gratuity equivalent to one and one-fourth (11/4) months basic salary for every year of service or a fraction thereof.

The personnel of the existing Department of Local Government shall, unless removed for cause and after due process, continue to perform their duties and responsibilities and shall receive their corresponding salaries and benefits.

The heads of the various bureaus and offices created under this Act shall, within six (6) months from the effectivity of this Act, recommended the organizational structure and staffing pattern of their bureaus, and offices for approval by the Secretary.

Section 89. *Compulsory Retirement for INP Members.* ? Any provision hereof to the contrary notwithstanding and within the transition period of four (4) years following the effectivity of this Act, the following members of the INP shall be considered compulsorily retired:

(a) Those who shall attain the age of sixty (60) on the first year of the effectivity of this Act.

(b) Those who shall attain the age of fifty-nine (59) on the second year of the effectivity of this Act; and

(c) Those who shall attain the age of fifty-eight (58) on the third year of the effectivity of this Act.

(d) Those who shall attain the age of fifty-seven (57) on the fourth year of the effectivity of this Act.

Section 90. *Status of Present NAPOLCOM, PC-INP.* ? Upon the effectivity of this Act, the present National Police Commission, and the Philippine Constabulary-Integrated National Police shall cease to exist. The Philippine Constabulary, which is the nucleus of the integrated Philippine Constabulary-Integrated National Police, shall cease to be a major service of the Armed Forces of the Philippines. The Integrated National Police, which is the civilian component of the Philippine Constabulary-Integrated National Police, shall cease to be the national police force and in lieu thereof, a new police force shall be established and constituted pursuant to this Act.

CHAPTER IX

FINAL PROVISIONS

Page 26 of 27 R.A. 6975

2/3/2009 http://www.lawphil.net/statutes/repacts/ra1990/ra_6975_1990.html

Section 91. *Application of Civil Service Laws.* ? The Civil Service Law and its implementing rules and regulations shall apply to all personnel of the Department.

Section 92. *Funding.* ? For purpose of organizing and constituting the Department, and for carrying out the provisions of this Act, the appropriations of the abolished, transferred or reconstituted offices for the current fiscal year shall be transferred to the Department. Thereafter, such as may be necessary to carry out the provisions of this Act shall be included in the annual General Appropriations Act.

Section 93. *Implementing Rules and Regulations.* ? Within ninety (90) days from his appointment, the Secretary shall promulgate rules and regulations necessary to ensure the effective implementation of this Act.

Section 94. *Separability Clause.* ? If any portion or provision of this Act is declared unconstitutional, the same shall not effect the validity and effectivity of the other provisions not affected thereby.

Section 95. *Repealing Clause.* ? All laws, decrees, executive orders, rules and regulations, and other issuances or parts thereof which are inconsistent with this Act hereby repealed, amended or modified accordingly.

The provisions of Executive Order No. 262 shall remain valid insofar as they are not inconsistent with the provisions of this Act.

Section 96. *Effectivity.* ? This Act shall take effect after fifteen (15) days following its publication in two (2) national newspapers of general circulation.

Approved: December 13, 1990

The Lawphil Project - Arellano Law Foundation

Page 27 of 27 R.A. 6975

2/3/2009 http://www.lawphil.net/statutes/repacts/ra1990/ra_6975_1990.html

RA 9263 and its IRR

Republic of the Philippines
Congress of the Philippines
Metro Manila
Twelfth Congress
Third Regular Session

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

Republic Act No. 9263 March 10, 2004

**AN ACT PROVIDING FOR THE PROFESSIONALIZATION OF THE BUREAU OF FIRE PROTECTION (BFP) AND
THE BUREAU OF JAIL MANAGEMENT AND PENOLOGY (BJMP), AMENDING CERTAIN, PROVISIONS OF
REPUBLIC ACT NO. 6975, PROVIDING FUNDS THEREOF AND FOR OTHER PURPOSES**

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

SECTION 1. Title. - This Act shall be known as the "Bureau of Fire Protection and Bureau of Jail Management and Penology Professionalization Act of 2004."

SEC 2. Declaration of Policy and Principles. – It is declared policy of the state to maintain peace and order, protect life, liberty and property, and promote the general welfare essential for the enjoyment by all the people of the blessings of democracy (Article II, Section 5 of the Philippine Constitution) Moreover it recognizes the responsibility of the state to strengthen government capability aimed towards the strengthening of the delivery of basic services to the citizenry though the institutionalization of highly efficient and competent fire and jail services.

It is provided for under Republic Act No. 6975, other wise known as the "Department of the Interior and Local Government Act 1990", that the task of fire protection, and jail management and penology shall be the responsibility of the Bureau of Fire Protection (BFP) and the Bureau of Jail Management and Penology (BJMP), respectively.

Moreover, Section 3 of the Republic Act No. 8551, otherwise known as the "Philippine National Police Reform and Reorganization Act of 1998", provides that in times of national emergency, BFP and the BJMP along with the Philippine National Police (PNP) shall, upon the direction of the President, assist the Armed Forces of the Philippines (AFP) in meeting the national emergency, in addition to the performance of their inherent functions as mandated by law.

It is therefore recognized that the uniformed personnel of the BFP and the BJMP, as member of the uniformed service of the government under the Department of the Interior and Local Government (DILG), are required the same amount of sacrifice, service and dedication like their counterparts in the PNP and the AFP to carry out their respective duties to the extent of risking their lives and limbs.

