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PRESCRIBING THE RULES OF PROCEDURE IN THE INVESTIGATION AND DISPOSITION OF ADMINISTRATIVE COMPLAINTS AGAINST UNIFORMED PERSONNEL OF THE PHILIPPINE NATIONAL POLICE BEFORE THE INT...

NAPOLCOM MEMORANDUM CIRCULAR NO. 2002-13, December 11, 2002

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WHEREAS, pursuant to Section 39 of RA No. 8551, otherwise known as the “Philippine National Police Reform and Reorganization Act of 1998”, there is created an Internal Affairs Service (IAS) in the Philippine National Police (PNP);

WHEREAS, as expressly mandated in the law, IAS has among its functions, the authority to investigate complaints and gather evidence in support of an open investigation; to conduct summary hearings on PNP members facing administrative charges; and to conduct motu proprio, automatic investigation on certain cases specified in the aforementioned section;

WHEREAS, the Commission on August 11, 1999 issued Memorandum Circular No. 99-006, where under number 1 thereof, it is stated that IAS is not a disciplinary authority, and therefore, its recommendations shall be submitted to the proper PNP Disciplinary Authority for disposition or adjudication; with the further declaration that the conduct of pre-charge investigation on complaints brought against PNP members directly with the different disciplinary authorities shall be undertaken at the national level by the Directorate for Investigation and Detective Management; at the regional level by the regional intelligence and investigation division and through the investigation division at equivalent units; and with notice that any PNP disciplinary authority mentioned in Sections 41 and 42 of RA No. 6975 may authorize IAS to conduct summary hearing or reception of evidence subject to final disposition by the appropriate Disciplinary Authority;

WHEREAS, in order to ensure uniformity in the investigation of complaints and strict adherence to the requirements of administrative due process, it is imperative to issue these rules of procedure for the observance of all concerned.

NOW, THEREFORE, the Commission, in the exercise of its administration and control function over the PNP has resolved to prescribe as it hereby prescribes these rules of procedure; including the administrative offenses and penalties appropriate thereto:

RULE 1
General Provisions

SECTION 1. Definition of Terms. — The relevant terms as used in these Rules shall be understood to mean as follows:

a. Administrative Due Process — the right of a party interested or affected to notice and hearing to enable him to present his side and submit evidence in support thereof. In essence, due process pertains to the opportunity of the party impleaded to be heard.

b. Affidavit — a written declaration or statement of facts, made voluntarily under oath or affirmation before an officer authorized to administer such oath or affirmation.

c. Answer — a responsive pleading containing the respondent's negative and affirmative defenses.

d. Breach of Internal Discipline — any offense committed by a member of the PNP involving and affecting order and discipline within the police organization.

e. Complaint — a written and sworn statement regarding a wrong, grievance or injury sustained by a person.

f. Decision — it is the written disposition of a case personally and directly prepared and signed by the deciding/disciplining authority stating clearly the findings of facts and the law applicable thereto. It shall also include a finding of the culpability or innocence of the respondent as well as the imposable penalty therefore.

g. Exoneration — the finding made by the deciding/disciplining authority that respondent is not culpable of the charge.

h. Ex-Parte Investigation — a proceeding conducted without the presence of either complainant or respondent PNP member.

i. Forum-Shopping — the practice of filing several complaints arising from one and same cause of action and involving the same parties with the different disciplinary authorities.

j. Jurisdiction — the authority vested by law to hear and decide a case.

k. Motu Proprio Investigation — an investigation conducted by the IAS out of its own initiative/accord.

l. Nominal Complaint — any officer who, by reason of his office or position, is required or authorized to institute and file an administrative complaint.

m. Probable Cause — is the existence of such facts and circumstances as would excite the belief, in a reasonable mind, acting on the facts within the knowledge of the investigator, that the respondent is probably culpable thereof.

n. Reglementary Period — the period required by law to perform a specific act. In the computation of the period of time, the first day shall be excluded and the last day included unless it be a Saturday, a Sunday or a legal holiday, in which case the period shall run until the end of the next day which is neither a Saturday, a Sunday or a legal holiday.

o. Substantial Evidence — that amount of evidence which to the unprejudiced mind is sufficient to support a decision.

p. Summary Hearing — it is an abbreviated administrative proceeding conducted consistent with due process to determine the culpability or innocence of the respondent.

q. Summons — a written order informing the respondent that he is charged of an offense and directing him to file his Answer and other responsive pleadings.

r. Venue — the place where the investigation is to be conducted.

