

[Commonwealth Act No. 343, June 23, 1938]

AN ACT TO ABOLISH THE STATE POLICE FORCE, TO REORGANIZE THE PHILIPPINE CONSTABULARY INTO A NATIONAL POLICE FORCE AND PROVIDING FUNDS THEREFOR.

Be it enacted by the National Assembly of the Philippines:

SECTION 1. Commonwealth Act Numbered Eighty-eight entitled "An Act to provide for the organization and maintenance of a State Police Force," is repealed.

SEC. 2. Effective upon the approval of this Act the President of the Philippines shall establish a national police force by detailing from the army, and organizing as an independent unit, or under such department of the Government, as he may determine, the Philippine Constabulary, including such numbers of officers, enlisted men, and civil employees as in his judgment may be necessary. The organization so established shall continue to be known as the Philippine Constabulary and shall retain all police and law enforcement powers, functions, and responsibilities heretofore pertaining to the Constabulary Division of the army, or as may have previously devolved by law and regulations upon the Philippine Constabulary, but shall not retain those powers, functions, and responsibilities that are military in nature heretofore pertaining to the Provost Marshal General. The members of the Philippine Constabulary shall be peace officers, authorized, and empowered to prevent and suppress brigandage, unlawful assemblies, riots, insurrections, and other breaches of the peace and violations of the law. They are empowered to make arrests and seizures according to law and required to execute any lawful warrant or order of arrest issued against any person or persons for violation of law.

SEC. 3. Officers and enlisted men detached from the army and transferred to the national police force shall, after January first, nineteen hundred and thirty-nine, be separately paid, maintained, and supported, and shall not be counted as part of such strength as may from time to time be authorized for the army, but they shall retain their identity and legal rights and obligations as officers and enlisted men of the army, and the President may, at his discretion, transfer at any time any officer or enlisted man to or from the army and to the Constabulary, respectively. All service performed in the Constabulary by any officer or enlisted man shall count for all legal purposes as military service. All individuals of the Constabulary shall be subject to such orders and regulations as the President may approve for their administration, conduct, and control, and they may be assigned to any position with any title authorized by the President in the organization.

SEC. 4. The uniform of the Philippine Constabulary shall be different from that of the army, as may be prescribed by the President, and no individual not a member of the Constabulary, shall be authorized to wear the same or a closely similar uniform. Violation of this provision shall be deemed a misdemeanor, punishable upon conviction of the offender, by a fine not exceeding five hundred pesos or by imprisonment not exceeding six months, or both, in the discretion of the court.

SEC. 5. The President is authorized to transfer from the army to the Constabulary such armament, weapons, equipment, supplies, clothing, buildings, real estate, and other appurtenances as may in his judgment be necessary for the proper