Towards this end, the State shall provide for the Professionalization and restructuring of the BFP and the BJMP by upgrading the level of qualifications of their uniformed personnel and standardizing their base pay, retirement and other benefits, making it at par with those of the PNP and the AFP.

SEC. 3. Organization and Key Positions of the BFP and the BJMP. – The BFP and the BJMP shall be respectively headed by a Chief who shall be assisted by two (2) deputy chiefs, one (1) for administration and one (1) for operations, all of whom shall be appointed by the President upon recommendation of the Secretary of the DILG from among the qualified officers with at least the rank of senior superintendent in the service: *Provided*, that in no case shall any officer who has retired or is retirable within six (6) months from his/her compulsory retirement age be appointed as Chief of the Fire Bureau or Chief of the Jail Bureau, as the case may be, *Provided, further*, that the Chief of the Fire Bureau and Chief of the Jail Bureau shall serve a tour of duty not to exceed four (4) years: *Provided, however*, that in times of war or other national emergency declared by Congress, the President may extend such tour of duty.

The Heads of the BFP and the BJMP with the rank of director shall have the position title of Chief of the Fire Bureau and the Chief of the Jail Bureau, respectively. The second officers in command of the BFP and the

BJMP with the rank of chief superintendent shall have the position title of Deputy Chief for Administration of the Jail Bureau, respectively. The third officer in command of the BFP and the BJMP with the rank of chief superintendent shall have the position title of Deputy Chief for Operation of Fire Bureau and Deputy Chief for Operation of the Jail Bureau, respectively. The fourth officers in command of the BFP and the BJMP with the rank of chief superintendent shall have the respective position title of Chief of Directorial Staff of the Fire Bureau and Chief of Directorial Staff of the Jail Bureau, who shall be assisted by the directors of the directorates in the respective national headquarters office with at least the rank of senior superintendent.

The BFP and the shall establish, operate and maintain their respective regional offices in each of the administrative regions of the country which shall be respectively headed by a Regional Director for Fire Protection and a Regional Director of Jail Management and Penology with the rank of senior superintendent. He/She shall be respectively assisted by the following officers with the rank of superintendent: Assistant Regional Director for Administration, Assistant Regional Director for Operations, and Regional Chief of Directorial Staff.

SEC. 4. Professionalization and Upgrading of Qualification Standards in the Appointment of Uniformed Personnel to the BFP and the BJMP. – No person shall be appointed as uniformed personnel of the BFP and the BJMP unless he/she possesses the following minimum qualifications:

- a) A citizen of the Republic of the Philippines;
- b) A person of good moral character;
- c) Must have passed the psychiatric/psychological, drug and physical test for the purpose of determining his/her physical and mental health;
- d) Must possess a baccalaureate degree from recognized institution of learning;
- e) Must possess the appropriate civil service eligibility;
- f) Must not have been dishonorably discharged or dismissal for cause from previous employment;
- g) Must not have been convicted by final judgement of an offense or crime involving moral turpitude;
- h) Must be at least one meter and sixty-two centimeters (1.62 m.) in height for male, and one meter and fifty-seven centimeters (1.57 m.) for female: *Provided*, That a waiver for height and age requirement \s shall be automatically granted to applicants belonging to the cultural communities; and
- i) Must weight not more or less than five kilograms (5 kgs.) from the standard weight corresponding to his/her height, age and sex;

Provided, That a new applicants must be less than twenty one (21) nor more than thirty (30) years of age: except for this particular provision, the above–enumerated qualifications shall be continuing in character and an absence of any one of them at any given time shall be ground for separation or retirement from the service: *Provided,further*, That the uniformed personnel who are already in the service upon the effectivity of this Act shall be given five (5) years to obtain the minimum educational qualification and one (1) year to satisfy the weight requirement.

After the lapse of the time of period for the satisfaction of a specific requirement, current uniformed personnel of the BFP and the BJMP who will fail to satisfy any of the requirements enumerated under this Section shall be separated from the service if they are below fifty (50) years of age and have served in the government for less than twenty (20) years, or retired if they are age fifty (50) and above and have served in the government for at least twenty (20) years without prejudice in either case to the payment of benefits they may be entitled to under existing laws.

SEC. 5. Appointment of Uniformed Personnel to the BFP and the BJMP. – The appointment of the BFP and the BJMP shall be effected in the following manners:

- a) *Fire/Jail Officer I to Senior Fire/Jail Officer IV.* – Appointed by the respective Regional Director for Fire Protection and Regional Director for Jail Management and Penology for the regional office

uniformed personnel or by the respective Chief of the Fire Bureau and Chief of the Jail Bureau for the national headquarters office uniformed personnel, and attested by the Civil Service Commission (CSC);

b) *"Fire/Jail Inspector to Fire/Jail Superintendent.* – Appointed by the respective Chief of the Fire Bureau and Chief of the Jail Bureau, as recommended by their immediate superiors, and attested by the CSC;

c) *Fire/Jail Senior Superintendent.* – Appointed by the Secretary of the DILG upon recommendation of the respective Chief of the Fire Bureau and Chief of the Jail Bureau, with the proper attestation of the CSC; and

d) *Fire/ Jail Chief Superintendent. To Fire/Jail Director.-* Appointed by the President upon recommendation of the Secretary of the DILG, with the proper endorsement by the Chairman of the CSC.

