



HOUSE OF REPRESENTATIVES

H. No. 9086

BY REPRESENTATIVES BIAZON, PIMENTEL, VILLAFUERTE, GARCIA (P.J.), HERNANDEZ, RODRIGUEZ, OAMINAL, VELOSO, YAP (E.), NIETO, ROMUALDO, DALIPE, BARBA, SANGCOPAN, GONZAGA, CALDERON, CABATBAT, FORTUN, BELMONTE, VERGARA, DEFENSOR (M.), ESCUDERO, SINGSON-MEEHAN, ARENAS, SAVELLANO, REVILLA, DE VENECIA, QUIMBO, CUA, TEJADA, VIOLAGO, GASATAYA, HARESCO, CUARESMA, DAZA, SAGARBARRIA, DUAVIT, CAMPOS, MOMO, FRASCO, ALBANO, BALINDONG, BASCUG, BENITEZ, BORDADO, CAMINERO, CARI, DAGOOC, DELOSO-MONTALLA, DIMAPORO (A.), DIMAPORO (M.K.), DUJALI, DY (F.), DY (F.M.C.), DY (I.P.), GORRICETA, GULLAS, GUYA, LABADLABAD, MACEDA, NATIVIDAD-NAGAÑO, ONG (J.), ORTEGA, REYES, ROMAN, TAMBUNTING, TAN (A.S.), TAN (A.), TIANGCO, TORRES-GOMEZ, TUTOR, VARGAS ALFONSO, DE JESUS, DEFENSOR (L.), ENVERGA, FLORES, GO (M.), LOYOLA, ROBES, SAULOG, CABOCHAN, SAKALURAN, ROMUALDEZ (F.M.) AND ROMUALDEZ (Y.M.), PER COMMITTEE REPORT NO. 888

AN ACT
ESTABLISHING THE PHILIPPINE JUDICIARY MARSHALS SERVICE,
DEFINING ITS POWERS, FUNCTIONS, AND ORGANIZATIONAL
STRUCTURE, AND APPROPRIATING FUNDS THEREFOR

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

1 **SECTION 1. Short Title.** – This Act shall be known as the “Philippine Judiciary
2 Marshals Service Act”.

3
4 **SEC. 2. Declaration of Policy.** – It is the declared policy of the State to ensure
5 the safety and security of the members of the Judiciary, judicial personnel, and
6 court assets, in order for the Judiciary to function independently and impartially
7 in upholding the rule of law and in preserving the rights and guarantees granted
8 by the Constitution. To this end, an independent, professional, and organized

1 security force under the control and supervision of the Supreme Court is necessary
2 to protect the Judiciary from violence, threats, and undue influence, thereby
3 securing the performance of its constitutionally mandated duty to administer
4 justice in accordance with the laws of the land.

5
6 **SEC. 3. *Philippine Judiciary Marshals Service.*** – There is hereby created
7 the Philippine Judiciary Marshals Service under the control and supervision of the
8 Supreme Court, through the Office of the Court Administrator, primarily
9 responsible for the protection and security of the members of the Judiciary,
10 judicial personnel, the courts, and court assets.

11
12 **SEC. 4. *Powers and Functions.*** – The Philippine Judiciary Marshals Service
13 shall have the following powers and functions:

14
15 (a) Protect, defend, safeguard, watch over, provide security for, and ensure
16 the safety of justices, judges, court officials and personnel, halls of justice,
17 courthouses, court buildings, and other court properties;

18
19 (b) Conduct threat assessments and undertake investigations, in coordination
20 with other law enforcement agencies, over crimes and other offenses committed
21 against, including potential actionable security threats to, justices, judges, court
22 officials and personnel, halls of justice, courthouses, court buildings, and other
23 court properties;

24
25 (c) Ensure that court proceedings, trials and hearings, including judicial
26 conferences, seminars and meetings, are conducted in an orderly manner in
27 accordance with existing rules, guidelines, and practice;

28
29 (d) Investigate, in coordination with other law enforcement agencies and,
30 whenever applicable, the Office of the Ombudsman, allegations of irregularities,
31 including graft and corrupt practices, committed by justices, judges, court
32 officials and court personnel;

33
34 (e) Assist in the execution and implementation of court orders; and

35
36 (f) Perform other related functions as the Supreme Court, the Chief Justice, or
37 the Court Administrator may order, direct, and instruct from time to time.

38
39 **SEC. 5. *Officials and Their Assignments.*** – The Philippine Judiciary
40 Marshals Service shall be headed by a Chief Marshal, who shall have the same
41 rank, privileges, and compensation of an Associate Justice of the Court of
42 Appeals. The Chief Marshal shall be assisted by three (3) Deputy Marshals who
43 shall be assigned respectively in Luzon, Visayas and Mindanao, and shall have
44 the same rank, privileges, and compensation of a judge of a Regional Trial Court.

45
46 **SEC. 6. *Qualifications, Appointment and Tenure.*** – The Chief Marshal and
47 the Deputy Marshals must be members of the Philippine Bar and must have held
48 the rank of at least, a full Colonel in the Armed Forces of the Philippines or the
49 Philippine National Police, or an Assistant Director in the National Bureau of
50 Investigation.

