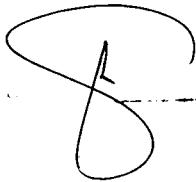


NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Third Regular Session)

24 NOV -5 P4:31

SENATE

S. No. 2870



Introduced by Senator Jinggoy Ejercito Estrada

**AN ACT
STRENGTHENING THE PHILIPPINE COAST GUARD BY INTRODUCING
POLICY AND ORGANIZATIONAL REFORMS, REVISING FOR THE PURPOSE
REPUBLIC ACT NO. 9993, OTHERWISE KNOWN AS THE "PHILIPPINE COAST
GUARD LAW OF 2009"**

EXPLANATORY NOTE

The Philippines needs a robust coast guard organization for being an archipelagic country with 7,641 islands and having one of the longest coastlines in the world at more than 36,000 kilometers. In order to protect our maritime jurisdiction against various threats such as piracy, foreign incursions, marine pollution, illegal fishing, poaching, and smuggling, among others, an effective coast guard force is imperative.

Since 1901, the Philippine Coast Guard (PCG) has been the vanguard of our seas, enforcing our maritime laws and defending them against lawless elements and prohibited activities. Despite instances of dangerous maneuvers and aggressive behavior from their foreign counterpart, the PCG demonstrates gallantry and courage at the frontlines of securing the maritime domain.

This measure aims to strengthen the PCG by introducing policy and organizational reforms through revisions in Republic Act No. 9993 or the "Philippine Coast Guard Law" which was enacted in February 2010. The bill proposes an expanded structure from one CG personnel to three uniformed personnel per kilometer of coastline representing three functional specializations, namely maritime safety, marine environmental protection and maritime security. As of 2024, the PCG has a total

strength of 30,746 officers, non-officers, cadets and non-uniformed personnel, which is barely enough to match the entire stretch of our coastline.

The vast expanse of our waters – i.e. 220 million hectares or seven times our land area – necessitates adequate manpower that could fully monitor compliance with and implement regulations in support of public safety, national security and economic development of the country.

Moreover, this bill specifies the allowances, incentives and other benefits for the coast guard personnel comparable to those from the Armed Forces of the Philippines (AFP), clarifying ambiguities in the previous law while taking into account their heroism, sacrifice and invaluable service to the nation, and harmonizing the same with the ongoing efforts to reform the existing pension scheme for the military and uniformed personnel (MUP).

This legislation complements Senate Bill No. 2016 or the "Philippine Coast Guard Modernization Act" filed by this representation to beef up the PCG's capabilities in addressing prevailing and emerging threats, and place the much-needed support to this premier maritime agency.

The passage of this bill is earnestly sought.

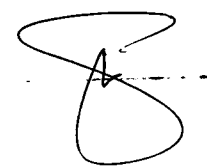


JINGGOY EJERCITO ESTRADA

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

Office of the Secretary
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Introduced by Senator Jinggoy Ejercito Estrada

AN ACT
STRENGTHENING THE PHILIPPINE COAST GUARD BY INTRODUCING
POLICY AND ORGANIZATIONAL REFORMS, REVISING FOR THE PURPOSE
REPUBLIC ACT NO. 9993, OTHERWISE KNOWN AS THE "PHILIPPINE COAST
GUARD LAW OF 2009"

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

1 Section 1. *Short Title.* – This Act shall be known as the "*Revised Philippine Coast*
2 *Guard Law.*"

3 Sec. 2. *Philippine Coast Guard.* – The Philippine Coast Guard (PCG), established
4 under Republic Act No. 9993 as an armed and uniformed service attached to the
5 Department of Transportation (DOTr) shall continue as such upon the effectivity of
6 this Act: Provided, That in times of war, as declared by Congress, the PCG or parts
7 thereof, shall be attached to the Department of National Defense (DND).

8 **CHAPTER I**
9 **ORGANIZATION**

10 Sec. 3. *Organization.* – The PCG organizational structure shall be headed by a
11 Commandant with the rank of Admiral assisted by the Deputy Commandant for
12 Operations and the Deputy Commandant for Administration both with the rank of Vice
13 Admiral. It shall be organized into three (3) core functional commands, namely: the
14 Maritime Safety Services Command, the Marine Environmental Protection Command,
15 and the Maritime Security Law Enforcement Command. To enhance the core functions

1 of the PCG, it shall be reinforced by support commands and service units categorized
2 as follows:

- 3 a) Administrative support commands consisting of the Education and Training,
4 Internal Affairs Service, Surface Support Force, Financial Management,
5 Human Resource Management Service and Logistics;
- 6 b) Operational support commands consisting of the Weapons,
7 Communications, Electronics and Information System Service, Special
8 Operations Force, Aviation Force, Community Relations Command and
9 Canine Enforcement Force;
- 10 c) Technical services consisting of the Coast Guard Legal Service, Medical
11 Service, Ecumenical Service, Dental Service, Veterinary Service, Medical
12 Administrative Corps, Nurse Corps, and other technical services that may or
13 hereinafter be created as needed;
- 14 d) Operating commands shall consist of the fifteen (15) districts located
15 nationwide covering specific areas of responsibilities composed of stations
16 which in turn have field offices called sub-stations down to detachments or
17 posts. These coast guard districts will also function as implementing units
18 whose annual budget shall be strictly released to them and these units are:
19 National Capital Region-Central Luzon (CGD NCR-CL), Central Visayas (CGD
20 CV), Southwestern Mindanao (CGD SWM), Southeastern Mindanao (CGD
21 SEM), Palawan (CGD PAL), Western Visayas (CGD WV), Southern Tagalog
22 (CGD STL), Northern Mindanao (CGD NM), Bicol (CGD BCL), Northwestern
23 Luzon (CGD NWL), Eastern Visayas (CGD EV), Northeastern Luzon (CGD
24 NEL), Southern Mindanao (CGD SM), Northeastern Mindanao (CGD NEM),
25 and Bangsamoro Autonomous Region in Muslim Mindanao (CG BARMM):
26 Provided, That the PCG may create other new districts subject to existing
27 laws;
- 28 e) The Special Services consist of the Legislative Liaison Affairs, Community
29 Relations Service, Finance Service, Internal Audit, and Center for Strategic
30 Studies.