SEC. 6. Lateral Entry of Officer into the BFP and the BJMP. – In general, all original appointments of officers in the Fire Bureau and Jail Bureau shall commence the rank of fire/jail inspector wherein applicants for lateral entry into the BFP shall include all those with highly specialized and technical qualifications such as, but not limited to, civil engineers, mechanical engineers, electrical engineers, chemical engineers, chemist, architects, criminologists, certified public accountants, nurses, physical therapists, and dentists, while applicants for lateral entry into the BJMP shall include all those with highly specialized and technical qualifications such as, but not limited to, social workers, psychologists, teachers, nurses, dentists and engineers. Doctor of Medicine, members of the Philippine Bar and chaplains shall be appointed to the rank of fire/jail senior inspector in their particular technical service. Graduate of the Philippine National Police Academy (PNPA) shall be automatically appointed to the initial rank of fire/jail inspector.

SEC. 7. Professionalization and Upgrading of Qualification Standards in the Designation of Uniformed Personnel of the BFP and the BJMP to Key Positions. -

a) No person shall be designated to the following key positions of the BFP and the BJMP unless he/she has met the qualifications provided therein:

1) *Municipal Fire Marshal.* – Should have the rank of senior inspector, who must have finished at least second year Bachelor of Laws or earned at least twelve (12) units in a master's degree program in public administration, management, engineering, public safety, criminology or other related discipline from recognized institution of learning, and must have satisfactory passed the necessary training of career courses for such position as may be established by the Fire Bureau;

2) *City Fire Marshal.* - Should the rank of chief of senior inspector, who must have finished at least second year Bachelor of Laws or earned at least twenty four (24) units in a master's degree program in public administration, management, engineering, public safety, criminology or other related disciplines from recognized institution of learning, and must have satisfactory passed the necessary training or career courses for such position as may be established by the Fire Bureau;

3) *District Fire Marshal, Provincial Fire Marshal, Assistant Regional Director for Administration, Assistant Regional Director for Operations and Regional Chief of Directorial Staff.* – Should have the rank of superintendent, who must be a graduate of Bachelor of Laws or a holder of a mater's degree in public administration, management, engineering, public safety, criminology or other related disciplines from recognized institution of learning, and must have satisfactory passed the necessary training or career courses for such position as may be established by the Fire Bureau;

4) *District Fire Marshal for the National Capital Region, Regional Director for Fire Protection and Director of the Directorate of the National Headquarters Office.* – Should have at least the rank of senior superintendent, who must be a graduate of Bachelor of Laws or a holder of master's degree in public administration, management, engineering, public safety,

criminology or other related disciplines from a recognized institution of learning, and must have satisfactory passed the necessary training or career course for such position as may be established by the Fire Bureau;

5) *Deputy Chief for Administration of the Fire Bureau, Deputy Chief for Operations of the Fire Bureau and Chief Directorial Staff of the Fire Bureau.* - Should have the rank of superintendent, who must be a member of the Philippine Bar or a holder of a master's degree in public administration, management, engineering, public safety, criminology or other related disciplines from recognized institution of learning, and must have satisfactory passed the necessary training or career courses for such as may be established by the Fire Bureau; and

6) *Chief of the Fire Bureau.* - Should have the rank of director, who must be a member of the Philippine Bar or a holder of a master's degree in public administration, management, engineering, public safety, criminology or other related discipline from a recognized institution of learning, and must satisfactory passed the necessary training or career courses for such position as may be established by the Fire Bureau.

b) No person shall be designated to the following key positions of the BJMP unless he/she has met the qualification provided therein:

1) *Municipal Jail Warden.* - Should have the rank of chief inspector, who have finished at least second year Bachelor of Laws or earned at least twelve (12) units in a master' degree program in management, public administration, public safety, criminology, penology, sociology, national security administration, defense studies, or other related disciplines from a recognized institution of learning, and must have satisfactory passed the necessary training or career courses for such position as may be established by the Jail Bureau;

2) *City Jail Warden.* - Should have the rank of chief inspector, who must have finished at least second year Bachelor of Laws or earned at least twenty four (24) units in master's degree program in management, public administration, public safety, criminology, penology, sociology, national security administration, defense studies or related disciplines from a recognized institution of learning and must satisfactory passed the necessary training or career courses for such position as may be established by the Jail Bureau: *Provided*, That in city jails with a population of one thousand (1,000) or more inmates, the city jail warden shall the rank and qualification of a district jail warden;

3) *District Jail Warden, Provincial Jail Administrator, Assistant Regional Director for Administration, Assistant Regional Director for Operations and Regional Chief of Directorial Staff.* - Should have the rank of senior superintendent, who must be a graduate of Bachelor of Laws or a holder of a master's degree in management, public administration, public safety, criminology, penology, sociology, national security administration, defense studies or other related discipline from a recognized institution of learning, and must satisfactory passed the necessary training or career courses for such position as may be established by the Jail bureau;

4) *Regional Director for Jail Management and Penology and Director of the Directorate of the National Headquarters Office.* - Should have the rank of senior superintendent, who must be a graduate of Bachelor of Laws or a holder of a master's degree in management, public administration, public safety, criminology, penology, sociology, national security administration, defense studies or other related discipline from a recognized institution of learning, and must satisfactory passed the necessary training or career courses for such position as may be established by the Jail bureau;

5) *Deputy Chief for Administration of the Jail Bureau, Deputy Chief for Operations of the Jail Bureau and Chief of Directorial Staff of the Jail Bureau.* - Should have the rank of senior superintendent, who must be a member of the Philippine Bar or a holder of a master's degree in management, public administration, public safety, criminology, penology,

sociology, national security administration, defense studies or other related discipline from a recognized institution of learning, and must satisfactory passed the necessary training or career courses for such position as may be established by the Jail bureau; and

6) *Chief of the Jail Bureau.* – Should have the rank of director, who must be a member of the Philippine Bar or a holder of a master's degree in management, public administration, public safety, criminology, penology, sociology, national security administration, defense studies or other related discipline from a recognized institution of learning, and must satisfactory passed the necessary training or career courses for such position as may be established by the Jail bureau.

