

Republic of the Philippines  
REGIONAL LEGISLATIVE ASSEMBLY  
Autonomous Region in Muslim Mindanao  
Cotabato City

SECOND LEGISLATIVE ASSEMBLY  
(SECOND REGULAR SESSION)

Begun and held in Cotabato City, the twenty-fifth day of April, Nineteen Hundred and Ninety Four.

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[ MUSLIM MINDANAO AUTONOMY ACT NO. 27 ]

"AN ACT CREATING THE REGIONAL POLICE FORCE  
AND FOR OTHER PURPOSES."

Be it enacted by the Regional Legislative Assembly in session assembled:

SECTION 1. Title. - This Act shall be known as the Regional Police Force Act of 1994.

SEC. 2. Declaration of Policy. - It is hereby declared to be the policy of the Regional Government to give priority to the maintenance and preservation of peace and order, the protection of life, liberty and property in the Autonomous Region, in consonance with the provisions of the Constitution, and Organic Act.

SEC. 3. Constitution of the Regional Police Force. - There is hereby created, established and constituted a Regional Police Force, hereinafter referred to as the RPF, as an integral part of the Philippine National Police under the administration and control of the National Police Commission as provided for under Section 2, Article XIV of Republic Act No. 6734, otherwise known as the Organic Act for the Autonomous Region in Muslim Mindanao.

SEC. 4. Powers of Local Government Officials Over the RPF Units or Force. - The Regional Police Force shall be under the supervision of the Regional Governor. Provided, that the city or municipal mayors, who are constituted as representatives of the National



Police Commission (NAPOLCOM) under Republic Act No. 6734, shall have operational supervision and control of the RPF within their constituent units in accordance with law and appropriate rules and regulations.

Governors and Mayors shall be deputized as representatives of the Commission in their respective territorial jurisdictions. As such, the local executive shall discharge the following functions:

(a) Regional Governor - (1) Power to choose the Provincial Director and District Directors. The Regional Governor shall choose the provincial director from a list of three (3) eligibles recommended by the Regional Police Commissioner in consultation with the Provincial Governor. The Regional Governor shall, likewise, choose from a list of two (2) eligibles for each district recommended by the Regional Police Commissioner in consultation with the Provincial Governor.

(b) Provincial Governor - (1) Overseeing the Provincial Public Safety Plan Implementation. The provincial 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 (c) (2) of this section.

(c) City and Municipal Mayors - (1) Operational Supervision and Control. The city and municipal mayors shall exercise operational supervision and control over RPF units in their respective jurisdiction except during the thirty (30) day period before and after any national, local or 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 or forces.

It shall include the power to employ units or elements of the RPF, through the Chief of Police 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 the utilization of units or elements of the RPF 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 or seditious conspiracy, insurgency, subversion or other related activities.

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

(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 RPF stations.

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

(3) **Administrative Disciplinary Powers.** City and municipal mayors shall have the power to impose, after due notice and summary hearings, disciplinary penalties for minor offenses committed by Members of the RPF assigned to their respective jurisdictions, as provided in Section 41 of Republic Act No. 6975.

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

(a) 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;



(b) Authority to recommend the transfer, reassignment or detail of RPF members outside their respective city or town residences; and

(c) Authority to recommend, from a list of eligibles previously screened by the peace and order council, the appointment of new members of the RPF to be assigned to their respective cities or municipalities shall be given preference without which no such appointment shall be attested.

SEC. 5. Suspension of Operational Supervision and Control. - The President may, upon consultation with the Regional Governor, Provincial Governor, Congressmen and Assemblymen 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 Regional Governor, restore such power withdrawn from any local executive.

SEC. 6. Jurisdiction of the Regional Police Force. - The RPF shall be responsible for public safety, protection of lives and properties, enforcement of laws and maintenance of law and order within the area of autonomy. It shall have the power to prevent crimes, effect the arrest of crime offenders and provide for their detention and rehabilitation, take necessary measures to prevent and control fires, investigate the commission of all crimes and offenses and bring offenders to justice and take all necessary steps to insure public safety.

SEC. 7. Organization of the Regional Police Force. - The Regional Police Force shall be headed by a Police Commissioner with the rank of RPF Director who shall be



assisted by two (2) Deputies with the ranks of Chief Superintendent, to be appointed by the President of the Philippines, upon recommendation of the Regional Governor. A Chief of Staff may be appointed by the Police Commissioner, who shall have the same rank and qualifications with that of the Provincial Director.

No person shall be appointed as RPF Commissioner and Deputy Commissioner unless he possesses the following qualifications:

1. He must be a native inhabitant and resident of the Autonomous Region in Muslim Mindanao.
2. He must be at least 35 years of age;
3. He must be a member of the Philippine Bar or a holder of at least a Bacalaureate Degree either in public administration, business administration, management, sociology, criminology, law enforcement, national security administration, defense studies, certificate in government management and appropriate Civil Service Eligibility.
4. Has had experience in law enforcement work for at least five (5) years.

