

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

RESOLUTION NO. 2008-055

**Prescribing The Period Of Validity Of Clearance Issued By Napolcom, PNP,
Internal Affairs Service, And The PLEB**

WHEREAS, Section 33 (a) of R.A. No. 8551, otherwise known as the "PNP Reform and Reorganization Act of 1998", provides, thus:

"SEC. 33. Section 38 (a) and (b) of Republic Act No. 6975 is hereby amended to read as follows:

"SEC. 38. **Promotion.** -- (a) A uniformed member of the PNP shall not be eligible for promotion to a higher position or rank unless he or she has successfully passed the corresponding promotional examination given by the Commission, or the Bar, or the corresponding board examination for technical services and other professions, has satisfactorily completed the appropriate and accredited course in the PNPA or equivalent training institutions, and has satisfactorily passed the required psychiatric/psychological and drug tests. In addition, no uniformed member of the PNP shall be eligible for promotion during the pendency of his or her administrative and/or criminal case or unless he or she has been cleared by the People's Law Enforcement Board (PLEB), and the Office of the Ombudsman of any complaints proffered against him or her, if any. (Emphasis and underscoring supplied)

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WHEREAS, the afore-cited provision of law is explicit that uniformed member of the PNP seeking for promotion must secure a clearance from the different Disciplinary Machineries and the Internal Affairs Service of the PNP, the NBI, the Ombudsman, and from the Court, showing that he or she has no pending administrative and/or criminal case at the time that he or she applied for promotion;

WHEREAS, the clearance issued by the Commission is valid only for three (3) months while that of the NBI and the Ombudsman is six (6) months, from date of issue;

WHEREAS, in a letter dated August 2, 2007 of Police Chief Superintendent Edgardo E. Acuña, Acting Director for Directorate for Personnel and Records Management (DPRM) addressed to Hon. Ronaldo V. Puno, Secretary, DILG and concurrent Chairman, Napolcom, the former made a representation that many applicants for promotion in the PNP were denied interview by the PNP Promotion Board on account of expired Napolcom

clearance, thus, the Board is left with no other recourse but to require the updating of the same which entail time and resources from the PNP member concerned and to the prejudice of his or her application for promotion.


WHEREAS, PCSupt. Acuña requested that the validity of Napolcom clearance be extended from three (3) months to six (6) months period to address the predicament of the PNP member concerned;

WHEREAS, after a careful review, the Commission finds merit to the request of PCSUPT Acuña that the period of validity of clearance issued by the Napolcom be extended from three (3) months to six (6) months to conform to that of the NBI and the Ombudsman;

NOW THEREFORE, the Commission, pursuant to its Constitutional and statutory authority to administer and control the PNP, **HAS RESOLVED TO PRESCRIBE, AS IT HEREBY PRESCRIBES**, the period of validity of clearance issued by Napolcom, PNP, IAS, and the PLEB, to six (6) months from date of issue, for purposes of promotion of uniformed members of the PNP.

RESOLVED FURTHER, that while the same is valid for (6) months, it is, however, deemed automatically revoked if a formal complaint is filed against a PNP member concerned subsequent to or after the issuance of such clearance, and the PNP appointing authority thru the Promotion Board concerned is duly notified thereof.

ADOPTED, this 24th of January, in the year of Two Thousand Eight, in Makati City, Metro Manila, Philippines.


RONALDO V. PUNO
Chairman


CELIA V. SANIDAD-LEONES
Commissioner


MIGUEL G. CORONEL
Commissioner


AVELINO T. RAZON, JR.
Commissioner

Attested by:


ADELMALYN A. MUNIEZA
Chief, Secretariat