Any uniformed personnel of the BFP and the BJMP who is currently occupying such position but lacks any of the qualifications mentioned therein shall be given three(3) years upon the effectivity of this Act to comply with the requirements, otherwise he/she shall be relieved from the position.

SEC. 8. Professionalization and Qualifications Upgrading Program. – The DILG shall design and establish a professionalization and qualifications upgrading program for uniformed personnel of the BFP and the BJMP in coordination with the CSC and the Commission on Higher Education (CHED) through an off-campus education program or other similar programs within ninety (90) days from the effectivity of this Act.

SEC. 9. Attrition System for the Uniformed Personnel of the BFP and the BJMP. - There shall be established a system of attrition for the uniformed personnel of the BFP and the BJMP within one (1) year from the effectivity of this Act to be submitted by said bureaus to the DILG for approval. Such attrition system shall include, but is not limited to, the provision of the following principles:

a) *Attrition by Demotion in Position or Rank.* – Any uniformed personnel of the BFP and the BJMP who is relieved and assigned to a position lower than that is established for his/her grade in the respective staffing pattern of the Fire Bureau and the Jail Bureau, and who shall not be assigned to a position commensurate to his/her grade within two (2) years after such demotion in position shall be separated or retired from the service;

b) *Attrition by Non-Promotion.* – Any uniformed personnel of the BFP and the BJMP who has not been promoted for a continuous period of ten (10) years shall be separated or retired from the service, except for those who are occupying a third-level position;

c) *Attrition by Other Means.* – Any uniformed personnel of the BFP and the BJMP with at least five (5) years of accumulated active service shall be separated from the service based on any of the following factors:

- 1) Inefficiency based on poor performance during the last two (2) successive semestral ratings period;
- 2) Inefficiency based on poor performance for three (3) cumulative semestral rating period;
- 3) Physical and/or mental incapacity to perform his/her duties and functions; or
- 4) Failure to complete the required career courses and/or appropriate civil service eligibility for his/her position except for justifiable; and

d) *Separation or Retirement from the Fire Bureau and the Jail Bureau under this Section.* – Any personnel who is dismissed from the BFP and the BJMP pursuant to the above-enumerated principles in this Section shall be separated if he/she has rendered less than twenty (20) years of service, and be retired if he/she has rendered at least twenty (20) years of service unless the concerned personnel is disqualified by law to receive such benefits.

SEC. 10. Promotion System for the Uniformed Personnel of the BFP and BJMP. – Within six (6) months after the effectivity of this Act, the DILG shall establish a system of promotion for the uniformed personnel of the BFP and the BJMP through the following principles:

a) *Rationalized Promotion System.* – The system of promotion shall be based on merits and on the availability of vacant ranks in the BFP and the BJMP staffing pattern. Such system shall be gender-

fair so as to ensure that women personnel of the Fire Bureau and the Jail Bureau shall enjoy equal opportunity for promotion as to men;

b) Requirement for Promotion. -

1) Any personnel of the BFP and the BJMP shall not eligible for promotion to a higher rank unless he/she has met the minimum qualification standards or the appropriate civil service eligibility set by the CSC, and has the satisfactorily passed the required psychiatric/psychological, drug and physical test;

2) Any personnel of the BFP and the BJMP who has exhibited act of conspicuous courage and gallantry at the risk his/her life above and beyond the call of duty, or selected as such in a nationwide search conducted by any accredited civic organization, shall be promoted to the next higher rank,*Provided*, That these shall be validated by the DILG and the CSC based on established criteria.

SEC. 11. Performance Evaluation System. - There shall be established a performance evaluation system which shall be administered with accordance with the rules, regulations and standards, and a code of conduct for the uniformed personnel of the BFP and the BJMP to be promulgated by the Fire Bureau and the Jail Bureau through the DILG. Such performance evaluation system shall be administered in such a way as to foster the improvement of the individual efficiency and behavioral discipline as well as the promotion of organizational effectiveness and commitment to service.

The rating system as contemplated herein shall be based on standard prescribed by the Fire Bureau and the Jail Bureau through the DILG and shall be consider the result of the annual psychiatric/psychological and physical test conducted on the uniformed personnel of the BFP and the BJMP.

SEC. 12. Standardization of the Base Pay, Retirement and other Benefits of the Uniformed Personnel of the BFP and the BJMP. – In order to enhance the general welfare, commitment to service and professionalism of the uniformed personnel of the BFP and the BJMP, they shall receive the minimum starting salary equivalent to the salary grade level of the corresponding rank classification of their counterparts in the PNP, as provided under Section 36 of Republic Act No. 8551, and in the AFP, as provided under Section 2 of Republic Act No. 9166.

