

Republic of the Philippines
Congress of the Philippines

Metro Manila

Nineteenth Congress

Third Regular Session

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



[REPUBLIC ACT NO. 12177]

AN ACT PROVIDING FREE LEGAL ASSISTANCE TO MILITARY AND UNIFORMED PERSONNEL FACING ANY CHARGE ARISING FROM INCIDENTS RELATED TO THE PERFORMANCE OF OFFICIAL DUTY, AND APPROPRIATING FUNDS THEREFOR

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 “Free Legal Assistance for Military and Uniformed Personnel Act”.

SEC. 2. *Declaration of Policy.* – It is the declared policy of the State to protect the dignity and rights of its citizens, including those responsible for upholding the Constitution, defending the sovereignty and territory of the country against

all enemies, enforcing the laws of the land, preventing crimes, and maintaining peace and order.

The State shall promote peace and order and ensure public safety through effective and efficient military and uniformed service composed of highly motivated officers, enlisted and uniformed personnel.

To this end, the State shall, as far as practicable, provide free legal assistance to military and uniformed personnel in criminal, civil, or administrative proceedings arising from service-related incidents.

SEC. 3. *Definition of Terms.* – As used in this Act:

(a) *Military and Uniformed Personnel (MUP)* refers to officers, enlisted and uniformed personnel of the Armed Forces of the Philippines (AFP), Bureau of Fire Protection (BFP), Bureau of Jail Management and Penology (BJMP), Philippine Coast Guard (PCG), Bureau of Corrections (BuCor), Philippine National Police (PNP), and the Hydrography Branch of the National Mapping and Resource Information Authority (NAMRIA); and

(b) *Service-related Cases* refer to civil, criminal, and administrative cases filed against the MUP for incidents related to or in connection with the discharge of their official functions or the performance of their duties.

SEC. 4. *Qualifications for Free Legal Assistance.* – The MUP facing any service-related case before a prosecutor's office, court, quasi-judicial or administrative body, or any competent body or tribunal shall be entitled to free legal assistance.

Retired and honorably discharged and separated MUP shall be eligible for free legal assistance on service-related cases committed while still in active duty.

SEC. 5. *Procedure and Coverage.* – Within twenty-four (24) hours from the official receipt of the charge against the MUP, the heads of the MUP agencies, through the head of the Legal Office, shall direct their respective legal officers to provide free legal assistance to qualified MUP as provided in this Act. The agencies shall establish guidelines

and procedures for availing free legal assistance and determining service-related cases to be approved by the head of the MUP agency: *Provided*, That in case of conflict of interest, the MUP shall not be entitled to free legal assistance under this Act. Notwithstanding any provision to the contrary, "conflict of interest" as used in this Act shall refer to an instance where the handling by the legal office of a case will adversely affect the interest of the MUP concerned agency.

The determination of which cases are service-related shall be made by the respective legal offices of the AFP, BFP, BJMP, PCG, BuCor, PNP, and NAMRIA based on the evidence provided by the MUP. Any officer tasked to determine the eligibility of MUP applicants for free legal assistance under this Act who, through manifest partiality, evident bad faith, or gross inexcusable negligence, improperly denies or approves an application shall be held liable under Section 3(e) of Republic Act No. 3019, otherwise known as the "Anti-Graft and Corrupt Practices Act".

Free legal assistance shall include the following:

- (a) Legal representation in civil, criminal, or administrative proceedings, as far as practicable;
- (b) Legal advice or consultations;
- (c) Preparation of pleadings, motions, memoranda, and all other legal forms and documents;
- (d) Court fees and other related fees; and
- (e) Notarization of documents.

SEC. 6. *Strengthening the Legal Offices of the AFP, BFP, BJMP, PCG, BuCor, PNP, and NAMRIA.* – Within ninety (90) days from the effectivity of this Act, the Chief of Staff of the AFP, the Chiefs of the PNP, BJMP, and BFP, the Commandant of the PCG, the Director General of BuCor, and the Administrator of the NAMRIA shall submit to the Department of Budget and Management (DBM) the revised organizational structure and staffing patterns based on the ideal ratio of legal officers with the total number of personnel, taking into consideration the demands of the service, historical

number of cases handled, current case load, and logistical requirements necessary for their respective legal offices to render adequate and effective free legal assistance to qualified personnel. The DBM shall act on the submissions in accordance with Republic Act No. 11032 or the "Ease of Doing Business and Efficient Government Service Delivery Act of 2018".

SEC. 7. Entitlement of Government Lawyers to Payment for Expenses. – The government lawyer providing legal assistance to the MUP shall be entitled to payment of actual travel and other expenses, including Special Counsel Allowance for each appearance before the prosecutor's office, court, quasi-judicial, and administrative agency, or any competent body or tribunal, subject to existing laws, rules, and regulations.

SEC. 8. Applicability to Pending Cases. – This Act shall apply to all MUP who have pending service-related cases.

SEC. 9. Implementing Rules and Regulations. – Within ninety (90) days from the effectivity of this Act, the DBM, Department of National Defense, Department of Justice, Department of the Interior and Local Government, and Department of Transportation, in coordination with the Chief of Staff of the AFP, Chiefs of the PNP, BJMP and BFP, the Commandant of the PCG, the Director General of BuCor, and the Administrator of the NAMRIA, shall issue the necessary rules and regulations to implement this Act: *Provided*, That the non-promulgation of the implementing rules and regulations shall not prevent the implementation of this Act upon effectivity.

SEC. 10. Appropriations. – The amount necessary for the implementation of this Act shall be included in the annual General Appropriations Act.

SEC. 11. Separability Clause. – If any portion or provision of this Act is declared unconstitutional, the remainder or any provision not affected thereby shall remain in force and effect.

SEC. 12. Repealing Clause. – All other laws, decrees, orders, rules, regulations, or parts thereof inconsistent with this Act are hereby amended, repealed, or modified accordingly.

SEC. 13. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,

FERDINAND MARTIN ROMUALDEZ
*Speaker of the House
of Representatives*

FRANCIS "CHIZ" G. ESCUDERO
President of the Senate

This Act was passed by the Senate of the Philippines as Senate Bill No. 2814 on January 27, 2025 and adopted by the House of Representatives as an amendment to House Bill No. 6509 on January 28, 2025.

REGINALD S. VELASCO
*Secretary General
House of Representatives*

RENATO N. BANTUG JR.
Secretary of the Senate

Approved: **APR 15 2025**



FERDINAND ROMUALDEZ MARCOS JR.
President of the Philippines

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