31 In addition to the basic structure of the PCG mentioned above, the
32 Commandant may, in the interest of public service and expediency of service,

1 recommend to reorganize districts, commands, services or units under the PCG which
2 shall be forwarded to the Secretary of Transportation for adoption and submission to
3 the Secretary of Budget and Management for approval: Provided, That the minimum
4 manning level of the PCG shall be computed based on the total coastline of the
5 Philippines with three (3) uniformed personnel per (1) kilometer of coastline, which
6 shall be filled in accordance with the enlistment schedule approved by the DBM:
7 Provided finally, That the functional commands, administrative support units,
8 operational support units, operating units, technical services and special services shall
9 be authorized and designated to perform all duties and functions of the PCG within
10 their individual area of responsibility, including but not limited to, finance and
11 procurement.

12 To enhance the capability and field expertise of uniformed personnel, the PCG
13 shall implement functional service specialization on its three (3) core functional areas.

14 *Sec. 4. The PCG Commandant.* – The PCG shall be headed by a Commandant
15 who shall have the rank of Admiral which shall be equivalent to the rank and pay of
16 the Chief of Staff of the Armed Forces of the Philippines and the Chief of the Philippine
17 National Police. The Commandant shall be appointed by the President from among
18 the Flag Officers in the Coast Guard service. He shall have earned the command-at-
19 sea badge and must have served as District Commander. The Commandant shall serve
20 for a maximum term of (3) three years or upon reaching the age of 57 years old
21 whichever comes earlier. Provided, however, That if the maximum term is served
22 before reaching the age of 57, the Commandant shall be compulsorily retired with all
23 the benefits appertaining thereto.

24 *Sec. 5. Powers and Functions of the Commandant.* – The Commandant shall
25 exercise the following powers and functions:

- 26 a) Under the authority and direction of the President, shall be responsible for
27 the elaboration and execution of national maritime laws relating to the
28 functions of the PCG;
- 29 b) Direct and control tactical as well as strategic movements, deployment,
30 placement, utilization of the PCG or any of its units and personnel, including
31 its equipment, facilities and other resources;

- 1 c) Prescribe, in accordance to existing laws, the organization or re-
2 organization, powers, functions and duties of the various staff, services,
3 installation and other units of the PCG;
- 4 d) Issue policies and instructions regarding personnel, funds, properties,
5 records, correspondence and such other matters as may be necessary to
6 effectively carry out the functions, powers and duties of the PCG, in
7 accordance with existing laws, rules and regulations;
- 8 e) Approve the recommendation of the different promotion and/or
9 assignments boards and ensure observance of merit and fitness in the
10 process of promotion and assignment;
- 11 f) Exercise disciplinary authority over all uniformed personnel and non-
12 uniformed personnel of the PCG; and
- 13 g) Perform any task or directive issued by the President;

14 Further, such command and direction of the Commandant may be delegated to
15 subordinate officials with respect to the units under the latter's respective commands,
16 subject to the guidelines as the Commandant may prescribe in accordance with the
17 rules and regulation prescribed under existing laws.

18 **CHAPTER II**

19 **POWERS AND FUNCTIONS**

20 *Sec. 6. Powers and Functions of the PCG.* – The PCG shall have the following
21 powers and functions:

- 22 a) To enforce regulations in accordance with all relevant maritime international
23 conventions, treaties or instruments and national laws for the promotion of
24 safety of life and property at sea within the maritime jurisdiction of the
25 Philippines and conduct port state control implementation;
- 26 b) To conduct random inspections on all merchant ships and vessels, including
27 but shall not be limited to inspections prior to departure, to ensure and
28 enforce compliance with safety standards, rules and regulations;
- 29 c) To detain, stop or prevent a ship or vessel which does not comply with
30 safety standards, rules and regulations from sailing or leaving port;
- 31 d) To conduct emergency readiness evaluation on merchant marine vessels;

- 1 e) Subject to the approval of the Secretary of the DOTr, to issue and enforce
2 rules and regulations for the promotion of safety of life and property at sea
3 on all maritime-related activities;
- 4 f) Subject to the approval of the Secretary of the DOTr, to determine, fix or
5 prescribe charges, rates, and penalties, as may be necessary, to implement
6 its provisions, as well as the provisions of laws, issuances, decrees and
7 orders related to the implementation of PCG functions;
- 8 g) To coordinate, develop, establish, maintain and operate aids to navigation,
9 vessel traffic system, maritime communications and search and rescue
10 facilities within the maritime jurisdiction of the Philippines;
- 11 h) To remove, destroy, or tow to port sunken or floating hazards to navigation,
12 including illegal fish traps and vessels, at or close to sea lanes which may
13 cause hazards to the marine environment;
- 14 i) To issue permits for the salvage of vessels and to supervise all marine
15 salvage operations and wreck removal, and to auction the abandoned
16 vessels or wrecks to defray the expenses of such removal, as well as
17 prescribe and enforce rules and regulations governing the same;
- 18 j) To render aid to persons and vessels in distress and conduct search and
19 rescue during maritime accidents within the maritime jurisdiction of the
20 Philippines, including the high seas, in accordance with applicable
21 international conventions. In the performance of this function, the PCG may
22 enlist the services of other government agencies and the merchant marine
23 fleet;
- 24 k) To investigate and inquire into the causes of all maritime accidents involving
25 death, casualties and damage to properties;
- 26 l) In coordination with other relevant government agencies, to enforce and
27 maintain maritime security, prevent or suppress terrorism at sea, and
28 perform law enforcement functions in accordance with pertinent laws, rules
29 and regulations;
- 30 m) To assist in the enforcement of laws on fisheries, immigration, tariff and
31 customs, forestry, firearms and explosives, human trafficking, dangerous