The rate of the base pay of the uniformed personnel of the BFP and the BJMP shall be adjusted in accordance with the following salary grade schedule:

RANK SALARY	GRADE
Fire/Jail Director	28
Fire/Jail Chief Superintendent	27
Fire/Jail Senior Superintendent	26
Fire/Jail Superintendent	25
Fire/Jail Chief Inspector	24
Fire/Jail Senior Inspector	23
Fire/ Jail Inspector	22
Senior Fire/Jail Officer IV	19

Senior Fire/Jail Officer III	18
Senior Fire/Jail Officer II	17
Senior Fire/Jail Officer I	16
Fire/ Jail Officer III	14
Fire/Jail Officer II	12
Fire/Jail Officer I	10

Provided, That all benefits currently receive by the uniformed personnel of the BFP and the BJMP under existing laws shall continue to be received by them: *Provided, Further*, That their retirement pay shall be subject to adjustment/s based on the prevailing scale of base pay of the uniformed personnel in the active service.

SEC. 13. Implementation. – The implementation of this Act shall be undertaken in staggered phases, but not to exceed three (3) years, taking into consideration the financial position of the national government: *Provided*, That any partial implementation shall be uniform and proportionate for all ranks.

SEC. 14. Implementation Rules and Regulations. – The DILG in coordination with the BFP and the BJMP, the CSC, the Department of Budget and Management (DBM), and the Department of Finance (DOF) shall, within ninety (90) days from the effectivity of this Act, promulgate the rules and regulations necessary to implement the provision of this Act.

SEC. 15. Annual Report. – The BFP and the BJMP through the DILG and the DBM shall jointly submit to the President of the Senate and the Speaker of the House of Representatives an annual report on the implementation of this Act. This report shall include information on the application of the budget for the salary and other benefits provided under this Act. The DBM, in consultation with the BFP and the BJMP though the DILG, shall periodically review and adjust every five (5) years the rates of base pay, taking into consideration labor productivity, consumer price index, oil price and other similar economic indicators as may be determined by the National Economic and Development authority (NEDA).

SEC. 16. Separability Clause.- If any portion or provision of this Act is declared unconstitutional, the same shall not affect the validity and effectivity of the other provisions not affected thereby.

SEC. 17. Repealing Clause. – All laws, decrees, orders, rules and regulations, and other issuances, or parts thereof, which are inconsistent with the provisions of this Act, are hereby deemed repealed, amended or modified accordingly.

SEC. 18. Effectivity. – This Act shall take effect fifteen (15) days after its complete publication in the Official Gazette or in at least two (2) newspapers of general circulation, whichever comes earlier.

Approved,

FRANKLIN DRILON
President of the Senate

JOSE DE VENECIA JR.
Speaker of the House of
Representatives

This Act which is a consolation of Senate Bill No. 2373 and House Bill No. 6557 was finally passed by the Senate and the House of Representatives on January 29, 2004 and February 2, 2004, respectively.

OSCAR G. YABES

ROBERTO P. NAZARENO
Secretary General

Secretary of Senate

House of Representatives

Approved: March 10, 2004

GLORIA MACAPAGAL-ARROYO

President of the Philippines

RA 9592 and its IRR

RULES AND REGULATIONS IMPLEMENTING REPUBLIC ACT NO. 9592, AN ACT EXTENDING FOR FIVE (5) YEARS THE REGLEMENTARY PERIOD FOR COMPLYING WITH THE MINIMUM EDUCATIONAL QUALIFICATION AND APPROPRIATE ELIGIBILITY IN THE APPOINTMENT TO THE BUREAU OF FIRE PROTECTION (BFP) AND THE BUREAU OF JAIL MANAGEMENT AND PENOLOGY (BJMP), AMENDING FOR THE PURPOSE CERTAIN PROVISIONS OF REPUBLIC ACT NO. 9263, OTHERWISE KNOWN AS THE “BUREAU OF FIRE PROTECTION AND BUREAU OF JAIL MANAGEMENT AND PENOLOGY PROFESSIONALIZATION ACT OF 2004” AND FOR OTHER PURPOSES

Pursuant to Section 3 of Republic Act No. 9592 which took effect on May 27, 2009, the Department of the Interior and Local Government, in coordination with the Bureau of Fire Protection, the Bureau of Jail Management and Penology, the Civil Service Commission and the Commission on Higher Education (CHED), hereby adopts and promulgates the following implementing rules and regulations:

RULE I

**QUALIFICATIONS FOR INITIAL APPOINTMENT TO THE BFP AND THE BJMP
AND AMENDMENTS TO THE EDUCATION AND ELIGIBILITY REQUIREMENTS
FOR INCUMBENT UNIFORMED PERSONNEL**

SECTION 1. GENERAL QUALIFICATIONS FOR APPOINTMENT

- Initial Appointment – No person shall be appointed as uniformed personnel of the BFP and the BJMP unless he/she possesses the following minimum qualifications:
 - A citizen of the Republic of the Philippines;
 - A person of good moral character;
 - Must have passed the psychiatric/psychological, drug and physical tests for the purpose of determining his/her physical and mental health;
 - Must possess a baccalaureate degree from a recognized institution of learning;
 - Must possess the appropriate civil service eligibility;
 - Must not have been dishonorably discharged or dismissed for cause from previous employment;
 - Must not have been convicted by final judgment of an offense or crime involving moral turpitude;
 - Must not be less than twenty-one (21) nor more than thirty (30) years of age;
 - Must be at least one meter and sixty-two centimeters (1.62 m.) in height for male, and one meter and fifty-seven centimeters (1.57 m.) for female; *Provided*, that a waiver for height and age requirements shall be automatically granted to applicants belonging to the cultural communities; and

- Must weigh not more or less than five kilograms (5 kgs.) from the standard weight corresponding to his/her height, age and sex.

