

Republic of the Philippines
Department of the Interior and Local Government
NATIONAL POLICE COMMISSION
Makati City

MEMORANDUM CIRCULAR NO. 2002-003

**DEFINING THE FUNCTIONS OF PROVINCIAL GOVERNORS AS DEPUTIES
OF THE NATIONAL POLICE COMMISSION AS WELL AS THEIR RELATIONSHIPS
WITH THE PNP PROVINCIAL DIRECTORS, CHIEFS OF POLICE AND MAYORS**

WHEREAS, Section 51 of Republic Act No. 6975, as amended by Section 64 of Republic Act No. 8551 provides that Governors, upon having been elected and having qualified as such, are automatically deputized as representatives of the National Police Commission;

WHEREAS, Provincial Governors as deputies of the Commission are mandated to discharge the following functions:

1. Choose the PNP provincial director from a list of three (3) eligibles recommended by the PNP Regional Director, upon prior consultation with the Napolcom Regional Director concerned, regarding the educational and training credentials of the candidates in line with the standards prescribed by Section 20 of R.A. No. 8551 as well as their service reputation and suitability for the position.
2. As Chairperson of the Provincial Peace and Order Council, shall oversee the implementation of the Provincial Public Safety Plan taking into consideration the community public safety plans of the different towns and cities; and coordinate, supervise and monitor the campaign against illegal drugs and illegal gambling within the province.
3. Conduct inspection and audit of performance and facilities of police stations under their jurisdictions for the purpose of assessing their operational preparedness and effectiveness, and perform such other functions as may be duly authorized by the Commission.

WHEREAS, as deputized Commission representatives, the Provincial Governors exercise general supervision which is operationally defined as the power to see to it that the police units and/or elements assigned within the territorial boundaries of the province perform their duties properly according to existing laws as well as rules and regulations promulgated by the National Police Commission in order that the overall mission of the PNP in maintaining law and order and ensuring public safety in the province, city or municipality thereof shall be effectively attained;

WHEREAS, as deputized Commission representatives for the province, the Provincial Governors exercise general supervision over the Mayors who are likewise the deputized Commission representatives for the component cities and municipalities to ensure that they perform within the scope of their prescribed powers and functions as specified in Memorandum Circular 2002-002. Highly independent urbanized cities and independent component cities shall be independent of the province;

NOW, THEREFORE, THE COMMISSION HAS RESOLVED TO PRESCRIBE, AS IT HEREBY PRESCRIBES the following:

1. Provincial Governors exercise general supervision over PNP Provincial Directors. As such, the Governors must ensure that the PNP units or elements assigned to the PNP provincial office and all city/municipal police offices within the province are performing their duties properly according to existing laws as well as rules and regulations and policies promulgated by the National Police Commission and other competent authority in order to ensure effective maintenance of law and order. As such, Provincial Governor shall:

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- a. Conduct inspection and audit of the personnel, performance and facilities of PNP provincial office and police offices/units of cities/municipalities within the province (External Audit);
 - b. Monitor and assess police performance in relation to prevailing peace and order situation within the province;
 - c. Issue directives for the conduct of police operations in the province to stop illegal activities and neutralize criminal syndicates particularly on illegal gambling and drugs;
 - d. Call the Police Provincial Director to direct the concerned Chief of Police to suppress any violence or disorder, enforce law and order and ensure public safety in a city/municipality within the province;
 - e. Call the Police Provincial Director to meetings and conferences on matters of peace and order and public safety;
 - f. Require assistance from the Police Provincial Director in the interest of general public service, provided the primary mission of the PNP Provincial Office is not prejudiced;
 - g. Issue appropriate guidance to the Police Provincial Director on the prescribed standards and deficiencies noted during the inspection;
 - h. Furnish appropriate reports and recommendations to the PNP Regional Director, if after giving such guidance/advice, the police provincial office fails to improve its performance and/or follow laws, rules or regulations; and
 - i. Take appropriate administrative or criminal action against an erring provincial police member.
2. With the Provincial Governor exercising general supervision over the provincial PNP, the Provincial Police Director shall:
- a. Formulate implementing plans to operationalize directives of the Provincial Governor to suppress violence, disorder or criminality in an area, in coordination with the Chief of Police of the concerned city/municipality;
 - b. Direct appropriate and/or subordinate police units/elements to undertake public service activities called for by the Provincial Governor, provided the primary mission of the police unit is not prejudiced;
 - c. Undertake campaign against illegal gambling operations as an inherent function of the Provincial Director and/or as directed by the Provincial Governor;
 - d. Assist the Provincial Peace and Order Council (PPOC) chaired by the Provincial Governor in the formulation of the IA/CPSP and render periodic reports on the status of the implementation of the plan's law enforcement component;
 - e. Render periodic and regular reports on the peace and order situation within the province;
 - f. Submit accomplishment report as may be required by the Governor;
 - g. Conduct inspection and audit of personnel, performance and facilities of the Provincial Police Office (Internal Audit); and

h. Pursuant to Section 41 (b-2) of R.A. No. 6975, as implemented by Napolcom Memorandum Circular No. 96-010, impose administrative punishments for minor offenses involving breach of internal discipline committed by erring members of the provincial police office.


- admonition or reprimand;
- restrictive custody;
- withholding of privileges;
- forfeiture of salary or suspension; or any of the combination of foregoing: Provided, That, in all cases, the total period shall not exceed thirty (30) days.

3. As deputized Commission representatives in the province, the Provincial Governors shall ensure that the deputized Mayors in the component cities and municipalities of the province exercise general supervision and control functions over the PNP units in their respective jurisdictions within the standards and guidelines prescribed by the Commission.

All other Napolcom issuances or parts thereof which are inconsistent with, or contrary to, the provisions of this Circular are hereby repealed, amended or modified.

This Circular shall take effect fifteen (15) days from date of filing with UP Law Center in consonance with the Administrative Code of 1987.

Approved this 12th day of April 2002 at Makati City.


JOSE D. LINA, JR.
Chairperson


ROGELIO A. PUREZA
Commissioner
Vice Chairman and Executive Officer


EDGAR DULA TORRES
Commissioner


JOSE PERCIVAL L. ADIONG
Commissioner


LINDA MALENAB-HORNILLA
Commissioner


PIDG LEANDRO R. MENDOZA
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Attested by:


REYNALDO JD CUADERNO
Deputy Executive Director IV