

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

MEMORANDUM CIRCULAR NO. 2002-007

**CLARIFYING THE CONCEPT OF REASSIGNMENT, TRANSFER OR  
RELIEF OF PNP PERSONNEL BY AMENDING MEMORANDUM  
CIRCULAR NO. 95-024**

**WHEREAS**, the NAPOLCOM en banc, under then Chairman Rafael M. Alunan III, issued Memorandum Circular No. 95-024 entitled “**Clarifying the Extent and Character of the Authority of the Chief, Philippine National Police (PNP) in the Reassignment, Transfer or Relief of PNP Personnel**”;

**WHEREAS**, Section 2 of the aforesaid memorandum circular has been a subject of misinterpretation and there is a perceived need to clarify and elucidate on the concept of reassignment, transfer and relief;

**NOW, THEREFORE**, the Commission, pursuant to its constitutional mandate to administer and control the PNP, **HEREBY RESOLVES TO AMEND, AS IT HEREBY AMENDS**; Section 2 of the aforesaid Circular to read as follows:

**Section 2. Non-Disciplinary character of the Command Prerogative** - The reassignment, transfer or relief of PNP personnel is not a disciplinary action, which would require prior investigation and observance of due process, but simply a tactical/strategic movement, deployment, placement or utilization of the PNP or any of its units and personnel, which can be effected by the commander concerned at his discretion **but only** when the exigency of the service so requires, or as may be necessary to effectively carry out the functions/powers and duties of the PNP.

The gauge shall be the *ability to perform one's assigned duties and responsibilities*. Infractions, such as improper uniform or smudged shoes, do not necessarily affect one's ability to get things done, provided, however that such infractions shall be dealt with in accordance with existing laws and regulations.

Furthermore, the concept of reassignment, transfer or relief in the MC should be construed with the context of the law, specifically Section 63 of RA No. 8551, which reads, *inter alia*:



“x x x Provided, That whenever practicable and consistent with the requirements of the service, PNP members shall be assigned to the city or municipality of their residence.”

For maximum efficiency and effective law enforcement, and pursuant to the spirit of Section 63 of RA No. 8551, PNP members with the ranks of Police Officer I up to Senior Police Officer IV shall be assigned to the city or municipality of their recruitment and/or residence, and could only be relieved or reassigned for cause to another locality preferably within the district or province or to another province within the region. Only in extreme cases based on justifiable reasons shall such reassignments be made outside the region. For those with the ranks of Police Inspectors and higher ranks their relief and reassignment may be effected when the exigency of the service so requires.

In acting on the recommendation of the local chief executives on the transfer or reassignment of PNP members outside of their respective city or municipal residences pursuant to Section 63 of RA No. 8551, the concerned PNP Provincial/District/Regional/Director shall observe the guidelines set forth herein.

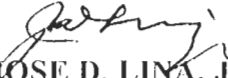
The philosophy underlying the practice of assigning PNP members within their respective places of residence is premised on certain factors, such as:


1. The historically proven fear of ostracism for the PNP member and his family should the former resort to shameful acts, such as extortion ('kotong'), in his place of residence.
2. Said members are familiar with the people, the culture, the terrain and other conditions prevailing thereat.
3. Practical economics. Many PNP members have their own farms which provide them and their families with much of their food requirements, resulting in substantial savings. If assigned in their places of residence, very often they do not have to rent houses or living quarters. The "extended family" culture enables the police members to avail themselves of economic aid in emergencies from their parents and relatives.

4. Allowing the police members to stay with his/her spouse reinforces family solidarity.

This Circular takes effect immediately.

**APPROVED** this 20<sup>th</sup> day of July in the Year Two Thousand and Two, in Makati City, Metro Manila, Philippines.

  
**JOSE D. LINA, JR.**  
Chairman, NAPOLCOM

  
**ROGELIO A. PUREZA, MNSA**  
Commissioner  
Vice Chairman & Executive Officer

**EDGAR DULA TORRES**  
Commissioner

  
**LINDA L. MALENAB-HORNILLA**  
Commissioner

  
**HERMOGENES E. EBDANE, JR.**  
Commissioner

Attested by:

  
**ROSALINDA S. CRUZ**  
Acting Chief, Secretariat