The above-enumerated qualifications shall be continuing in character, except for paragraph 8, and an absence of any one of them at any given time shall be a ground for separation or retirement from the service.

B. Incumbent Uniformed Personnel – All incumbent uniformed personnel of the BFP and the BJMP shall continuously possess the qualifications under Section 1 paragraph A of this IRR, subject to the following:

- Uniformed personnel who are already in the service prior to the effectivity of Republic Act No. 9263 shall be given another five (5) years to obtain the minimum educational qualification and appropriate civil service eligibility to be reckoned from May 27, 2009, the date of the effectivity of Republic Act No. 9592;
- Incumbent uniformed personnel who have acquired NAPOLCOM eligibility prior to the effectivity of Republic Act No. 9263 shall be considered to have complied with the appropriate civil service eligibility;
- BFP and BJMP uniformed personnel who do not meet the minimum educational qualification and eligibility requirement, but have rendered more than fifteen (15) years of service at the time of the effectivity of Republic Act No. 9592 shall no longer be required to comply with the aforementioned educational and eligibility requirements. However, they shall not be qualified for promotion to the next higher rank via regular promotion unless they have complied with the educational and eligibility requirements. Nevertheless, they shall be exempted from Section 14, Rule VII and Section 14, Rule XVI of the IRR of RA 9263 or the attrition provision of the law if not promoted within a period of ten (10) consecutive years;
- Similarly, incumbent BFP and BJMP uniformed personnel with first level civil service eligibility prior to Republic Act No. 9263, shall be appointed in permanent status, provided they met the other requirements of the rank;
- After the lapse of the five-year reglementary period given to those who have served the BFP or the BJMP for fifteen (15) years or less upon the effectivity of Republic Act No. 9592, current BFP and BJMP uniformed personnel who still fail to satisfy any of the aforementioned requirements shall be separated from the service if they are below fifty (50) years of age and have served in the government for less than twenty (20) years, or retired if they are from age fifty (50) and above and have served in the government for at least twenty (20) years without prejudice in either case to the payment of benefits they may be entitled to under existing laws; *Provided*, that personnel who have served the government for at least twenty (20) years but whose age is less than fifty (50) may avail of optional retirement.

SECTION 2. WAIVER FOR INITIAL APPOINTMENT TO THE BFP AND THE BJMP

8. Waiver for height and age, requirement shall be automatically granted by the Chief, BFP and the Chief, BJMP to applicants belonging to the cultural communities; *Provided*, that applicants who belong to cultural communities must submit proof of their membership in a particular cultural minority as certified by the National Commission on Indigenous People (NCIP) or the Office of Muslim Affairs (OMA).

9. In all other cases, as may be determined and upon recommendation of the BFP Personnel Selection Board in the Regions or the National Headquarters, waiver of age and height requirement may be granted by the Chief, BFP to applicants who possess any of the following:

- outstanding scholastic accomplishments, such as being honor graduates, consistent academic scholars, board/bar topnotchers and the like;
- possession of special skills in fire suppression, fire prevention, knowledge and skill in operation of heavy equipment, such as aerial ladder, squirt, lighting tower truck, rescue tender and other apparatus and equipment, rescue and emergency medical services;
- holder of professional driver's license with **2** and **3** restriction code;
- mechanic with TESDA mechanic trade test certificate with expertise in pump operation, auto diesel engine and auto electrical troubleshooting; or
- other skills that will sustain the traditions/other demands of the uniformed service.

Waiver for age and height requirements may only be granted by the Chief, BJMP upon the recommendation of the National or the Regional Recruitment and Selection Board (NRSB/RRSB). The recipient of a waiver in the BJMP shall possess any redeeming qualification, professional competence or skill like:

- Outstanding scholastic accomplishments, such as being honor graduates, consistent academic scholars, board/bar topnotchers and the like;
- Possessing a technical skill needed by the BJMP as may be identified by the NRSB/RRSB;
- Possessing experience of value to the BJMP as may be identified by the NRSB/RRSB; or
- Possessing an educational qualification higher than or in addition to, the requisite

educational or academic requirement.

Provided, that waiver under Section 2 paragraph B hereof may be granted only when the number of qualified applicants falls below the minimum quota, except in cases where an applicant with waiver possesses superior qualifications.

10. Waiver of age requirement under Section 2 paragraph B hereof may be granted provided that the applicant shall not be over thirty-five (35) years of age. For purposes of this paragraph, one is considered to be not over thirty-five (35) years old if he/she has not yet reached his or her thirty-sixth (36th) birthday on the date of the effectivity of his/ her appointment; *Provided*, that in case an applicant was previously with the government service, the age difference when the number of years in the government is subtracted from his/ her actual age at the time of appointment must not exceed forty (40) years; *Provided*, finally, that his/her previous separation from the government service was not for cause;

11. Waiver of height requirement under Section 2 paragraph B hereof may be granted only to a male applicant who is at least 1 meter and 57 centimeters (1.57m) and to a female applicant who is at least 1 meter and 52 centimeters (1.52m); and

12. The height and age requirements shall only be waived subject to the condition that the applicant meets and possesses all other qualification standards.