- 1 drugs and controlled chemicals, transnational crimes and other applicable
2 laws within the maritime jurisdiction of the Philippines;
- 3 n) To board and inspect all types of merchant ships and watercrafts in the
4 performance of these functions;
- 5 o) To promulgate, administer and enforce laws, rules and regulations for the
6 protection of marine environment and resources from offshore sources of
7 pollution within the maritime jurisdiction of the Philippines;
- 8 p) To develop oil spill response, containment and recovery capabilities against
9 ship-based pollution;
- 10 q) To grant, within the capabilities and consistent with its mandate, requests
11 for assistance of other government agencies in the performance of their
12 functions;
- 13 r) To organize, train and supervise the PCG Auxiliary (PCGA) for the purpose
14 of assisting the PCG in carrying out its mandated functions;
- 15 s) To recommend to the President the issuance of rules and regulations
16 pertaining to the assistance and support that the Armed Forces of the
17 Philippines (AFP) should extend to the PCG to enhance the latter's capability
18 during emergencies;
- 19 t) To conclude international agreements, specifically, for the purpose of
20 procuring its own materials and equipment through competitive bidding or
21 alternative modes of procurement; and
- 22 u) To perform such other functions that may be necessary in the attainment
23 of the objectives of this Act.

24 **CHAPTER III**

25 **ADMINISTRATION AND PERSONNEL**

26 *Sec. 7. Personnel.* – The PCG shall consist of the following categories of
27 personnel:

- 28 a) Officer – refers to uniformed members of the PCG who is commissioned as
29 officer by the President and belongs to the officers' corps;
- 30 b) Non-officers – general term for uniformed member of the PCG with ranks
31 below commissioned officers and performs jobs specific to their occupational
32 specialty. There are three classifications of non-officers, namely, strikers for

- 1 those in grades E-1 to E-3, junior non-commissioned officers for those in
 2 grades E-4 to E6 and senior non-commissioned officers for ranks with
 3 equivalent grades of E-7 to E-10;
- 4 c) Non-uniformed personnel – refers to the non-uniformed members of the
 5 PCG who are appointed and employed under the Civil Service laws, rules
 6 and regulations;
- 7 d) Probationary Ensign – refers to a person who is called to active duty but
 8 awaiting commissionship into the PCG or awaiting training;
- 9 e) Draftee – refers to a person who has completed basic training and is
 10 awaiting enlistment into the PCG active service;
- 11 f) Cadet – refers to a person who is enrolled in service academies under the
 12 sponsorship of the PCG;
- 13 g) Candidate – refers to a person who is undergoing training for
 14 commissionship;
- 15 h) Trainee – refers to a person who is undergoing training to qualify as member
 16 of non-officer’s corps of the PCG.

17 Provided, That the ranks and grades of all uniformed personnel in the PCG,
 18 whether officers or non-officers, shall be the same and equal as that used and
 19 observed in the AFP and PNP.

20 *Sec. 8. Ranks and Grades of PCG Officers.* – The ranks and grades of PCG
 21 Officers shall be as follows:

| 22 | RANK | ACRONYM | PAY GRADE |
|----|-------------------------|---------|-----------|
| 23 | Admiral | ADM | O-10 |
| 24 | Vice Admiral | VADM | O-9 |
| 25 | Rear Admiral | RADM | O-8 |
| 26 | Commodore | COMMO | O-7 |
| 27 | Captain | CAPT | O-6 |
| 28 | Commander | CDR | O-5 |
| 29 | Lieutenant Commander | LCDR | O-4 |
| 30 | Lieutenant Senior Grade | LTSG | O-3 |
| 31 | Lieutenant Junior Grade | LTJG | O-2 |
| 32 | Ensign | ENS | O-1 |

1 Sec. 9. *Technical Officers.* – Following are the professionals that may join the
2 PCG service as technical officers:

- 3 a) Lawyers
- 4 b) Doctors
- 5 c) Priests, Pastors, Imam, and other certified clerics
- 6 d) Dentists
- 7 e) Veterinarians
- 8 f) Nurses

9 Any applicant holding the degree of any of the abovementioned professions
10 shall have qualified and passed the licensure examination, as applicable, of the
11 respective professions to be qualified for entry into the Coast Guard service. Other
12 board professions not listed may still be recruited as part of the technical stream upon
13 verification of the PCG of its need thereof.

14 Sec. 10. *Officer Rank Distribution.* – The officer rank distribution of the PCG
15 shall be as follows: two per centum (2%) in the Flag Officer rank; six per centum (6%)
16 in the rank of Coast Guard Captain; twelve per centum (12%) in the rank of Coast
17 Guard Commander; eighteen per centum (18%) in the rank of Coast Guard Lieutenant
18 Commander; Twenty per centum (20%) in the rank of Coast Guard Lieutenant Senior
19 Grade; and forty-two per centum (42%) in the ranks of Coast Guard Lieutenant Junior
20 Grade and Coast Guard Ensign; Provided, That such distribution is based on the ratio
21 between officers and non-officers which is one (1) officer for every seven (7) non-
22 officers: Provided, finally, That if the actual number in a rank is less than the number
23 prescribed in a lower rank, the difference may be applied as an increase to the number
24 prescribed in the lower rank.

25 Sec. 11. *Distribution of Flag Officers.* – Other than the Commandant who
26 occupies the rank of Admiral, the total number of flag ranks shall not exceed two (2)
27 percent of the total population of officers distributed observing the pyramidal structure
28 as hereunder prescribed:

| | | |
|----|--------------|-------|
| 29 | Vice Admiral | 0.15% |
| 30 | Rear Admiral | 0.35% |
| 31 | Commodore | 1.50% |
| 32 | Total | 2.00% |

1 Provided, That if the actual number in a rank, except in the case of Coast Guard
2 Admiral and Coast Guard Vice Admiral, is less than the number herein prescribed, the
3 difference may be applied as an increase to the number prescribed in the lower rank:
4 Provided, further, That no officer shall be promoted to the rank of Coast Guard
5 Commodore or higher unless there is an existing vacancy, and the officer is occupying
6 a position in the table of organization that requires the rank which is being considered
7 for promotion.