51
52 The Chief Marshal and Deputy Marshals shall be appointed by the Supreme

1 Court *en banc* and shall serve until they reach the age of sixty-five (65) years,
2 unless they become incapacitated to discharge the duties of their office or are
3 removed for just cause by a vote of not less than eight (8) justices of the Supreme
4 Court.

5
6 **SEC. 7. Composition and Size of Personnel.** – The composition and size of
7 personnel of the Philippine Judiciary Marshals Service shall be determined by the
8 Supreme Court which may create such offices, divisions and units under it as it
9 may deem necessary. For this purpose, the Supreme Court is authorized to adopt
10 and implement the corresponding staffing pattern for the Philippine Judiciary
11 Marshals Service. The positions, titles, and salaries of its officials and personnel
12 shall be in accordance with Republic Act No. 11466, otherwise known as the
13 “Salary Standardization Law of 2019”. All officials and personnel appointed under
14 this Act shall belong to the classified service and shall be governed by the Civil
15 Service Law, except those whose positions are highly technical or primarily
16 confidential. The organizational structure and staffing pattern shall be submitted
17 to the Department of Budget and Management (DBM) for approval.

18
19 **SEC. 8. Duties and Responsibilities.** – The Supreme Court shall define and
20 determine the duties and responsibilities of the officials and personnel of the
21 Philippine Judiciary Marshals Service consistent with the provisions of this Act.
22 Such duties and responsibilities shall include the following:

23
24 (a) Issue subpoenas for the appearance of any person for investigation, apply
25 for search warrants before any court of law, and file complaints before the Office
26 of the Ombudsman, city or provincial prosecutor, or the Department of Justice;

27
28 (b) Take and require sworn statements from any person so summoned, in
29 relation to the cases under investigation, in accordance with the Constitution,
30 existing laws, jurisprudence, and rules;

31
32 (c) Administer the oath of any person in relation to the cases under
33 investigation;

34
35 (d) Make arrests and conduct searches and seizures in relation to the functions
36 of the Philippine Judiciary Marshals Service, and in accordance with the
37 Constitution, existing laws, jurisprudence and rules;

38
39 (e) Have access over all public records under the custody of any government
40 branch, institution, agency or instrumentality and, upon proper request made to
41 private telecommunications companies, the records of any individual under
42 investigation, which shall be treated with utmost confidentiality and only for
43 purposes of the cases under investigation;

44
45 (f) Possess duly licensed, suitable and adequate firearms for their personal
46 safety and protection in connection with their duties and responsibilities, and for
47 the proper safety and protection of the justices, judges, court officials and
48 personnel, halls of justice, courthouses, court buildings and other court properties.
49 For this purpose, the Chief Marshal is hereby authorized to issue permits to carry
50 duly licensed firearms outside of residence to officials and personnel of the
51 Philippine Judiciary Marshals Service; and
52

1 (g) Exercise such other powers and perform such other duties and
2 responsibilities as may be vested or reposed by the Supreme Court, in the
3 implementation of the provisions of this Act.

4
5 **SEC. 9. Benefits and Privileges.** – The Philippine Judiciary Marshals Service
6 shall provide its officials and personnel the following benefits and privileges:

7
8 (a) Health care services through a health maintenance organization (HMO) for
9 all its regular employees;

10
11 (b) Accident insurance policies for all employees;

12
13 (c) Trainings, scholarships, and seminars to deserving employees to upgrade
14 their knowledge and skills, on official time and at the expense of the Service, and
15 pursuant to its implementing rules and regulations; and

16
17 (d) Hazard pay, subject to pertinent laws, rules and regulations.

18
19 The Philippine Judiciary Marshals Service shall likewise bear the costs for all
20 fees required in relation to Section 8(f) of this Act.

21
22 **SEC. 10. Appropriations.** – The amounts necessary to carry out the initial
23 implementation of this Act shall be charged against the current year's budget of
24 the Supreme Court. Thereafter, such sums as may be necessary for the continued
25 implementation of this Act shall be included in the annual General Appropriations
26 Act.

27
28 **SEC. 11. Implementing Rules and Regulations.** – Within sixty (60) days
29 from the effectivity of this Act, the Supreme Court shall promulgate such rules
30 and regulations as may be necessary to carry out the provisions of this Act.

31
32 **SEC. 12. Separability Clause.** – If any provision of this Act is declared invalid
33 or unconstitutional, the provisions not affected thereby shall continue to be in full
34 force and effect.

35
36 **SEC. 13. Repealing Clause.** – Section 5 (c) of Republic Act No. 10867,
37 otherwise known as the "National Bureau of Investigation Reorganization and
38 Modernization Act", granting the National Bureau of Investigation primary
39 jurisdiction to undertake investigations of killings of justices and judges, is hereby
40 repealed. All other laws, decrees, orders, rules and regulations or parts thereof
41 which are contrary to or inconsistent with the provisions of this Act are hereby
42 amended, repealed or modified accordingly.

43
44 **SEC. 14. Effectivity.** – This Act shall take effect fifteen (15) days after its
45 publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,