RULE II

AMENDMENTS TO PROMOTION REQUIREMENTS OF BFP AND BJMP UNIFORMED PERSONNEL

SECTION 3. RATIONALIZED PROMOTION SYSTEM – The DILG through the recommendation of the BFP and the BJMP shall establish a system of promotion for uniformed personnel of the BFP and the BJMP which shall be based on merit and fitness in consonance with the Civil Service Law and Rules and on the availability of vacant ranks in the BFP and the BJMP staffing pattern. Such system shall be gender-fair and shall ensure that all members of the Fire Bureau and the Jail Bureau shall enjoy equal opportunity for promotion.

SECTION 4. MODES OF PROMOTION – The two (2) modes of promotion in the BFP and the BJMP are as follows:

A. Regular Promotion – Any uniformed personnel of the BFP and the BJMP who has met the minimum qualifications for a rank which shall include education, experience, training, and appropriate civil service eligibility, and has satisfactorily passed the required psychiatric/psychological, drug and physical tests shall be eligible for promotion to the next higher rank. For purposes of the eligibility requirement, BFP and BJMP personnel who have obtained NAPOLCOM eligibility prior to the effectivity of Republic Act No. 9263, hereunder classified, shall be considered to have complied with the appropriate civil service eligibility requirement.

- Holders of the following NAPOLCOM eligibilities may apply for promotion:

- UP TO THE RANK OF SFO4/SJO4

- Patrolman (CC)/(MN)
- Patrolman Entrance (CC)/(MN)
- Patrolwoman (CC)/(MN)
- INP Entrance
- Patrolman First Class (CC)/(MN)
- Police Corporal (CC)/(MN)
- Police Officer
- Police Officer II
- Police Officer III
- PNP Entrance
- Senior Police Officer I
- Senior Police Officer II
- Senior Police Officer III
- Police Sergeant (CC)/(MN)
- Police Officer Third Class (PO 3rd Class)
- Fire Officer Third Class (FO 3rd Class)
- Senior Police Officer IV
- Senior Police Officer

- UP TO THE RANK OF INSPECTOR

- Police Lieutenant (CC)/(MN)
- Police Inspector (taken April 28, 1991 and November 24, 1991)

- UP TO THE RANK OF SENIOR INSPECTOR

- Police Captain (CC)/(MN)
- Police Officer Second Class (PO 2nd Class)
- Fire Officer Second Class (FO 2nd Class)
- Police Senior Inspector

- UP TO THE RANK OF CHIEF INSPECTOR

- Police Major (CC)/(MN)
- Police Chief Inspector
- Police Inspector (taken April 26, 1992 to April 03, 2004)

- - UP TO THE RANK OF SUPERINTENDENT
 - Police Lt/Colonel (CC)/(MN)
 - Police Colonel (CC)/(MN)
 - Police Superintendent (taken on April 28, 1991 & November 24, 1991)
- - UP TO THE RANK OF SENIOR SUPERINTENDENT
 - Deputy Chief of Police (CC)/(MN)
 - Chief of Police (CC)/(MN)
- - UP TO THE HIGHEST RANK
 - Police Officer First Class (PO 1st Class)
 - Fire Officer First Class (FO 1st Class)
 - Police Superintendent (taken on April 26, 1992 to April 3, 2004)

B. Special Promotion

- Meritorious Promotion - Any uniformed personnel of the BFP and the BJMP who has exhibited acts of conspicuous courage and gallantry at the risk of his/her life above and beyond the call of duty shall be promoted to the next higher rank;
- Special Promotion based on awards - BFP and BJMP personnel selected for an award in a nationwide search conducted by any accredited civic organization shall be promoted to the next higher rank;
- On-the-spot promotion - a special promotion granted instantaneously at or near the scene of an incident or occurrence or at any place immediately thereafter to any BFP or BJMP uniformed personnel who has exhibited acts of conspicuous courage and gallantry at the risk of his or her life above and beyond the call of duty conferred by an appointing authority such as Regional Director of the BFP and the BJMP or Chief, BFP and Chief, BJMP as the case may be, DILG Undersecretary for Public Safety, DILG Secretary or the President of the Republic of the Philippines according to his/her sound judgment or discretion which require no further evaluation by the Promotions Board;
- Posthumous Promotion –any BFP or BJMP uniformed personnel who die in line of duty but eligible for optional retirement should be given rank promotion.

All modes of special promotion shall be validated by the DILG and the CSC based on respective BFP and BJMP established criteria as mandated by existing law.

Considering the peculiar nature of special promotion, qualification standards (QS) for various ranks as approved by the CSC shall not apply. In lieu thereof, specific guidelines for special promotion shall be prepared by the BFP and the BJMP in close coordination with the DILG and the CSC. The guidelines may be amended to conform to the existing conditions and/or when such amendment will serve greater public interest.

RULE III

FINAL PROVISIONS

SECTION 5. SEPARABILITY CLAUSE – If for any reason, any provision hereof is declared to be unconstitutional or invalid, the other sections or provision hereof which are not affected thereby shall continue to be in full force and effect.

SECTION 6. REPEALING CLAUSE – All laws, decrees, memorandum circulars, resolutions, orders and other issuances or parts thereof which are inconsistent with Republic Act No. 9592 and with these Implementing Rules and Regulations are hereby repealed, amended or modified accordingly.