8 *Sec. 12. Maximum Tenure in Rank.* – The maximum tenure of officers in the
9 ranks of Captain and Flag Officer in the PCG are hereby prescribed as follows:

| Rank | Maximum Tenure in Rank |
|--------------|------------------------|
| Admiral | three (3) years |
| Vice Admiral | three (3) years |
| Rear Admiral | three (3) years |
| Commodore | five (5) years |
| Captain | ten (10) years |

16 Unless earlier separated, retired or promoted to the next higher rank or
17 occupying a position calling for the higher rank in the PCG Table of Organization,
18 Captains and Flag Officers shall be retired upon the attainment of the maximum tenure
19 in rank herein prescribed, or upon reaching the age of compulsory retirement
20 whichever comes earlier: Provided, That Captains or flag officers who have not
21 reached age of retirement shall be retired due to attrition if they have at least twenty
22 (20) years in service otherwise it shall be separation from service.

23 *Sec. 13. Maximum Tenure in Position.* – Officers holding the following key
24 positions are hereby limited to a maximum tenure of three (3) years, unless otherwise
25 earlier relieved by competent authority or compulsory retired under existing laws:

- 26 a) Commandant
- 27 b) Deputy Commandant

28 Provided, That except for the Commandant, no other officer shall be
29 assigned/designated to the aforementioned key positions or promoted to the rank of
30 Commodore or higher if the officer has less than (1) year of active service remaining
31 prior to compulsory retirement.

1 Sec. 14. *Ranks and Grades of Non-officers.* – The ranks and pay grades of PCG
2 non-officers shall be as follows:

| 3 | RANK | ACRONYM | PAY GRADE |
|----|----------------------------------|---------|-----------|
| 4 | First Master Chief Petty Officer | FMCPPO | E-10 |
| 5 | Master Chief Petty Officer | MCPO | E-9 |
| 6 | Senior Chief Petty Officer | SCPO | E-8 |
| 7 | Chief Petty Officer | CPO | E-7 |
| 8 | Petty Officer First Class | PO1 | E-6 |
| 9 | Petty Officer Second Class | PO2 | E-5 |
| 10 | Petty Officer Third Class | PO3 | E-4 |
| 11 | Seaman/Seawoman First Class | SN1/SW1 | E-3 |
| 12 | Seaman/Seawoman Second Class | SN2/SW2 | E-2 |
| 13 | Apprentice Seaman/Seawoman | ASN/ASW | E-1 |

14 Sec. 15. *Maximum Tenure in Rank for Non-officers.* – The maximum tenure of
15 senior non-officers in the ranks of Chief Petty Officer to First Master Chief Petty Officer
16 in the PCG are as follows:

| 17 | Rank | Maximum Tenure in Rank |
|----|----------------------------------|------------------------|
| 18 | First Master Chief Petty Officer | Three (3) years |
| 19 | Master Chief Petty Officer | Three (3) years |
| 20 | Senior Chief Petty Officer | Five (5) years |
| 21 | Chief Petty Officer | Eight (8) years |

22 Any non-officer holding lower ranks than the above who stays in a rank for 10
23 years without being promoted to the next higher rank shall be evaluated by the Re-
24 enlistment Fitness Board who shall verify suitability to continue in service and submit
25 a recommendation for the approval of the Commandant: Provided, That the original
26 enlistment term in the PCG shall be three (3) years and subsequent re-enlistment shall
27 be for the term of six (6) years, with the application for re-enlistment to be reviewed
28 by the Re-enlistment Fitness Board for recommendation to the Commandant for
29 approval: Provided, further, That the uniform allowance shall be payable every three
30 (3) years after complying with the physical fitness test.

31 Sec. 16. *Non-uniformed Personnel.* – There shall be non-uniformed personnel
32 positions in the PCG. The head of the non-uniformed personnel shall occupy a rank of

1 Director III and shall be appointed by the President upon recommendation of the
2 Commandant. The non-uniformed personnel shall establish their own *plantilla*
3 positions to complement the strength of the PCG uniformed personnel.

4 *Sec. 17. Appointments.* – The appointment of the PCG Commandant and Flag
5 Officers shall be approved by the President upon the recommendation of the Secretary
6 of the DOTr. Appointments of all PCG non-officers shall be made by the PCG
7 Commandant. Appointments of PCG officers, which shall be in the initial rank of Coast
8 Guard Ensign shall be through a commissioning into service by the DOTr Secretary
9 upon the recommendation of the Commandant.

10 The initial entry ranks for technical officers like lawyers, medical doctors and
11 ecumenical clerics shall be in the rank of Lieutenant Senior Grade, dentists and
12 veterinarians shall be Lieutenant Junior Grade, while nurses and chemists shall be
13 commissioned in the rank of Ensign. Appointment of other technical professions that
14 may be required later shall be based on the academic attainment or ranking of
15 licensure examinations results issued by competent authority.

16 Appointments as well as the promotion of all non-uniformed personnel shall be
17 in accordance with the CSC laws, rules and regulations.

18 *Sec. 18. Basic Qualification for Uniformed Personnel.* – To qualify as officer or
19 non-officer of the PCG, the applicant shall possess the following at the time of
20 application:

- 21 a) Natural born citizen of the Philippines;
- 22 b) A person of good moral conduct;
- 23 c) Must have passed the psychiatric/psychological, drug and physical tests to
24 be administered by the PCG Medical Service or by any PCG accredited
25 government hospital for the purpose of determining physical and mental
26 health;
- 27 d) Must possess a formal baccalaureate degree, with appropriate license when
28 applicable or professional civil service eligibility for appointment as officer,
29 and must have finished at least 72 non-repetitive units of college education
30 or senior high school graduate with six (6) months TESDA skills course
31 related to the functions of PCG for appointment as non-officers upon
32 effectivity of this Act; and

1 e) Must not have been dishonorably discharged from military employment or
2 dismissed for cause from any non-uniformed personnel position in the
3 government.

4 *Sec. 19. Promotions of Officers and Non-officers.* – The promotion of PCG
5 officers and non-officers shall be based on merit and fitness in accordance with the
6 following procedures:

7 a) Officers shall only be promoted after undergoing deliberation before the
8 promotion boards: Provided, That promotion boards shall submit the results
9 of their deliberation to the Commandant for approval and corresponding
10 endorsement to the Secretary of Transportation for transmittal to the
11 President for approval;

12 b) There shall also be appropriate promotion boards for non-officers whose
13 recommendation shall be submitted to the Commandant for approval.

