



MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 98

PROVIDING GUIDELINES ON THE DETAIL OF PERSONNEL OF THE ARMED FORCES OF THE PHILIPPINES AND THE PHILIPPINE NATIONAL POLICE TO CIVILIAN OFFICES AND OFFICIALS, AND REPEALING EXECUTIVE ORDER NOS. 41 (S. 1966) AND 207 (S. 2016) FOR THE PURPOSE

WHEREAS, Executive Order (EO) No. 41 (s. 1966) provides rules and regulations governing the detail of military personnel to civilian offices and/or officials as *aides-de-camp* and military assistants;

WHEREAS, EO No. 207 (s. 2016) amended EO No. 41 by increasing the number of military and Philippine National Police (PNP) personnel to be detailed to each former President of the Philippines and their spouse or widow;

WHEREAS, EO Nos. 41 and 207 allow the detail of military personnel to civilian offices and/or officials to serve as security detail;

WHEREAS, under Article II, Section 3 of the 1987 Constitution, the Armed Forces of the Philippines is mandated to protect the people and the State, and secure the country's sovereignty and the integrity of its national territory;

WHEREAS, under Section 35(b)(3) of Republic Act (RA) No. 6975 or the "Department of the Interior and Local Government Act (DILG) of 1990," the Police Security Unit, later renamed as the Police Security and Protection Group (PSPG), being one of the operational units under the PNP, is mandated to provide security for government officials, foreign dignitaries and private individuals authorized to be given protection;

WHEREAS, there is a need to rationalize and update the rules governing the detail of personnel of both the Armed Forces of the Philippines (AFP) and the PNP to persons authorized to be given assistance and/or protection, to maximize the utilization of the military and PNP, and enable them to better perform their respective mandates;

THE PRESIDENT OF THE PHILIPPINES

WHEREAS, Article VII, Section 18 of the Constitution provides that the President, as Commander-in-Chief of the AFP, is empowered to issue orders, policies, rules and regulations governing the utilization and deployment of AFP personnel; and

WHEREAS, Article VII, Section 17 of the Constitution provides that the President shall have control of all the executive departments, bureaus and offices;

NOW, THEREFORE, I, RODRIGO ROA DUTERTE, President of the Philippines, by virtue of the powers vested in me by the Constitution and existing laws, do hereby promulgate the following rules and regulations governing the detail of military and police personnel to civilian offices and/or officials:

SECTION 1. Definition. As used in this Order, the following terms shall mean:

- a. *Aide-de-Camp* – A commissioned officer of the AFP, in the active service, selected for the purpose of providing general assistance to entitled government officials and foreign military or civilian dignitaries;
- b. *Military Assistant* – A commissioned officer of the AFP with a field grade rank in the active service, or in the appropriate rank of Technical Service of the AFP, detailed to a civilian office and/or official for the purpose of rendering professional/technical advice and assistance on military matters;
- c. *Military Administrative Assistant* – A non-commissioned officer of the AFP with the rank of Staff Sergeant, Technical Sergeant and Master Sergeant, or its equivalent in the Philippine Navy, in the active service of the AFP, detailed to a civilian office and/or official for the purpose of rendering administrative assistance on military matters; and
- d. *Protective Security* – A personnel of the PNP, primarily from the PSPG, detailed to civilian government offices, officials or individuals for the purpose of providing security and ensuring their safety.