SECTION 2. Venue. — A complaint involving offenses cognizable by the IAS shall be filed in the national, regional, provincial/city office where the offenses were committed.

However, a request for a transfer of the venue of an administrative case from one province to another within the same region shall be approved by the regional IAS office of that region. A request for transfer of venue outside of

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the region shall be referred to the national IAS office for approval.

SECTION 3. Prohibition Against Forum Shopping or Multiple Filing of Complaints. — To avoid multiplicity of suits for the same cause of action, the complainant shall certify under oath in his pleading, or in an affidavit annexed thereto and simultaneously filed therewith, to the truth of the following facts and undertakings:

a. That he/she has not filed or commenced any other action or proceeding involving the same in other disciplinary forum;

b. That to the best of his/her knowledge, no such action or proceeding is pending in other police administrative disciplinary authority;

c. That if there is any such action or proceeding which is either pending or may have been terminated, he/she must state the status thereof; and

d. That if he/she should thereafter learn that a similar action or proceeding has been filed or is pending before any other police disciplinary authority, he/she undertakes to report such fact within five (5) days therefrom to the disciplinary authority wherein the original complaint or pleading and sworn certification contemplated herein have been filed.

Any willful and deliberate forum shopping by the complainant to ensure a favorable action or advantage over the respondent, as well as the inclusion of a false certification in connection thereof, shall be a sufficient basis to dismiss the complaint.

SECTION 4. Conduct of Pre-Charge Investigation. — A pre-charge investigation shall be conducted in all administrative complaints filed with the IAS, except, where a formal complaint is already prepared and duly accompanied by the affidavit and sworn statements of witnesses and other documentary evidence in support thereof in which case, the same shall immediately be forwarded to the Legal Affairs Division of the regional or national IAS office for the conduct of formal hearing.

SECTION 5. When Respondent is a Presidential Appointee. — Administrative complaints or cases against police officers with the rank of Senior Superintendent and higher, shall be investigated in accordance with these Rules after prior clearance from the Office of the President through the Executive Secretary pursuant to Presidential Memorandum Order No. 41 dated March 7, 2001; however, the Disciplinary Authority shall submit the entire records of the case with his Investigation report to the Office of the President, through the National Police Commission, for final disposition.

For this purpose, the required Presidential Clearance shall be secured after the filing of the formal complaint but prior to the commencement of the formal hearing.

RULE II
Organization, Powers and Jurisdiction

SECTION 1. Organization. — The Inspector General shall organize and establish the national, regional and provincial offices of IAS in order to effectively and efficiently carry out its mandated functions.

SECTION 2. Powers and Functions. — IAS shall perform the following papers and functions.

2.a pro-actively conduct inspections and audits on PNP personnel, and units;

2.b investigate complaints and gather evidence in support of an open investigation;

2.c conduct summary hearings on PNP members facing administrative charges;

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2.d submit a periodic report on the assessment, analysis, and evaluation of the character and behavior of PNP personnel and units to the Chief PNP and the Commission;

2.e file appropriate criminal cases against PNP members before the court as evidence warrants and assist in the prosecution of the case;

2.f provide assistance to the Office of the Ombudsman in cases involving the personnel of the PNP.

SECTION 3. Jurisdiction. — IAS shall, motu proprio, conduct automatic investigation on any of the following cases; to wit:

3.a incidents where a police personnel discharges a firearm;

3.b incidents where death, serious physical injury, or any violation of human rights occurred in the conduct of police operation;

3.c incidents where evidence was compromised, tampered with, obliterated, or lost while in the custody of police personnel;

3.d incidents where a suspect in the custody of the police was seriously injured;

3.e incidents where the established rules of engagement have been violated; and

3.f incidents where there is need to determine lapses in administration or supervision by an immediate superior or supervisor of the personnel being investigated.