14 Provided, further, That at the time of promotion, the officer or non-officers
15 concerned shall possess all the qualifications and none of the disqualifications provided
16 under pertinent laws, rules and regulations, specifically on the completion of required
17 career course, training, examination and minimum time-in-grade as applicable for
18 specific ranks.

19 *Sec. 20. Gender Sensitivity Program.* – Gender concerns should be addressed
20 in all planning activities, setting of priorities, allocating of resources and identifying
21 actions and activities of the PCG. It should also incorporate a gender sensitive
22 perspective in the implementation of such plans and programs.

23 Gender sensitivity shall also be mainstreamed in all its internal policies,
24 strategies, budget, projects, structures and mechanisms, including but not limited to
25 hiring, promotions, assignment, training opportunities, pay and benefits. A gender
26 perspective should likewise be integrated in all its training programs, especially for
27 maritime search and rescue.

28 *Sec. 21. PCG Insignia, Decorations and Awards.* – The PCG shall have its own
29 insignia and badges to denote rank, specialty and assignment including uniforms,
30 decorations and awards, all of which shall be submitted to the National Historical
31 Institute for registration in the flags and heraldic list: Provided, That there shall be an
32 established awards system which shall be administered by the PCG under such rules

1 and regulations as may be promulgated with the approval of the Secretary of
2 Transportation.

3 Sec. 22. *Legal Assistance.* – The Secretary of Transportation or the
4 Commandant of the PCG may authorize lawyers of their respective agencies to provide
5 legal assistance to any member of the PCG charged with an offense or crime resulting
6 from the performance or on occasion of official duty. The government lawyers so
7 authorized shall have the power to administer oaths.

8 Sec. 23. *Power to Administer Oath.* – Officers of the PCG in the active service
9 with the grade of O-5 or when designated with appropriate orders as administrative
10 officer of a unit, shall have the power to administer oaths on matters which are
11 connected with the performance of their official duties. Senior non-commissioned
12 officers (grades E-7 to E10) who are designated through appropriate orders, as Chief-
13 Master-At-Arms (CMAA) or unit master chief are also empowered to administer oaths.

14 Sec. 24. *Maritime and Coast Guard Attaché.* – The PCG shall have maritime and
15 coast guard attaché in the International Maritime Organization, other international
16 institution or as member of diplomatic missions or embassies.

17 The assignment or deployment of maritime or coast guard attaché shall be with
18 prior approval of the Secretary of Foreign Affairs.

19 **CHAPTER IV**

20 **PAYS, ALLOWANCES AND BENEFITS**

21 Sec. 25. *Salaries and Other Benefits.* – The uniformed personnel of the PCG
22 shall receive the same base pay, hazard pay and other benefits and allowances as are
23 now or hereafter may be authorized for corresponding salary grades and ranks in the
24 AFP. The salaries and allowances of the non-uniformed personnel of the PCG shall be
25 in accordance with existing Civil Service laws, rules and regulations.

26 Sec. 26. *Longevity Pay and Allowances.* – Uniformed personnel of the PCG shall
27 be entitled to a longevity pay of ten percent (10%) of their basic monthly salaries for
28 every five (5) years of continuous active service, which shall be reckoned from the
29 date of actual service in the PCG: Provided, That the totality of such longevity pay
30 shall not exceed fifty percent (50%) of the basic pay. They shall also continue to enjoy
31 the subsistence allowance, quarters allowance, clothing allowance, cost of living
32 allowance, hazardous duty pay and other collateral allowances but not limited to sea

1 duty pay, flying pay, special counsel allowance, occupational specialty pay, instructors
2 duty pay, combat pay for officers and non-officers of the PCG performing combat
3 duties/activities or engaged in actual performance of duties as defined in regulations
4 to be issued by the Commandant and all other applicable allowances as provided by
5 existing laws: Provided, further, That the PCG shall, subject to approval of the
6 President, issue a specific policy pertaining to collateral allowances for specific duties
7 actually performed. All collateral allowances shall be reflected in the pay slip of
8 qualified personnel.

9 *Sec. 27. Uniformed Personnel Missing in Action.* – The survivors of any officer
10 or non-officer who, while in the performance of duty, is officially confirmed missing in
11 action, kidnapped or captured by lawless elements shall be entitled to receive the
12 same pay and allowances to which such officer or non-officer is entitled from the time
13 of the latter’s disappearance: Provided, That the compulsory retirement of an
14 absentee, in applicable cases, shall be processed to allow his/her survivors to enjoy
15 the retirement benefits: Provided, further, That should the Commandant, upon the
16 recommendation of the proper authority or immediate supervisor, subsequently rule
17 that the officer or non-officer concerned has been absent from duty without authority,
18 such member or the latter’s survivors shall reimburse the PCG all such amount and
19 allowances that have been received in accordance with this section and other pertinent
20 sections of this Act.

21 *Sec. 28. Emergency and Medical Assistance.* – The PCG shall have an
22 emergency medical assistance fund, sourced from the PCG’s Annual Budget Plan as
23 reflected in the General Appropriations Act (GAA) for hospitalization, operation,
24 medication and rehabilitation of personnel arising from injuries suffered on occasion
25 of or in the performance of official functions until such time that the PCG hospital is
26 fully operational.

27 **CHAPTER V**

28 **ACTIVE SERVICE AND SEPARATION**

29 *Sec. 29. Active Service.* – For purposes of this Act, active service of the
30 uniformed personnel shall refer to services rendered as an officer and non-officer,
31 cadet, trainee or draftee in the PCG and services rendered as a non-uniformed
32 personnel in the Philippine Government prior to the date of separation or retirement

1 from the PCG: Provided, That, for purposes of retirement, the personnel shall have
2 rendered at least ten (10) years of active service as officer or non-officer in the PCG:
3 Provided, further, That no period of such non-uniformed personnel government
4 service be longer than the active coast guard service shall be credited for purposes of
5 retirement. Service rendered as cadet in any service academy in the Philippines or
6 abroad under sponsorship of the PCG such as the Philippine Merchant Marine
7 Academy, probationary officer, draftee or trainee shall be included in computing the
8 years in active service for retirement purposes if such personnel joins the service right
9 after graduation.