The Provincial Police Command shall be headed by a Provincial Police Director preferably with the rank of Senior Superintendent; and in the case of provinces having two (2) districts, police districts may be established in each district by the Regional Governor with the concurrence of the Majority of the Members of the RLA to be headed by a District Director preferably with the rank of Superintendent. The Municipal Police Command shall be headed by a Chief of police preferably with the rank of Chief Inspector.

SEC. 8. Powers and Duties. - The Regional Police Force shall have the following powers and functions:

- a) To maintain peace and order and enforce the laws in their respective assigned jurisdiction;
- b) To prevent crimes and exercise the general powers to make arrest, searches and seizures in accordance with law, and provide for the detention of arrested persons and their rehabilitation;

c) To investigate the commission of all crimes and offenses and bring the offenders to justice; and

d) To take all necessary steps to insure public safety and protection of lives and properties; Provided, that the fire service personnel shall limit their enforcement functions to laws and ordinances appertaining to public safety and fire protection measures in conjunction with their principal duty of fire prevention, suppression and control.

SEC. 9. Staff of the Regional Police Force. - The RPF shall organize its staff in consultation with and subject to the approval of the Napolcom.

SEC. 10. Ranks in the Regional Police Force. - The rank of the members of the RPF shall be as indicated below.

The ranks of the police personnel shall be as follows:

1. RPF Director - The Regional Police Commissioner.
2. Chief Superintendent - The Deputy Commissioners.
3. Senior Superintendent - The Provincial Director.
4. Superintendent - The District Directors.
5. Chief Inspector - The Chief of Police.
6. Senior Inspector - (SI)
7. Inspector - (I)
8. Senior Police Officer IV - (SPD IV)
9. Senior Police Officer III - (SPD III)
10. Senior Police Officer II - (SPD II)
11. Senior Police Officer I - (SPD I)
12. Police Officer III - (PO III)
13. Police Officer II - (PO II)
14. Police Officer I - (PO I)



SEC. 11. Constitution of the Municipal Police Command. - In the municipality, there shall be a Chief of Police and the manning levels of the Regional Police Force shall be approximately with a police-to-population ratio of one (1) policeman for every five hundred (500) persons. The actual strenght by 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.

SEC. 12. General Qualifications for Appointment. - No person shall be appointed to the Regional Police Force unless he possesses the following qualifications:

a) He must be a native inhabitant and resident of the Autonomous Region;

b) He must be a person of good moral character and conduct;

c) He must be mentally sound and physically fit;

d) He must posses a formal baccalaureate degree for appointment as officer and must have finished at least 72 units in college for appointment as non-officer or an equivalent training or experience for those already in the service upon the effectivity of this Act;

e) He must have no criminal record;

f) He must not have been dishonorably discharged from military service/employment or dismissed for cause from civilian positions in the government;

g) He must not be less than eighteen (18) nor more than thirty (30) years of age for new applicants;

h) Must be at least one meter and 57 centimeters in height; and for policewoman she must be at least one meter and 53 centimeters in height; and

i) He must not weigh less than one hundred twenty pounds (120 lbs.) for a policeman while for a policewoman, must not weigh less than five kilograms of the standard weight corresponding to her age, height and sex.

SEC. 13. Status of present Philippine National Police Members. - The present members of the PNP-RECOM-ARMM shall initially form part of the RPF.

Appointments to the RPF shall be made on the basis of proportionate representation by population from the provinces of Maguindanao, Lanao del Sur, Sulu and Tawi-Tawi and other provinces or cities that may later on comprise the area of Autonomy.

SEC. 14. Minimum Qualification for Designation as Chief of Police. - No person may be designated Chief of Police unless he holds a Bachelors Degree from a recognized institution of learning, or its equivalent; or has served as Chief of Police with exemplary records; or has served in the Police Department with the rank of Senior Inspector or its equivalent therein for at least two (2) years.

Where no appropriate eligible is available, temporary appointment may be issued in accordance with Civil Service Law and Rules: Provided, that the appointee possesses other qualifications. Provided, further, that in no case shall such appointment extend beyond one year, except, for valid cause, and with the approval of the NAPOLCOM.

SEC. 15. Recruitment, Selection and Appointment. - In order to strengthen the Regional Police Force, there shall be standard policy for the recruitment, selection and appointment of the personnel of the RPF which shall be effected in the following manner:

(a) Police Officer I to Senior Police Officer IV. - To be appointed by the Regional Police Commissioner and attested by the Civil Service Commission.

(b) Inspector to Superintendent. - To be appointed by the Chief of the PNP upon recommendation of the Regional Governor with due consultation with their respective superiors, and attested by the Civil Service Commission.



(c) Senior Superintendent to RPF Director. - To be appointed by the President of the Philippines upon recommendation of the Regional Governor: Provided, that the Director designated as RPF Commissioner shall serve a tour of duty not beyond his retirement age of fifty six (56).