SECTION 7. IMPLEMENTING DETAILS – The Department of the Interior and Local Government after consultation with the BFP and the BJMP in coordination with the Civil Service Commission and Commission on Higher Education may amend this Implementing Rules and Regulations or issue such additional rules and regulations as may be necessary to carry into effect the intention of the law or further clarify any part thereof.

SECTION 8. EFFECTIVITY – These Implementing Rules and Regulations shall take effect upon its publication in two (2) newspapers of general circulation.

Done this _____ day of _____ at Quezon City, Philippines.

HON. AUSTERE A. PANADERO

Acting Secretary

Department of the Interior and Local Government

HON. FRANCISCO T DUQUE III, MD, MSc

PATRICIA B. LICUANAN, Ph. D.

CSC Rules and Regulations and Qualification Standards
BFP Memo Circulars and SOP's on Administrative Matters

1. CSC Resolution No. 041366 – Qualification Standards for uniformed Personnel Positions in the BFP
2. Memorandum Circular (MC) No. 2006-006 – BFP Guidelines and Standard Procedures in the Recruitment, Selection and Appointment of Fire Officer 1 (FO1)
3. MC No. 2003-01 – Prescribing the Classification of the New General Office Attire (GOA) Uniform and Additional Bush Jacket for Officers
4. MC No. 2007-005 – Prescribing a Standard Procedure for the Recruitment/Promotion of First And Second Level Positions of Non-Uniformed Personnel (NUP) in the BFP
5. BFP SOP No. 2007-01 – BFP Recruit Orientation Program
6. RA 9263 – Professionalization Act
7. CSC Resolution No. 061386 – Qualification Standard for Information Officer as a Lateral Entry in the BFP
8. MC No. ____ - Amendment of the Quota Allocation of MC No. 2006-002 dated 17 Aug 2006 (Lateral Entry Promotion to the Rank of Inspector for information Officers
9. CSC Resolution No. 041312 – Qualification Standards for Lateral Entry Positions in the BFP
10. MC No. 2007-002 – Prescribing a Standard Procedure for the Promotion of Uniformed Personnel for Second Level Positions with the Rank of Inspector to Superintendent in the BFP
11. MC No. 2007-003 – Prescribing a Standard Procedure for the Promotion of Uniformed Personnel for Second Level Positions with the Rank of Fire Officer 1 (FO1) to Senior Fire Officer 4 (SFO4) in the BFP
12. MC No. 2007-012 – Prescribing a Standard Procedure for the Lateral Entry Appointment in the BFP for Outside Applicants
13. MC No. 2007-011 – Prescribing a Standard Procedure for the Lateral Entry Appointment in the BFP for Organic Personnel
14. CSC Resolution No. 070629 – Revised Policies on Change of Status Appoinment from Temporary to Permanent
15. MC No. 2003-04 – Standard Operating Procedures in Mandatory Training
16. MC No. 2001-08 – Rules and Regulations Governing the BFP Scholarship Program
17. Fiscal Directives No. 2001-03 – Guidelines in the Payment of Scholarship Grant
18. MC No. 2007-15 – Reimbursement of the Hospitalization Expenses of the BFP Uniformed Personnel in Active Service
19. PDC Resolution No. 2002-04 – A Resolution Amending the Policy Gidelines Governing the Granting of Study Leave to All Personnel of the BFP
20. MC No. 2006-005 – Uniformed Rules on Administartive Cases in the BFP
21. MC No. 2003-10 – Revised Guidelines Implementing Sec 2, Rule XII of CSC MC No. 40, s. 1998, as amended Implementing Book V of E.O. 292
22. MC No. ____ - BFP Guidelines Implementing Mandatory Drug Testing of BFP Personnel in compliance to Sec. 36, RA 9165 (The Comprehensive Dangerous Act of 2002) and other provisions thereof
23. RA 9485 – Anti-Red Tape Act of 2007
24. BFP Resolution No. 2001-01 – A Resolution Establishing a Retirement and Separation Benefit System for the Uniformed Personnel of the BFP
25. MC No. 2002-002 – Policy Guidelines in the Processing of Personnel Benefit Claims for Compulsory

Retirement of BFP

26. RA 6963 – An Act Granting SFA (Special Financial Assistance) and Benefits to the Family or Beneficiary of Any Police or Military or Fireman Killed or Permanently Incapacitated while in the Performance of Duty or by Reason of His Office or Position and for Other Purposes
27. Standard Operating Procedures (SOP) No. 2001-04 – Establishing the BFP Death & Disability Board (DDB) and Prescribing Policies and Procedures in the Processing and Payment of Benefits Claim
28. MC No. 2007-004 – Prescribing Criteria and Standard Procedure in the Selection and Placement of Key Officers in the BFP
29. MC No. 2003-03 – Policy Guidelines in Determining Authorized Lending Institution and Authorized Salary Deductions in Consonance with GAA Y2002, section 36
30. DILG Circular No. 2006-12 – Supplemental Delegation of Authority
31. DILG Circular No. 2006-01 – Reiterating and Supplementing Circular No. 99-18 dated 01 June 1999 Entitled, Comprehensive Delegation of Authority
32. CSC MC No. 15 – Revised Omnibus Rules and Appointments and Other Personnel Actions
33. CSC MC No. 40 – Additional Provisions and Amendments to CSC MC No. 40, s. 1998