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AMENDMENTS ON PNP CIRCULAR NUMBER 2008-005 ENTITLED GUIDELINES ON AWOL CASES DATED MAY 17, 2008

PNP CIRCULAR NO. 2010-023, November 03, 2010

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1. REFERENCES

a. NAPOLCOM Memorandum Circular 2010-001, entitled "Amending Sections 9 and 10 of NAPOLCOM Memorandum Circular No. 95-017 entitled: "Prescribing the Guidelines Governing the Personnel Action of Dropping from the Rolls of Officers and Non-Officers of the Philippine National Police (PNP) for incurring Absences Without Official Leave/ and Authorized Absences";

b. NAPOLCOM Memorandum Circular 95-017 entitled: "Prescribing the Guidelines Governing the Personnel Action of Dropping from the Rolls of Officers and Non-Officers of the Philippine National Police (PNP) for incurring Absences Without Official Leave/ and Authorized Absences";

c. NAPOLCOM Memorandum Circular 2007-001 entitled: "Uniform Rules of Procedure Before the Administrative Disciplinary Authorities and the Internal Affairs Service of the Philippine National Police";

d. PNP Circular No. 2008-005 entitled: "Guidelines on AWOL Cases"; and

e. Memorandum from TCDS dated May 26, 2010 on the item herein abovementioned.

2. PURPOSE

This Circular amends certain provisions of PNP Circular No. 2008-005 or the Guidelines on AWOL Cases dated May 17, 2008 pursuant to the issuance of NAPOLCOM Memorandum Circular No. 2010-001 entitled "Amending Sections 9 and 10 of NAPOLCOM Memorandum Circular No. 95-017 entitled: "Prescribing the Guidelines Governing the Personnel Action of Dropping from the Rolls of Officers and Non-Officers of the Philippine National Police (PNP) for incurring Absences Without Official Leave/ and Authorized Absences."

3. AMENDMENTS

Pursuant to the issuance of NAPOLCOM Memorandum Circular No. 2010-001, Sections 6 (a) 7 and 8 of PNP Circular 2008-005 is hereby amended as follows:

> "7) Within fifteen (15) days from receipt of the Order of Dropped from the Rolls, the concerned PNP member may file a Motion for Reconsideration with the non-disciplinary authority who issued the order, which motion shall be resolved within the same period. Only one (1) motion for reconsideration shall be allowed. However, failure of the appellant to file his motion for reconsideration and/or appeal as the case may be, within the given reglementary period, shall be a cause for the denial of his motion/appeal."
>
> "8) An Order, issued by the PNP Regional Director or the PNP officers delegated to exercise such authority, denying the Motion for Reconsideration is appealable to the Chief, PNP, within fifteen (15) days from receipt of the Order of Denial. The Order of Dropped from the Rolls issued by the Chief, PNP, or his decision denying

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the appeal from the Dropped from the Rolls Order shall be appealable to Secretary of the Interior and Local Government (SILG) within fifteen (15) days from receipt of the Dropped from the Rolls Order or Decision denying the appeal.

The Order of Dropped from the Rolls and Order of Denial shall be deemed received by the PNP member concerned upon:

a. Personal receipt of the PNP member concerned or if he refuses to receive and sign for it, by tendering it to him; or
b. By leaving copies of the notice/order at the defendant's residence with some person of suitable age and discretion then residing therein; or
c. By sending copies to the last known address of the PNP member through registered mail."

4. RESCISSION CLAUSE

This Circular shall amend the abovementioned provisions in the PNP Circular 2008-005 issued by this Headquarters on May 17, 2008.

5. EFFECTIVITY CLAUSE

This Circular shall take effect after fifteen (15) days from the filing of a copy thereof at the University of the Philippines Law Center in consonance with Sections 3 and 4 of Chapter 2, Book VII of Executive Order 292, otherwise known as "The Revised Administrative Code of 1987" as amended.

(SGD.) ATTY. RAUL M. BACALZO, PH.D.
Police Director General
Chief, PNP

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