10 Sec. 30. *Retirement.* – Upon attaining fifty-seven (57) years of age or
11 accumulation of thirty (30) years of continuous satisfactory active service, whichever
12 comes later, a PCG uniformed personnel shall be compulsorily retired: Provided, That
13 technical officers may extend their tenure of service up to sixty (60) years or until
14 having accumulated twenty (20) years of satisfactory active service, whichever comes
15 later.

16 Any officer or non-officer may choose to retire on their own option upon
17 accumulating at least twenty (20) years in active service.

18 For purposes of this Act, an officer or non-officer who dies after accumulating
19 at least twenty (20) years of satisfactory active service shall be considered as retired.

20 The retirement of non-uniformed personnel of the PCG shall be governed by
21 the GSIS law, rules and regulations.

22 Sec. 31. *Separation.* – Separation from the Coast Guard service may be done
23 through compulsory retirement, optional retirement upon reaching 20 years in service,
24 disability discharge, expiration of enlistment term, voluntary resignation, attrition,
25 dismissal for cause, or death.

26 The separation of non-uniformed personnel of the PCG shall be governed by
27 the Civil Service laws, rules and regulations.

28 Sec. 32. *Attrition.* – There shall be established a system of attrition within the
29 uniformed members of the PCG within one (1) year from the effectivity of this Act to
30 be submitted by the PCG to the President for approval.

1 *Sec. 33. Retirement Benefits.* – An officer or uniformed personnel who is retired
2 under Section 30 of this Act, or his/her qualified survivors, are entitled to receive, and
3 may choose from, any of the following benefits:

4 a) *Gratuity Pay.* – A lump sum payment of gratuity pay equivalent to one (1)
5 month of base and longevity pay computed based on the permanent salary
6 grade last held for every year of service; or

7 b) *Retirement Pay* – A monthly retirement pay equivalent to fifty percent (50%)
8 of monthly base and longevity pay computed based on the permanent salary
9 grade last held by the personnel in case of twenty (20) years of active
10 service, increasing by two and one-half percent (2½%) for every year of
11 service rendered beyond twenty (20) years up to a maximum of ninety
12 percent (90%) for thirty-six (36) years of active service and over.

13 Provided, That officers and non-officers who availed of optional retirement are
14 entitled to receive monthly retirement pay upon retirement: Provided, finally, That
15 upon retirement, an officer or non-officer is entitled to receive a lump sum equal to
16 thirty-six (36) months of the monthly retirement pay.

17 The retirement pay of officers and non-officers who are killed-in-action or
18 wounded in action resulting in total permanent disability shall be computed at the rate
19 of ninety percent (90%) of the monthly base and longevity pay based on the
20 permanent salary grade last held by the personnel regardless of years in active service.

21 The retirement benefits of non-uniformed personnel shall be governed by
22 applicable Civil Service laws and regulations and the Government Service Insurance
23 System Act.

24 *Sec. 34. Separation Pay.* – Officers and non-officers separated from the PCG
25 without having accumulated at least twenty (20) years of satisfactory active service,
26 or their qualified survivors, shall receive a separation pay equivalent to one-month
27 base plus longevity pay based on the permanent salary grade the officer and non-
28 officer holds at the time of separation for every year of active service: Provided, That
29 in the case of an officer in the grade of Captain or higher, who incurs physical disability
30 in the line of duty, the basis of separation pay shall be the last salary grade held by
31 such officer at the time of separation: Provided, further, That cadets, candidates,

1 trainees and draftees who voluntarily resign from service shall not be entitled to any
2 separation pay.

3 The separation benefits of non-uniformed personnel shall be governed by
4 applicable Civil Service laws and regulations and the Government Service Insurance
5 System Act.

6 *Sec. 35. Benefits for Death and Total Permanent Disability in the Line of Duty*
7 *or During Training.* – Qualified survivors of officers and non-officers, including cadets,
8 candidates, trainees and draftees, who died in the line of duty without having
9 accumulated at least twenty (20) years of satisfactory active service are entitled to a
10 monthly life annuity, equivalent to fifty percent (50%) of the base and longevity pay
11 computed based on the permanent salary grade last held by the deceased officer and
12 non-officer at the time of death: Provided, That, survivors of cadets, candidates,
13 trainees and draftees who died during training through their own fault or negligence
14 shall not be entitled to this benefit.

15 Officers or non-officers, including cadets, candidates, trainees and draftees,
16 who suffer total permanent physical disability in the line of duty or during training
17 without having accumulated at least twenty (20) years of satisfactory active service
18 shall be entitled to a monthly life annuity, equivalent to fifty percent (50%) of the
19 base and longevity pay computed based on the permanent salary grade last held by
20 the officer or non-officer when the disability occurred: Provided, That the extent of
21 the disability or sickness which renders such member unfit or unable to further perform
22 the duties of the position held shall be certified by the appropriate Government
23 hospital: Provided, further, That cadets, candidates, trainees and draftees who suffer
24 total permanent physical disability during training through their own fault or
25 negligence shall not be entitled to this benefit.

26 The death and disability benefits of non-uniformed personnel shall be governed
27 by applicable Civil Service laws and regulations and the Government Service Insurance
28 System Act.

29 *Sec. 36. Survivors.* – The family of deceased officers or non-officers who are
30 alive and may claim benefits after such uniformed personnel dies in line of duty or the
31 pensioner dies. The following criteria shall apply:

- 1 a) Surviving spouse if married to the deceased prior to the latter's
2 retirement/separation and not legally separated by judicial decree from the
3 deceased issued on grounds not attributable to said spouse: Provided, That
4 the spouse's entitlement of benefits shall terminate when the spouse dies,
5 remarries, cohabits or engages in a common-law relationship;
- 6 b) Surviving children of officers or non-officers born of marriage contracted
7 prior to his retirement/separation from the service, surviving children
8 adopted legally prior to his retirement/separation, illegitimate children born
9 while the deceased parent was still on active service: Provided, That
10 entitlement to benefits shall terminate when such children attain twenty-
11 one (21) years of age or upon marriage: Provided, further, That those who
12 have reached the age of twenty-one (21) years but are incapacitated and
13 incapable of self-support due to a mental or physical defect acquired prior
14 to age of majority shall remain entitled to the benefits.
- 15 c) In default of those mentioned in paragraph (a) and (b), the surviving parent
16 or parents.