RULE III
Procedure

A. Pre-Charge Investigation

SECTION 1. Filing of Complaint. — A complaint whether initiated by a natural or juridical person against a uniformed member of the PNP shall be in writing and subscribed and sworn to by the complainant. It shall be accompanied by sworn statements or affidavits of witnesses and other documents in support thereof, including an affidavit of non-forum shopping.

As much as possible, the complaint must contain the following material facts:

a. Full name and address of complainant

b. Full name, rank and station or assignment of the respondent; and

c. A narration of the facts which shows the acts or omissions constituting the offense allegedly committed by the respondent.

It may also be initiated motu proprio by the national, regional, provincial, district or city IAS, or, as may be directed by the Inspector General.

All administrative complaints whether filed by a private person or motu proprio by the IAS shall be prosecuted under the heading “In Re Summary Proceedings Against _____” (Respondent)

SECTION 2. Action on the Complaint. — (a) Within three (3) days from receipt of the complaint, or submission of the investigation report in case of motu proprio investigation, the investigating IAS shall notify the police officer complained of, attaching in the notice the complaint, sworn statements and other supporting documents directing him to submit his answer or counter-affidavit and other documents in support of his defense within five (5) days from receipt of said notice.

b. The investigating IAS shall, within three (3) days from receipt of the answer or counter-affidavit, evaluate the records for the purpose of determining the existence of probable cause, which shall not exceed five (5) working days. However, the investigating IAS may require the appearance of the parties for clarificatory and other relevant questioning which shall be finished within the same period. In the case of the Provincial, District or City IAS, it shall submit its pre-charge investigation report and records of the case to the Regional IAS office for automatic review.

c. The regional IAS office shall within three (3) days conduct an automatic review of the case. If it finds the existence of probable cause, the formal complaint and records of the case shall be forwarded to the designated Summary Hearing Officer for the conduct of formal hearing. However, if the regional IAS office finds that no probable cause exists, it shall dismiss the complaint with notice to the parties.

d. The complainant however may, within fifteen (15) days from receipt of the notice dismissing the complaint, file an appeal with the office of the National IAS who shall resolve the same within ten (10) days from receipt of said appeal.

In case the National IAS reverses the resolution of the regional IAS, he shall direct the latter to initiate the filing of a formal complaint and its referral to the designated Summary Hearing Officer for the conduct of formal hearing.

SECTION 3. Effect of Failure to Submit Counter-Affidavit/Controverting Evidence. — The failure of the respondent to submit his counter-affidavit and controverting evidence in the pre-charge investigation shall be considered as a general denial of the charge, and consequently, the complaint shall be deemed submitted for resolution on the basis of the evidence on record.

B. Formal Hearing

SECTION 4. Nature of Proceeding. — The hearing before the designated Summary Hearing Officer is summary in character, and shall not be governed by the technical rules of evidence. However, it must always be consistent with the requirements of administrative due process.

SECTION 5. Issuance of Summons and Order to Answer. — The designated Summary Hearing Officer shall, within three (3) days from receipt of the formal complaint and records of case from the regional IAS office, issue summons together with the complaint and other documents to the respondent requiring him to file his answer or other responsive pleadings within five (5) days from receipt thereof.

Failure on the part of the respondent to file his answer or other responsive pleadings within the prescribed period shall be considered as a general denial of the charge.

No motion to dismiss or motion for a bill of particulars shall be allowed or entertained.

SECTION 6. Pre-Hearing Conference. — Upon submission of respondent’s answer or after the lapse of the period for filing an answer, the Summary Hearing Officer shall immediately set the case for pre-hearing conference for the purpose of a) defining and simplifying the issues; b) entering into admissions and stipulations of facts; c) marking of documentary evidence; d) resolving other matters relevant to the case. The pre-hearing conference shall be completed in one (1) day, and the proceedings duly recorded and signed by the parties and/or counsels.

SECTION 7. Hearing Proper. — Within five days after the conduct of the pre-hearing conference, the Summary Hearing Officer may set the case for formal hearing if there are facts material to the case which need to be clarified, otherwise the case shall be deemed submitted for resolution on the basis of the evidence on record and such additional documents adduced during the said proceeding.

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However, if there is a need to conduct a formal hearing, notice shall be given to the parties and their witnesses. The same shall be finished not longer than thirty (30) days.

