

AMENDING CERTAIN SECTIONS OF REPUBLIC ACT NUMBERED FIFTY-FOUR HUNDRED EIGHTY-SEVEN OTHERWISE KNOWN AS, “THE PRIVATE SECURITY AGENCY LAW.”[]

PRESIDENTIAL DECREE NO. 11, October 03, 1972

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WHEREAS, there were pending before Congress prior to the promulgation of Proclamation No. 1081, dated September 21, 1972, certain priority measures vital to the law enforcement program of the Government and to the restoration and maintenance of peace and order throughout the land, which were duly certified by the President as urgent measures;

WHEREAS, one of these priority measures is House Bill No. 4606 entitled, "AN ACT TO AMEND CERTAIN SECTIONS OF REPUBLIC ACT NUMBERED FIFTY-FOUR HUNDRED EIGHTY-SEVEN OTHERWISE KNOWN AS, THE PRIVATE SECURITY AGENCY LAW";

WHEREAS, the said House Bill No. 4606 seeks to amend the Private Security Agency Law because:

- There are numerous private firms, companies, and corporations including government-owned or controlled corporations employing around 30,000 watchmen or security guards who are armed with considerable numbers of firearms but who are not covered by Section 3 of the Private Secretary Agency Law;
- The Private Security Agency Law did not establish adequate safeguards against the intrusion of personal interest in the issuance of licenses prescribed by said Law;
- There are inadequate regulatory powers of the Philippine Constabulary over the operations of the private security guard or watchman agencies and their guards or watchmen;

WHEREAS, to provide for an effective deterrent to the commission of acts in violation of said Republic Act No. 5487 and this Decree, and of the implementing rules and regulations promulgated by the Chief of Constabulary pursuant thereto, by providing stiff penalties for violators;

NOW, THEREFORE, I, FERDINAND E. MARCOS, Commander-in-Chief of all the Armed Forces of the Philippines, and pursuant to Proclamation No. 1081, dated September 21, 1972, General Orders Nos. 1 and 6, both dated September 22, 1972 and General Order No. 7, dated September 23, 1972, do hereby order and decree, that:

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Section three (d) of Republic Act Fifty-four Hundred Eighty-Seven, otherwise known as, "The Private Security Agency Law" is hereby amended to read as follows:

(d) Watchman or Security Guard, Watchman or Security Guard Agency. — Any person who offers or renders personal service to watch or secure either residential or business establishment, or both, or any building, compound, or area including but not limited to logging concessions, agricultural, mining or pasture lands for hire or compensation, or as an employee thereof shall be known as watchman or security guard; and any person,

association, partnership, or corporation, who recruits, trains, musters, furnishes, solicits individuals or business firms, private or government-owned or controlled corporations to engage his service or those of its watchmen, shall be known as Watchman or Security Guard Agency."

- Section four of Republic Act Fifty-four Hundred Eighty-Seven is hereby amended to read as follows:

"SEC. 4. Who May Organize a Security or Watchman Agency. — Any Filipino citizen or a corporation, partnership, or association, with a minimum capital of five thousand pesos, one hundred per cent of which is owned and controlled by Filipino citizens may organize a security or watchman agency: Provided, That no person shall organize or have an interest in, more than one such agency except those which are already existing at the promulgation of this Decree: Provided, further, That the operator or manager of said agency must be at least 25 years of age, a college graduate and/or a commissioned officer in the inactive service of the Armed Forces of the Philippines; of good moral character; having no previous record of any conviction of any crime or offense involving moral turpitude and not suffering from any of the following disqualifications:

"(1) Having been dishonorably discharged or separated from the Armed Forces of the Philippines;

"(2) Being a mental incompetent;

"(3) Being addicted to the use of narcotic drug or drugs; and,

"(4) Being a habitual drunkard.

"For purposes of this Act, elective or appointive government employees who may be called upon on account of the functions of their respective offices in the implementation and enforcement of the provisions of this Act and any person related to such government employees by affinity or consanguinity in the third civil degree shall not hold any interest, directly or indirectly, in any security guard or watchman agency."

- Section eight of Republic Act Fifty-Four Hundred Eighty-Seven is hereby amended by inserting as the last paragraph thereof, the following:

"Any provision of this or other law to the contrary notwithstanding, the Chief of Constabulary may, at any time suspend or cancel the licenses of private watchman or security guard, or any licenses of private watchman or security guard agency found violating any of the provisions of this Act or of the rules and regulations promulgated by the Chief of Constabulary pursuant thereto";

Any person who commit any act in violation of Republic Act No. 5487 and of this Decree, and the implementing rules and regulations already promulgated which are not in conflict herewith, and those to be promulgated by the Chief of Constabulary pursuant hereto, shall, on conviction thereof, suffer imprisonment of from ten to fifteen years and a fine of not less than ten thousand pesos nor more than fifteen thousand pesos as a military court/tribunal or commission may direct.

The Chief of Constabulary shall promulgate the necessary rules and regulations to carry out the provisions of this Decree.

Done in the City of Manila, this 3rd day of October, in the year of Our Lord, nineteen hundred and seventy-two.

(Sgd.) FERDINAND E. MARCOS
President
Republic of the Philippines

[*]Amended by Presidential Decree No. 100.

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