AMENDING THE MINIMUM AGE REQUIREMENT FOR PRIVATE SECURITY PROFESSIONALS IN RULE V, SECTION 2(B) & 3(D) OF THE 2003 IRR OF RA 5487

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Adopted: 13 July 2015
Date Filed: 29 July 2015
I. References:

- Section 5(d), Republic Act (RA) 5487, as amended;

- Section 2(b) and 3(d) in Rule V of the 2003 Implementing Rules and Regulations (IRR) of RA 5487;

II. Purpose:

To correct the minimum age requirement of private security guards, watchmen and private detectives from “18 years old” to “21 years old” pursuant to existing laws.

III. Rationale:

Pursuant to Section 5 of the Republic Act 5487, as amended, entitled “Qualifications Required” stated therein are as follows: “No person shall be employed as security guard or watchman or private detective unless he is: (a) a Filipino citizen; (b) a high school graduate; (c) physically and mentally fit; (d) not less than 21 nor more than 50 years of age; (e) at least 5 feet and 4 inches in height; and (f) suffering none of the disqualifications provided for in the preceding section.”

This provision of the law, particularly para (d) of Section 5, was erroneously contradicted by Rule V of the 2003 Revised Implementing Rules and Regulations (IRR) of RA 5487, wherein Section 2(b) and Section 3(d) entitled “Basic requirements of private security personnel” and “Qualifications of a Private Security Guard” respectively, it stated that the minimum age requirement is 18 years old. Furthermore, with the enacted RA 10591 (Comprehensive Firearms and Ammunition Act) which states in Section 4 that “In order to qualify and acquire license to own and possess a firearm or firearms and ammunition, the applicant must be a Filipino citizen at least 21 years old and has gainful work, occupation or business and has filed an Income Tax Return (ITR) for the preceding years as proof of income, profession, business or occupation.”, there is now an apparent violation of the law if Security Guards between 18-20 years old are in possession of firearms which are owned by licensed private security service providers while in the performance of their duties.

IV. Amendments:

In view of the foregoing, Section 2(b) and Section 3(d) of Rule V of the 2003 IRR of RA 5487 is hereby amended so that the said paragraphs shall now read as follows:

> Section 2(b). “Not less than twenty-one (21) years of age.”
>
> Section 3(d). “Not less than twenty-one (21) years of age nor more than fifty (50) years of age (for new applicants and SGs in non-supervisory position).”

V. Repealing Clause:

All PNP issuances which are contrary to or inconsistent with this Circular are hereby amended or repealed accordingly.

VI. Effectivity:

This Circular shall take effect after fifteen (15) days from filing of a copy hereof at the University of the Philippines Law Center in consonance with Sections 3 and 4 of Chapter 2, Book VII of Executive Order No. 292, otherwise known as “The Revised Administrative Code of 1987”, as amended.

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