The parties may submit their position paper or memorandum within ten (10) days from termination of the proceeding. Forthwith, the Summary Hearing Officer shall submit his investigation report to the regional IAS for resolution.

SECTION 8. Preventive Suspension. — The national or regional IAS may, at anytime during the formal hearing, recommend to the immediate superior officer or supervisor the placement of a respondent member of the PNP under preventive suspension under any of the following circumstances:

a) when the administrative charge is serious and the evidence of culpability is strong; or

b) when there is evidence to show that the respondent is harassing, intimidating, coercing or unduly influencing the complainant and/or any of the witnesses.

The period of preventive suspension shall not exceed ninety (90) days, otherwise, he shall be automatically reinstated into the service without prejudice to the continuation of the proceedings against him.

SECTION 9. Lifting of Preventive Suspension. — The preventive suspension issued by the immediate superior officer or supervisor may be lifted on any of the following grounds:

a. In the exigency of the service provided that there is conformity by the national or regional IAS which is undertaking the hearing;

b. When the prosecution or complainant has rested his case upon certification by the national or regional IAS conducting the hearing;

c. Failure to resolve the case within the period of ninety (90) days which delay is not the fault of the respondent.

SECTION 10. Effect of Complainant’s Failure to Appear. — The failure of the complainant to appear for at least two (2) scheduled hearings despite due notice shall constitute a ground to dismiss the complaint for failure to prosecute. For this purpose, the Process Server must certify under oath that the complainant duly received the notice of hearing.

However, if the culpability of the respondent can be proven by evidence other than the allegations of the complainant, the hearing shall proceed even in his absence.

The withdrawal of the complaint, or the execution of an affidavit of desistance or retraction does not result in the outright dismissal of the case filed.

SECTION 11. Where Parties Are Not Represented by Counsel. — It is the duty of the Summary Hearing Officer to ask clarificatory questions of all witnesses where one or both parties are not represented by counsel.

SECTION 12. Motion for Postponement. — No motion for postponement shall be entertained, except for extremely meritorious grounds, such as, illness or other similar unavoidable causes of the parties or counsels.

Only one (1) motion for postponement shall be allowed regardless of the grounds invoked.

SECTION 13. Effect of Respondent’s Failure to Appear. — The failure of the respondent to appear during the scheduled hearing despite due notice, shall be construed as a waiver to be present and to submit evidence in his favor.

Accordingly, the scheduled hearing shall proceed ex-parte.

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SECTION 14. Period to Render Decision. — The Inspector General, or the Director of the regional IAs office shall forward his decision within fifteen (15) days from receipt of the Summary Hearing Officer's Investigation Report to the PNP Disciplinary Authority for disposition and implementation.

The concerned PNP Disciplinary Authority shall act on the decision of the Inspector General, or Director of the regional IAS office within thirty (30) days from receipt of the same. Failure to act within the said period shall render the decision final.

SECTION 15. Contents of Decision. — The decision shall contain the names of the parties, the offense charged, a brief statement of the material and relevant facts, the findings as established during the hearing, the conclusion and the applicable laws, rules and regulations and the disposition thereof.

SECTION 16. Service of the Decision. — The decision of the national and regional IAS duly acted upon by the appropriate PNP, Disciplinary Authority shall be served to the respondent either personally or by registered mail at his place of assignment or at last known address within five (5) days from rendition thereof. Complainant shall be sent a copy of the decision at his address as appearing on the record.

A copy of the decision shall be forwarded to the concerned PNP office for implementation subject to the provision of Section 49 (b) of RA No. 8551.

In all cases, proof of service shall be attached to the records of the case.

Where the parties are represented by counsel, the decision shall be served to their respective counsel. Such service to counsel shall be deemed service to the parties.

SECTION 17. Finality of Decision. — Decision of the national and regional IAS duly acted upon by the proper PNP Disciplinary Authority imposing upon the respondent PNP member the penalty of dismissal from the service shall be immediately executory. The filing of a motion for reconsideration or appeal shall not stay the decision.

However, in the event that the respondent is exonerated on appeal, he shall be immediately reinstated to the service without loss of rank and seniority and with entitlement to the payment of back salaries, allowance and other benefits which he failed to receive.