17 As regards question of filiation involving survivor-claimants, the same shall be
18 submitted first by the claimants to competent court for determination before benefits
19 can be given.

20 *Sec. 37. Survivorship Benefits.* – The qualified survivors are entitled to a
21 monthly annuity equivalent to seventy-five percent (75%) of the officer or non-
22 officer's retirement or separation benefits, to be divided among them in equal shares
23 and with the right of accretion.

24 Survivorship benefits for non-uniformed personnel shall be governed by the
25 GSIS Law.

26 *Sec. 38. Disability Pension.* – In addition to the other benefits under this Act,
27 an officer or non-officer who is retired or separated by reason of disability, which is
28 the proximate result of wounds or injuries sustained or sickness or disease acquired
29 in the line of duty shall receive a monthly disability pension as follows:

- 30 a) If and while the disability is rated twenty-five percent (25%) – Five thousand
31 pesos (P5,000.00);

1 b) If and while the disability is rated fifty percent (50%) – Ten thousand pesos
2 (P10,000.00);

3 c) If and while the disability is rated seventy-five percent (75%) – Fifteen
4 thousand pesos (P15,000.00);

5 d) If and while the disability is rated one hundred percent (100%) – Twenty
6 thousand pesos (P20,000.00).

7 The officer or non-officer receiving the benefits under this Section may be
8 required to undergo periodic physical and medical examination to determine the extent
9 of disability for purposes of adjusting the disability pension.

10 *Sec. 39. Old-Age Pension.* – A retired PCG uniformed personnel who is at least
11 sixty-five (65) years of age shall be entitled to old-age pension amounting to Five
12 Thousand Pesos (P5,000.00) monthly and an additional amount of One Thousand
13 Seven Hundred Pesos (P1,700.00) monthly upon reaching the age of seventy (70):
14 Provided, That only retired PCG uniformed personnel who shall have been honorably
15 discharged or retired after at least twenty (20) years of total PCG active service or
16 sooner separated while in the active service in the PCG due to disability arising or
17 incurred in actual operations or performance of duties are entitled to receive this
18 monthly benefit.

19 *Sec. 40. Application of Related Laws on Retirement and Separation of*
20 *Uniformed Personnel.* – The retirement system under Presidential Decree No. 1638,
21 as amended, and the provisions of Republic Act No. 8220, Republic Act No. 9365, and
22 other similar applicable laws, insofar as not inconsistent with applicable provisions of
23 this Act, shall be given suppletory effect.

24 *Sec. 41. Incentives and Awards.* – There shall be established an awards system
25 with corresponding incentives and benefits similar to other uniformed services which
26 shall be administered by a board under such rules, regulations and standards as may
27 be promulgated by the PCG: Provided, that in the case of non-uniformed personnel,
28 the system of incentives and awards shall be approved and in accordance with the
29 CSC laws, rules and regulations.

30 **CHAPTER VI**
31 **DISCIPLINARY SYSTEM**

1 *Sec. 42. Disciplinary System.* – The PCG shall adopt the PCG Code of Conduct
2 which shall be applicable to all its uniformed personnel. Non-uniformed personnel shall
3 be covered under the disciplinary rules of the Civil Service. The Commandant shall be
4 assisted by the Coast Guard Internal Affairs in enforcing discipline and order within its
5 ranks though for disciplinary issues depending on gravity, unit commanders shall
6 exercise disciplinary powers over personnel under their command. The PCG shall
7 within six (6) months from the effectivity of this Act, issue policies, rules and
8 procedures applying the PCG Code of Conduct based on the provisions of
9 Commonwealth Act No. 408, as amended by RA No. 516, RA No. 242, PD No. 1968
10 and PD No. 1166: Provided, That for non-uniformed personnel, the PCG shall issue
11 rules and procedures implementing Book VII of EO No. 292 and the Civil Service laws,
12 and applicable CSC administrative rules and issuances: Provided, further, That in times
13 of war, during which the PCG or any of its offices is attached to the DND, the military
14 justice system of the AFP shall apply.

15 *Sec. 43. Disciplinary Authority.* – The Commandant exercises disciplinary
16 authority at any time over all personnel of the PCG. The authority to discipline shall
17 also be exercised by unit commanders and Commanding Officers including Station
18 Commanders, Sub-Station Commanders, and head of Morning Report Carrying Units.

19 *Sec. 44. Jurisdiction.* – A complaint or a charge filed against a PCG member
20 shall be heard and decided exclusively by the disciplining authority who has acquired
21 original jurisdiction over the case notwithstanding the existence of concurrent
22 jurisdiction as regards the offense.

23 *Sec. 45. Dismissal of PCG Personnel.* – The Commandant, after due notice and
24 summary hearing, may immediately remove or dismiss any respondent PCG personnel
25 and major unit commanders may recommend such in any of the following cases:

- 26 a) In cases of drug abuse where subsequent confirmation test confirms the
27 use of prohibited drugs;
28 b) When the charge is serious and the evidence of guilt is strong;
29 c) When the respondent is a recidivist or has been repeatedly charged and
30 there are reasonable grounds to believe that he is guilty of the charges; and
31 d) When the respondent is guilty of a serious offense involving conduct
32 unbecoming a PCG personnel.

1 An officer or non-officer who is continuously absent without approved leave for
2 at least thirty (30) calendar days shall be considered on absence without official leave
3 (AWOL) and shall be presumed voluntarily resigned: Provided, That one shall be
4 informed by registered mail at the address appearing on one's 201 file of one's
5 separation from the service not later than five (5) calendar days from the effectivity
6 thereof.