SECTION 2. Military Detail. The following are entitled to the detail of military personnel:

a. *Aide-de-Camp*

- i. The President, in such number and of such grades as he may determine;
- ii. The Vice President, visiting foreign military or civilian dignitaries, in such number and of such grades as the Secretary of the Department of National Defense (DND) may determine;
- iii. The DND Secretary, in such number and of such grades as he may determine; and
- iv. Other government officials as may be determined and approved by the DND Secretary.

b. *Military Assistant*

- i. The President, in such number and of such grades as he may determine;

- ii. The Vice President, the Senate President, the Speaker of the House of Representatives, the Executive Secretary, the Chairperson of the Senate Committee on National Defense and Security, the Chairperson of the House Committee on National Defense and Security, the National Security Adviser, the Director General of the National Intelligence Coordinating Agency, in such number and of such grades as may be determined and approved by the DND Secretary; and
- iii. Other government officials as may be determined and approved by the DND Secretary.

c. Military Administrative Assistant

- i. The President of the Philippines shall have such Military Administrative Assistants as he may determine. The government officials mentioned under item a(ii), a(iii), a(iv), b(ii) and b(iii) may be entitled to Military Administrative Assistants as may be determined and approved by the DND Secretary.

SECTION 3. Restrictions on the Detail of Military Personnel. No military personnel shall be detailed to other government officials other than those enumerated in Section 2 of this Order.

No military personnel shall be detailed or assigned to a private individual unless such detail or assignment is approved by the President, upon recommendation of the DND Secretary.

SECTION 4. Protective Security. The PNP shall provide security detail to government officials and persons entitled thereto in accordance with existing issuances, guidelines and procedures governing the availment of Protective Security, which may be amended or supplemented by the PNP from time to time, subject to approval of the DILG.

SECTION 5. Entitlement of Former Presidents. Former Presidents shall be entitled to Military Assistants, Military Administrative Assistants and/or Protective Security, in such combination as he may determine, but in no case exceeding twelve (12) personnel. The spouse or widow, as the case may be, of former Presidents or their identified next of kin, shall be entitled to Military Administrative Assistants and/or Protective Security, in such combination as the entitled individual may determine, but in no case exceeding six (6) personnel.

SECTION 6. Approving Authority. Except for the detail of military personnel to the President, all initial detail of military personnel to civilian offices and/or officials, extensions of the period thereof, and the termination of such detail, shall be upon evaluation and recommendation of the Chief of Staff of the AFP and approval of the DND Secretary.

All detail of PNP personnel as Protective Security to government offices, officials and private individuals authorized to be given protection, shall be approved by the Director General of the PNP.

SECTION 7. Duration. Taking into consideration the professional growth of the personnel concerned, the initial detail of military personnel shall be for a period of one (1) year, unless earlier terminated. For exceptional and highly justifiable reasons, such detail may be extended to a maximum period of three (3) years. The separation from office of the entitled government official automatically terminates the detail of the concerned military personnel.

The duration of detail of PNP personnel as Protective Security shall be governed by the rules and regulations for the availment of Protective Security issued by the PNP, and approved by the DILG.

SECTION 8. Exclusions. This Order shall not apply to the detail of military personnel to Philippine diplomatic missions abroad, and those under the Presidential Security Group.

SECTION 9. Implementing Rules and Regulations. In accordance with their respective mandates, the DND and PNP-DILG shall issue separate rules and regulations for the implementation of this Order, including quotas or deployment limits, within thirty (30) days from its effectivity.

Such rules and regulations shall ensure the rational, judicious and optimum utilization of AFP and PNP personnel.

SECTION 10. Repeal. EO Nos. 41 and 207 are hereby repealed. All other orders or issuances, or parts thereof, inconsistent with this Order are hereby repealed or modified accordingly.

SECTION 11. Separability. Should any provision of this Order be declared invalid or unconstitutional, the other provisions not affected thereby shall remain valid and subsisting.

SECTION 12. Transitory Provision. This Order shall not affect existing or ongoing tours of duty of detailed personnel. However, requests for extension of these existing detail of personnel shall be governed by this Order and the respective rules to be issued by the DND and the PNP-DILG.

SECTION 13. Effectivity. This Order shall take effect immediately.

DONE, in the City of Manila, this 29th day of **November** in the year of our Lord, Two Thousand and Nineteen.

By the President:


SALVADOR C. MEDIALDEA
Executive Secretary




