

**[ REPUBLIC ACT NO. 10867, June 23, 2016 ]**

**AN ACT REORGANIZING AND MODERNIZING THE NATIONAL BUREAU OF INVESTIGATION (NBI), AND PROVIDING 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 "National Bureau of Investigation Reorganization and Modernization Act".

SEC. 2. *Declaration of Policy.* – It is the policy of the State to promote and maintain an effective, modern, gender-responsive, competent and highly trained investigative body, functionally integrated and national in scope.

Toward this end, the State shall formulate plans and programs to enhance and modernize the National Bureau of Investigation (NBI), with expanded structure, capability and manpower, responsive to the demands of the times.

SEC. 3. *Reorganization, Modernization, and Expansion.* – The NBI is hereby reorganized and modernized to adequately meet the increasing demands of an expanded investigative and detective work.

It shall implement a modernization program geared towards the acquisition of state-of-the-art investigative and intelligence equipment and the establishment of forensic and scientific laboratories. The program shall include provisions for the training of its personnel in this regard.

The present organizational structure of the NBI shall be reorganized into the Office of the Director, Office of the Deputy Director for Administration, Office of the Deputy Director for Operations, Offices of the Assistant Directors for Investigation Service, Intelligence Service, Comptroller Service, Human Resource and Management Service, Forensic and Scientific Research Service, Legal Service, and Information and Communications Technology Service. Each service shall be composed of the necessary divisions and sections.

The NBI shall establish a Regional Office in every region to be headed by a Regional Director and District Offices in every province to be headed by a Head Agent. Field Offices may also be established and maintained by the Director as the need arises.

The NBI personnel complement shall be increased and their positions upgraded, as follows:

Old Position	From Salary Grade	New Position	To Salary Grade
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Director VI	SG 30	Director	SG 30
Director V (Assistant Director)	SG 29	Deputy Director	SG 29
Director III (Deputy Director)	SG27	Assistant Director	SG 28
Director II (Regional Director)	SG 26	Regional Director	SG 27
Director I (Assistant Regional Director)	SG 25	Assistant Regional Director	SG 26
Investigation Agent VI (Head Agent)	SG 25	Head Agent	SG 25
Investigation Agent V (Supervising Agent)	SG 24	Supervising Agent	SG 24
Investigation Agent IV (Senior Agent)	SG 23	Senior Agent	SG 23
Investigation Agent III	SG 22	Investigation Agent III (Agent)	SG 22
Investigation Agent II	SG 20		
Investigation Agent I	SG 18		
Special Investigator V	SG 24		
Special Investigator IV	SG 22		
Special Investigator III	SG 18		

The number of administrative support personnel shall also be increased to effectively carry out their functions.

The NBI personnel occupying the positions affected by the changes embodied in this Act at the time of its approval shall thereafter occupy and discharge the duties and functions of their new positions and receive the corresponding salary and benefits without the necessity of new appointment.

SEC. 4. *Powers and Functions.* – The NBI shall have the following powers and functions:

(a) Undertake investigation and detection of crimes and offenses enumerated under Section 5 hereof;

(b) Issue *subpoena* for the appearance of any person for investigation or production of documents, through its officers from the ranks of Regional Director to Director;

(c) Act as a national clearing house of criminal records and other related information for the benefit of the government;

(d) Render technical assistance to government agencies and instrumentalities, when so requested;

(e) Extend assistance in cases involving extradition and mutual legal assistance, when requested by the Department of Justice;

(f) Establish an NBI Academy which shall be responsible for the recruitment, training, and development of all NBI agents and personnel, among others;

(g) Establish and maintain a Forensic and Scientific Research Center which shall serve as the primary center for forensic and scientific research in furtherance of scientific knowledge in criminal investigation, detection, evidence collection and preservation, and provide the necessary training therefor;

(h) Establish and maintain a Cyber Investigation and Assessment Center which shall serve as the nerve center for computer information technologies, data on cybercrime cases, computer intrusion, threats, and other related crimes or activities;

(i) Establish and maintain an integrated, comprehensive, and state-of-the-art network of equipment and facilities to be used by the NBI in its criminal investigation, detection, and evidence gathering, and to provide the corresponding training in this regard;

(j) Request the assistance of the Philippine National Police (PNP), Armed Forces of the Philippines, or any other agency of the government, including government-owned and/or -controlled corporations, in its anti-crime drive. Such assistance may include the use of the agency's personnel and facilities upon prior approval by the head of the agency concerned;

(k) Conduct intelligence operations in furtherance of the foregoing powers and functions;

(1) Enter into any contract or transaction for the acquisition, ownership, possession, administration, lease, disposition or acceptance of real or personal property in its name, subject to the approval of the Secretary of Justice;

(m) Establish a modern NBI Clearance and Identification Center containing all derogatory and criminal records and civilian identification records, including their identifying marks and characteristics and fingerprint database, as well as dental records pursuant to Presidential Decree No. 1575, entitled "Requiring Practitioners of Dentistry to Keep Records of Their Patients";

(n) Maintain, for purposes of investigative and forensic requirements of the NBI, relevant database such as ballistic records of firearms including, but not limited to, data ownership, possession, and other related identifying circumstances; and

Deoxyribonucleic Acid (DNA) databank; and

(o) Perform such other functions as the President or the Secretary of Justice may assign.

SEC. 5. *Jurisdiction.* – The NBI shall have primary jurisdiction to undertake investigations in the following cases:

(a) Human Trafficking cases in all airports in the Philippines;

(b) Extrajudicial/Extra-legal killings committed by the state's security forces against media practitioners and activists;

(c) Killings of justices and judges;

(d) Violation of Republic Act No. 10175, otherwise known as the "Cybercrime Prevention Act";

(e) Cases referred by the Inter-Agency Anti-Graft Coordinating Council (IAGCC);

(f) Violations of the Anti-Dummy Law;

(g) Cases involving threats to security or assaults against the persons of the President, Vice President, Senate President, Speaker of the House of Representatives, and Chief Justice of the Supreme Court;

(h) Transnational crimes pursuant to existing international agreements;

(i) Identification of the dead/victims in case of mass fatality incidents caused by natural disasters; and

(j) Violations of commercial, economic, and financial or white-collar crimes such as, but not limited to, those punishable under Republic Act No. 8792, otherwise known as "E-Commerce Act of 2000"; Republic Act No. 8484, otherwise known as "Access Devices Regulations Act of 1998"; Republic Act No. 8293, otherwise known as "Intellectual Property Code of the Philippines"; Republic Act No. 8799, otherwise known as "Securities Regulation Code"; Presidential Decree No. 1689, otherwise known as "Decree Increasing the Penalty for Certain Forms of Estafa", and other similar penal statutes that may be enacted by Congress.

*Provided, however,* That the President or the Secretary of Justice may direct the NBI to undertake the investigation of any crime when public interest so requires.

Once the NBI takes cognizance of any of the aforementioned cases, the PHP and other law enforcement agencies/investigative entities shall collaborate with and render assistance to the NBI. In cases where jurisdiction is vested exclusively and/or primarily with the PNP or other law enforcement agency/investigating agency, the NBI shall collaborate with and render assistance to the same.

SEC. 6. *The NBI Director and Other Officials.* – The NBI shall be headed by a Director and assisted by two (2) Deputy Directors, one for Administration and another for Operations, and an Assistant Director for each of the following seven (7)