7 The dismissal of PCG non-uniformed personnel shall be governed by Civil
8 Service laws, rules and regulations.

9 *Sec. 46. Coast Guard Internal Affairs Service.* – To maintain accountability in
10 government service through discipline and efficiency, there shall be an Internal Affairs
11 Service (IAS) in the PCG. The CGIAS shall foster and promote accountability in
12 government service within the PCG and follow the basic principles of integrity,
13 objectivity, independence, confidentiality, professionalism, competence, courage,
14 trust, honesty, fairness, forthrightness, public accountability and respect for others
15 and themselves. It shall have the power to investigate and inquire into any and all
16 activities of the PCG units and personnel, review processes, procedures and operations
17 to determine if such were conducted effectively and efficiently.

18 The personnel of the CGIAS whether officer or non-officer, who are performing
19 actual investigative duties, including PCG Personnel who provide legal assistance or
20 perform criminal investigative duties, shall be granted occupational specialty pay
21 which shall not exceed fifty percent (50%) of their basic pay and shall be reflected in
22 their pay slip for the work performed: Provided, That such personnel shall not be
23 entitled to the occupational specialty pay under Section 26 hereof.

24 **CHAPTER VII**

25 **MISCELLANEOUS PROVISIONS**

26 *Sec. 47. Organization of a PCG Auxiliary (PCGA).* – The PCG shall continue to
27 maintain, supervise, develop and train the PCGA as a non-uniformed personnel
28 volunteer organization under the direct control and supervision of the PCG
29 Commandant. The PCGA shall assist the PCG in the promotion of safety of life and
30 property at sea, the preservation of the marine environment and its resources, the
31 conduct of maritime search and rescue, the maintenance of aids to navigation and
32 such other activities that enhance maritime community relations which include civic

1 action, participation under the National Service Training Program, youth development,
2 recreational safety and other related activities.

3 *Sec. 48. Lateral Entry.* – Active members of other uniformed services under the
4 Armed Forces of the Philippines (AFP), Philippine National Police (PNP), Bureau of Fire
5 Protection (BFP) and Bureau of Jail Management and Penology (BJMP) may join the
6 PCG through lateral entry. The rank for officers eligible for such entry must not be
7 higher than Lieutenant Commander and Petty Officer Second Class for non-officers.
8 Notwithstanding the corps they wish to join, all entrants shall only be accepted if, on
9 or before time of entry, they: a) are not under investigation, b) are not on absence
10 without leave (AWOL) status, c) are not serving sentence, whether administrative or
11 criminal, d) have not been issued reprimand in the last two (2) years, or e) have not
12 received an unfavorable rating in the latest performance rating.

13 However, if an entrant possesses specific skills that may not be readily
14 developed in new recruits, lateral entry may be allowed for ranks higher than those
15 mentioned above: Provided, That the new entrant can serve at least ten (10) years in
16 PCG active service prior to reaching the mandatory retirement age.

17 *Sec. 49. Exemption from Attachment, Taxes, Charges and Fees.* – Retirement
18 benefits granted by this Act, including benefits received from a duly instituted
19 provident fund and mutual benefit association shall not be subject to attachment, levy,
20 execution or any tax of whatever nature.

21 In the establishment and operation of radar and radio stations and other
22 communication facilities, the PCG shall not be subject to payment of charges and fees
23 as imposed by the National Telecommunications Commission (NTC): Provided, That
24 the PCG shall only use frequencies as may be allowed or assigned by the NTC
25 consistent with international regulations and guidelines.

26 Except as provided in the preceding paragraph, the PCG shall, in the
27 performance of its functions, enjoy such rights and privileges enjoyed by other
28 governmental and law enforcement agencies, instrumentalities, and government-
29 owned and controlled corporations such as but not limited to exemption from
30 registration application for license, and payment of fees as imposed by other
31 governmental agencies or regulatory bodies. Should the PCG be required to register
32 or to file application, the fees to be charged shall only be in such minimal amount

1 corresponding to the actual administrative cost necessary for the issuance of the
2 permit, license or certificate.

3 *Sec. 50. PCG Properties and Lighthouse Reservations.* – The PCG shall continue
4 to exercise exclusive ownership, possession, management, control and supervision
5 over all properties transferred to it by virtue of Executive Order No. 475 dated 30
6 March 1998 and Executive Order No. 477 dated 15 April 1998, such as inter alia,
7 vessels, watercrafts, firearms, armaments, munitions, communications and electronic
8 equipment, vehicles, buildings, real state, lighthouse stations and reservations.

9 *Sec. 51. Establishment and Expansion of Coast Guard Bases, Equipment and*
10 *Facilities.* – In coordination with other appropriate government agencies, the PCG shall
11 develop and enhance its capabilities in the performance of its mandated functions and
12 establish its strategic presence. Towards this end, the PCG shall, through the guidance
13 of Congress, draft its development plan that shall reflect its asset, equipment and
14 facility requirement that includes but not limited to floating assets, laboratories, land-
15 based support facilities, land mobility, arms and ammunition, rescue and hospital ship,
16 maritime monitoring surveillance and communications system, port facilities, air assets
17 and air stations.

18 *Section 52. Implementing Rules and Regulations.* – For submission to the
19 Secretary of Transportation for approval, the Philippine Coast Guard, not later than
20 one hundred twenty (120) days from the effectivity of this Act, shall issue rules and
21 regulations, determine, fix and/or prescribe charges, rates, and penalties, as may be
22 necessary, to implement its provisions, as well as the provisions of laws, issuances,
23 decrees and orders related to the implementation of PCG functions.

24 *Sec. 53. Appropriations.* – The amount necessary for the initial implementation
25 of this Act shall be charged against the current year's appropriations of the PCG.
26 Thereafter, such amount shall be included in the General Appropriations Act.

27 *Sec. 54. Separability Clause.* – If for any reason, any provision of this Act is
28 declared unconstitutional or invalid, such parts not affected thereby shall remain in
29 full force and effect.

30 *Sec. 55. Repealing Clause.* – Republic Act No. 9993 is hereby repealed and all
31 laws, decrees, executive orders, rules and regulations and other issuances or parts

1 thereof which are inconsistent with this Act are hereby repealed, amended or modified
2 accordingly.

3 Sec. 56. *Effectivity.* – This Act shall take effect fifteen (15) days after its
4 publication in the *Official Gazette* or in any two (2) newspapers of general circulation.

Approved,