A penalty of demotion in rank, forced resignation or suspension shall become final and executory after seven (7) regular working days from respondent's receipt of a copy of the decision, unless in the meantime a timely motion for reconsideration or appeal is filed. If one is filed, the decision becomes final and executory only after receipt of the resolution of the motion for reconsideration or appeal.

SECTION 18. Motion for Reconsideration. — Any aggrieved party may file a Motion for Reconsideration within ten (10) days from receipt of the copy of the decision, which shall be resolved within the same period.

Only one (1) motion for reconsideration shall be allowed.

SECTION 19. Effect of Retirement. — The optional and compulsory retirement of a respondent shall not affect the pendency of his administrative case and the payment of retirement benefits due him shall be subject to its final adjudication.

SECTION 20. Effect of Death. — Death of a respondent during the pendency of the case shall terminate the administrative proceedings and has the effect of exoneration.

For this purpose, a resolution dismissing the case shall be issued by the proper disciplining authority upon presentation of a certified death certificate.

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SECTION 21. Record of Proceedings. — There shall be a record of proceedings containing a substantial account of the hearing conducted and duly certified to as correct by the Summary Hearing Officer.

RULE IV
Appeal

SECTION 1. Matters Appealable. — The following may be the subject of appeal:

a. Resolution of the regional IAS dismissing an administrative complaint for lack of probable cause;

b. Decision of the regional IAS office given due course by the PNP Regional Director in his capacity as disciplinary authority;

c. Decision of the national IAS office given due course by the Chief, PNP in his capacity as disciplining authority.

SECTION 2. Grounds for Appeal. — An appeal may be filed based on the following grounds:

a. Newly discovered evidence which if reasonably presented would probably change the resolution or decision;

b. Errors of law or irregularities were committed during the investigation or hearing prejudicial to the substantial rights of the parties;

c. The findings of fact are not supported by the records of the case, or substantial evidence as the case may be; and

d. The penalty imposed is too harsh and not commensurate to the offense committed.

SECTION 3. Who and Where to File Appeal. — Any aggrieved party may file his appeal to any of the following:

a. Resolution of the regional IAS dismissing an administrative complaint — Office of the National IAS;

b. Decision of the regional IAS given due course by the PNP Disciplinary Authority — Office of the Regional Appellate Board (RAB) Napolcom; and

c. Decision of the national IAS given due course by the Chief, PNP as disciplinary authority — Office of the National Appellate Board (NAB) Napolcom.

SECTION 4. How Appeal is Perfected. — An appeal shall be perfected by filing with the regional or national IAS office, as the case may be, a notice of appeal within ten (10) days from receipt of a copy of the decision or resolution.

Within three (3) days from receipt of the notice, the concerned regional or national IAS shall transmit the entire records of the case to the appropriate appellate body mentioned under Section 3 hereof, for final review and disposition.

SECTION 5. Period to Render Decision. — The concerned RAB or NAB shall resolve and decide the appeal within sixty (60) days from receipt of the complete records of the case.

SECTION 6. Service of Decision and Resolution. — All decisions and resolutions issued by the NAB and RAB of the Commission and, the National IAS shall be served in accordance with Sec. 6 Rule III.

RULE V
Administrative Offenses

SECTION 1. Administrative Offenses. — The following are the offenses for which a uniformed member of the

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PNP may be charged administratively:

a. Neglect of Duty or Non-feasance — is the omission or refusal, without sufficient excuse, to perform an act or duty, which it was the peace officer's legal obligation to perform; it implies a duty as well as its breach and the fact can never be found in the absence of a duty.

b. Irregularity in the Performance of Duty — is the improper performance of some act which could be lawfully done.

c. Misconduct or Malfeasance — is the doing, either through ignorance, inattention or malice, of that which the officer had no legal right to do at all, as where he acts without any authority whatsoever, or exceeds, ignores or abuses his powers.