Appointment of members in the Regional Police Force shall be temporary or permanent.

(a) Temporary Appointment - In the absence of appropriate eligibles and when the exigency of the service so requires to fill vacancies, a temporary appointment shall be issued to a person who meets all the requirements of the rank/position to which he is being appointed except the appropriate police/fire service eligibility: Provided, that such temporary appointment shall not exceed twelve (12) months, but the appointee may be replaced anytime if qualified eligible becomes available;

b) Permanent Appointment - A permanent appointment shall be issued to a person who meets all the requirements for the rank/position to which he is being appointed, including appropriate eligibilities prescribed, in accordance with the provisions of laws, rules and regulations promulgated in pursuance thereof: Provided, that he shall serve a probationary period of at least one year.

SEC. 16. Retirement. - The retirement scheme provided in Section 39 and 40 of R.A. No. 6975 is hereby adopted.

SEC. 17. Attestation of the Civil Service Commission. - All appointments, including promotions of the officers and members of the RPF shall be forwarded to the Civil Service Commission thru the NAPOLCOM for attestation, which shall disapprove within ninety (90) days after submission to it, those appointees that do not possess the corresponding qualifications and/or eligibility. Provided, that such appointments shall become immediately effective upon assumption of duties of the appointees, entitling them to receive all the corresponding salaries and benefits, until notice of the final decision or disapproval by the Civil Service Commission is received.



SEC. 18. Disciplinary Actions. - The administrative disciplinary machinery provided for in R.A. 6975 shall be applied to any erring member of the Regional Police Force in addition to what the Regional Assembly may provide.

SEC. 19. Filling of Vacancy. - In case of vacancy caused by death, retirement, resignation, suspension or removal in the RPF, the appropriate appointing authority shall fill such vacancy. Whenever the temporary vacancy occurs in the Office of the Chief of Police, the Deputy Chief of Police shall automatically assume the Office, pending the appointment of the regular Chief of Police.

SEC. 20. Training. - To develop and maintain a high level of personnel performance, the RPF shall provide the following training programs: A basic training of a minimum of six (6) months shall be required of all new appointees under original appointments, to be conducted by the Philippine Public Safety College thru its ARMM Training Center.

SEC. 21. Promotion. - A member of the RPF shall be eligible for promotion to a higher position provided that such member has successfully passed the corresponding promotional examination conducted by the National Police Commission in accordance with the Promotion System provided under R.A. 6975.

SEC. 22. Compensation. - The salary of any member of the RPF shall be in accordance with the salary commensurate to his rank. The RPF being an integral part of the PNP shall draw their salaries from the National Government; Provided, that RPF members assigned in cities or municipalities may be paid an additional monthly allowance by the local government units concerned.

In addition to the allowances already authorized by existing laws, rules and regulations to PNP members, each member of the RPF may be granted additional subsistence by the ARMM in accordance with existing government rules and regulations subject to the availability of funds.



SEC. 23. Death and Disability Benefits. - All benefits relative to death and disability of members of the RPF shall be governed by pertinent provisions of R.A. 6975 in addition to what the RLA may provide on the matter.

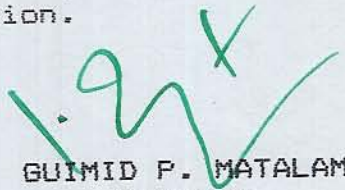
SEC. 24. Appropriation. - The initial fund requirements for the operational expenses of the RPF for the Autonomous Region in Muslim Mindanao shall be taken from the Appropriations of PNP. Thereafter, such amount as may be necessary to carry out the provisions of the Act shall be included in the annual budget of the PNP. However, the Regional Legislative Assembly may appropriate additional funds to augment the support given to the RPF.

SEC. 25. Within 90 days from his appointment as Regional Police Commissioner, he shall promulgate rules and regulations necessary for the effective implementation of this Act in consultation with the NAPOLCOM.

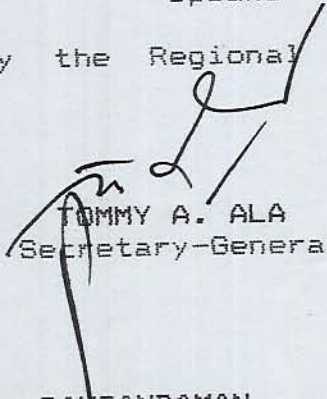
SEC. 26. Separability of Provisions. - If any part, section or provision of this Act be held invalid or unconstitutional, no other part, section or provision hereof shall be affected thereby.

SEC. 27. Effectivity. - This Act shall take effect fifteen (15) days following its publication in newspaper of regional circulation.


APPROVED:

  
GUIMID P. MATALAM  
Speaker

This Act was passed by the Regional Legislative Assembly on July 27, 1994.

  
TOMMY A. ALA  
Secretary-General

APPROVED:

  
LININDING P. PANGANDAMAN  
Regional Governor  
Date \_\_\_\_\_