

NINETEENTH CONGRESS )  
REPUBLIC OF THE PHILIPPINES )  
First Regular Session )



HOUSE OF REPRESENTATIVES

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*Introduced by Representative Rufus B. Rodriguez*

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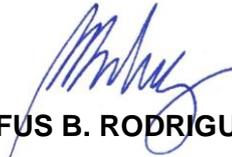
House Bill No. 5710

**EXPLANATORY NOTE**

At present, our local police databases are not integrated. A person's police clearance varies across different police stations covering their respective jurisdiction. This could lead to confusion and other problems. A person can choose where he gets his police clearance if he knows where he has a clean record.

We need to have a single police database which will consolidate and connect information. A single integrated database nationwide which will ensure that all data are up to date and in sync.

In view of the foregoing, immediate approval of this measure is earnestly requested.

  
**RUFUS B. RODRIGUEZ**

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House Bill No. 5710

AN ACT

**ESTABLISHING THE NATIONAL POLICE CLEARANCE SYSTEM, PROVIDING FUNDS THEREFOR AND FOR OTHER PURPOSES**

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

**SECTION 1.** Short Title. - This Act shall be known as the "National Police Clearance System Act".

**Sec 2.** Declaration of Policy. - It is hereby declared the policy of the State to ensure public safety thru a highly efficient, effective, competent, and modernized police force and the use of information and communications technology. Furthermore, the State shall improve efficiency in the delivery of service by reducing bureaucratic red tape and preventing corruption while ensuring the protection of the fundamental human right of privacy.

**Sec 3.** National Police Clearance System. - The National Police Clearance System (NPCS) is hereby established. The Philippine National Police shall be the primary government agency responsible for the implementation of the NPCS.

Pursuant to this mandate, the PNP shall formulate and adopt policies for the effective operationalization of the NPCS including but not limited to maintenance of a national record of all reported crime incidents, warrants of arrest, pictures, and personal details of arrested and wanted persons, fingerprints and ballistic examination records and other relevant information.

**Sec 4.** Processing of Information. - The processing of information under the NPCS shall be subject to Section 11, 12 and 13 of Republic Act No. 10173, otherwise known as the "Data Privacy Act of 2012".

**Sec 5.** Issuance of National Police Clearance. - Any person may request for the issuance of their National Police Clearance from the PNP. In line with this, the PNP may determine, fix and collect reasonable amounts to be charged as fees for the issuance of the police clearance: Provided, That no fees and other charges shall be collected from first time jobseekers when obtaining such police clearance as mandated by Republic Act No. 11261, otherwise known as the "First Time Jobseekers Assistance Act."

**Sec 6.** Confidentiality. - The Philippine National Police shall ensure at all times the confidentiality of any personal information that comes to its possession or obtained as a requirement for the issuance of a Police Clearance under the preceding section.

**Sec 7.** Penal Provision. - (a) Any person, who breach the confidentiality of information contained in the NPCS, whether by carelessness, improper behavior, behavior with malicious intent, and use of confidential information for profit, shall be penalized by imprisonment of three (3) months but not to exceed one (1) year and a fine of not less than Fifty Thousand

Pesos (P50,000.00) but not more than One Hundred Thousand Pesos (P100,000.00), subject to the degree of breach of information;

(b) The unauthorized processing of National Police Clearance without the consent of the subject individual shall be penalized by imprisonment of three (3) months but not to exceed one (1) year and a fine of not less than Fifty Thousand Pesos (P50,000.00) but not more than One Hundred Thousand Pesos (P100,000.00).

**Sec 8.** Appropriation. - The amount necessary for the effective implementation of the provisions of this Act shall be taken from the current year's appropriation of the PNP. Thereafter, such sum as may be needed for the continued implementation of this Act shall be included in the annual General Appropriations Act.

**Sec 9.** Implementing Rules and Regulations. - Within sixty (60) days from the effectivity of this Act, the PNP shall promulgate the rules and regulations necessary for the for the effective implementation of this Act.

**Sec 10.** Separability Clause. - If any portion or provision of this Act is declared unconstitutional, the remainder of this Act or any provisions not affected thereby shall remain in force and effect.

**Sec 11.** Repealing Clause. - All laws, decrees, orders, regulations and policies inconsistent with the provisions of this Act are hereby repealed and/or amended accordingly.

**Sec 12.** Effectivity. - This Act shall take effect fifteen (15) days after its complete publication in at least two (2) newspapers of general circulation.

Approved,