

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

MEMORANDUM CIRCULAR NO. 99-013

CLARIFYING THE SCOPE AND EXTENT OF THE NATIONAL POLICE COMMISSION'S (NAPOLCOM'S) POWER OF ADMINISTRATIVE CONTROL AND OPERATIONAL SUPERVISION OVER THE PHILIPPINE NATIONAL POLICE (PNP) UNDER SECTION 14 OF RA NO. 6975, AS AMENDED

WHEREAS, Section 14 of R.A. No. 6975, as amended, explicitly specifies and enumerates the various powers and functions of the Commission under its authority of administrative control and operational supervision over the PNP;

WHEREAS, in compliance with the foregoing, the Commission has been issuing periodically policies, standards, and regulations to ensure that the administrative and operational requirements of the PNP are managed effectively, efficiently and economically in the pursuit of its mandated goals;

WHEREAS, Section 26 of RA No. 6975 provides

"The command and direction of the PNP shall be vested in the Chief of the PNP who shall have the power to direct and control tactical as well as strategic movements, deployment, placement and utilization of the PNP or any of its units and personnel, including its equipment, facilities and other resources. Such command and direction of the Chief of the PNP may be delegated to subordinate officials with respect to the units under their respective commands, in accordance with the rules and regulations prescribed by the Commission."

WHEREAS, with the enactment of RA No. 8551, otherwise known as the "Philippine National Police Reform and Reorganization Act of 1998", which among others, directs the reorganization of the PNP based on the criteria of (a) increased police visibility through dispersal of personnel from the headquarters to the field offices; and (b) efficient and optimized delivery of police services to the communities, it is necessary that the scope and extent of authority of Napolcom over the PNP as defined under these issuances be further clarified;

NOW, THEREFORE, the Commission, in the exercise of its administration and control function over the PNP has resolved to adopt and promulgate, as it hereby adopts and promulgates, the following:

A. Personnel Matters

1. All recommendations of the Chief, PNP for promotion from the rank of Senior Superintendent and above shall be forwarded to the Commission for evaluation and recommendation prior to their transmittal to the Office of the President, through the Chairman of the Civil Service Commission;

2. The assignment or designation of PNP Officers to the position of Chief of Police and Provincial Director must conform with the provisions of Section 51 of RA No. 6975, as amended by Section 63 of RA No. 8551, vesting upon the mayor and the provincial governor the power to choose the Chief of Police and the Provincial Director, respectively;

Any conflict or disagreement arising from the designation of the Chief of Police of a municipality shall be elevated to the Napolcom Regional Director concerned who shall resolve the matter within five (5) days from receipt of the protest. The resolution of the protest by the Napolcom Regional Director may be appealed to the Commission en banc which shall resolve the same within fifteen (15) days from receipt thereof.

On the other hand, any conflict arising from the designation of Chief of Police of a city or Provincial Director shall be elevated to the Commission en banc for resolution within fifteen (15) days from receipt of the appeal.

In line with his power of command and direction of the PNP under Section 26 of R.A. No. 6975, the Chief of the PNP can recall or relieve an incumbent Chief of Police or Provincial Director if the latter has been ineffective in combatting crime or maintaining peace and order, provided that the procedure for the designation of the replacement thereof shall conform with the provision of Section 51 of R.A. No. 6975, as amended.

3. Only the proposed designation of the Deputy Chief for Operations and Deputy Chief for Administration shall be forwarded to the Commission for evaluation and recommendation to the President pursuant to Section 25 of R.A. No. 6975.
4. Other designations, assignments or transfers of PNP officers or personnel which are non-disciplinary in character are the sole prerogative of the Chief, PNP consistent with the requirements or needs of the service, provided that they conform with the PNP Career Management and Development Program.
5. All proposed promotions, placements, assignments or reassignments involving PNP Senior Officers shall be coursed to the Senior Officers Promotion and Placement Board for evaluation and recommendation.

B. Financial and Logistical Matters

1. All proposed contracts of the PNP in excess of Ten Million (P10,000,000.00) Pesos at any one time shall be submitted to the Commission for evaluation and approval. There shall be no splitting of vouchers.

2. The PNP shall submit every quarter a listing of all contracts and purchases involving One Million (P1,000,000.00) Pesos but not more than Ten Million (P10,000,000.00) Pesos, as basis for monitoring and post audit.


C. Other Matters


1. The PNP shall focus priority attention to the following major areas of concern:
 - a. civilianization of the PNP
 - b. police observance of human rights
 - c. community and service-orientation
 - d. police visibility
 - e. improvement of police frontline services
 - f. police capability-building program, to include enhancement of moral and work values
 - g. police discipline

2. The PNP shall periodically submit the following documents to the Commission:
 - a. Annual Operating Program and Budget - NLT end of January
 - b. Accomplishment Report - NLT end of month following every quarter
 - c. Program Review and Analysis Report - NLT EO July for January to June report;
- NLT EO January for July to December report
 - d. Crime situation report - NLT EO month following every quarter
 - e. Very significant police operations and/or events of national concern - as gathered
 - f. After-activity report relating to instructions of the President that may have been given directly to PNP - as available
 - g. Implementing circulars and directives on major issuances of the Commission - as necessary

All issuances inconsistent with the herein Circular are hereby deemed amended or repealed accordingly.

ADOPTED this 15th day of **December** in the Year Nineteen Hundred and Ninety-Nine in Makati City, Philippines.



RONALDO V. PUNO
Secretary, DILG and
Chairperson, NAPOLCOM
ar *AB*


LEO S. MAGAHUM
Commissioner
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Commissioner


CLEOFE M. FACTORAN
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Chief, PNP
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Attested:


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