Misconduct generally means wrongful, improper or unlawful conduct, motivated by premeditated, obstinate or intentional purpose. It usually refers to transgression of some established and definite rule of action, where no discretion is left except what necessity may demand; it does not necessarily imply corruption or criminal intention but implies wrongful intention and not mere error of judgment.

d. Incompetency — is the manifest lack of adequate ability and fitness for the satisfactory performance of police duties. This has reference to any physical, moral or intellectual quality, the lack of which substantially incapacitates one to perform the duties of a peace officer.

e. Oppression — imports an act of cruelty, severity, unlawful exaction, domination, or excessive use of authority. The exercise of the unlawful powers or other means, in his will, is generally an act of oppression.

f. Dishonesty — is the concealment or distortion of truth in a matter or act relevant to one's office, or connected with the performance of his duties.

g. Disloyalty to the Government — consist of abandonment or renunciation of one's loyalty to the Government of the Philippines, or advocating the overthrow of the government.

h. Violation of Law — presupposes final conviction in court of any crime or offense penalized under the Revised Penal Code or any special law or ordinance.

SECTION 2. Classification of Offenses. — For purposes of the application of penalties, administrative offenses are classified into light, less grave and grave depending upon the seriousness of the acts committed for neglect of duty, irregularity in the performance of duty and misconduct. For violation of law, the classification shall depend on the seriousness of the offense charged and the gravity of the penalty imposed by the courts rendering the judgment.

The offense of Dishonesty, Disloyalty to the Government, Oppression and Incompetency shall always be considered grave or serious offenses.

Rule IV
Administrative Penalties

SECTION 1. Imposable Penalties. — the following are the penalties that may be imposed in police administrative cases:

a. Suspension

b. Demotion of not more than one rank or Forced resignation

c. Dismissal

SECTION 2. Schedule of Penalties. — The penalties for light, less grave and grave offenses shall be made in

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accordance with the following schedules:

A. For Light Offenses:

Minimum period

-

1 to 10 days

Medium period

-

11 to 20 days

Maximum period

-

21 to 30 days

B. For Less Grave Offense:

Minimum period

-

31 to 45 days

Medium period

-

46 to 60 days

Maximum period

-

61 to 90 days

C. For Grave Offense:

Minimum period

-

91 to 180 days

Medium period

-

Demotion/Forced Resignation

Maximum period

-

Dismissal

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SECTION 3. Qualifying Circumstances. — In the determination of the penalties to be imposed, mitigating and aggravating circumstances attendant to the commission of the offense shall be considered.

The following are mitigating circumstances:

a. physical illness

b. good faith

c. length of service in the government

d. analogous circumstances

The following are aggravating circumstances:

a. taking advantage of official position

b. taking undue advantage of subordinate

c. undue disclosure of confidential information

d. use of government property in the commission of the offense

e. habituality

f. offense is committed during office hours and/or within the premises of the working office or building.

g. employment of fraudulent means to commit or conceal the offense

h. analogous circumstances

SECTION 4. Guidelines in the Application of Penalties. — The imposition of the penalty shall be made in accordance with the manner herein provided:

a. Like penalties shall be imposed for like offenses and only one penalty shall be imposed for each case. “Each case” means one administrative case which may involve one or more charges or counts;

b. The minimum of the penalty shall be imposed where only mitigating and no aggravating circumstances are present;

c. The medium of the penalty shall be imposed where no mitigating and aggravating circumstances are present;

d. The maximum of the penalty shall be imposed where only aggravating and no mitigating circumstances are present;

e. Where aggravating and mitigating circumstances are present, rule (b) shall be applied where there are more mitigating circumstances present; rule (c) shall be applied where the circumstances equally offset each other; and rule (d) shall be applied when there are more aggravating circumstances;

f. If the respondent is found guilty of two (2) or more charges or counts, the penalty to be imposed should be that corresponding to the most serious charge or count and the rest shall be considered as aggravating circumstances;

g. In the appreciation of any circumstance in favor of the respondent or of any aggravating circumstance against him, the same must be invoked or pleaded by the party concerned, otherwise, such circumstances shall not be considered in the determination of the penalty to be imposed;

h. If the disciplinary authority, after conducting the requisite investigation, and based on the evidence submitted during the hearing, shall find that the penalty imposable to respondent is beyond its jurisdiction, the

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case must be referred, together with the entire records of the proceeding, to the proper disciplinary authority for appropriate disposition.

SECTION 5. Administrative Disabilities Inherent in Certain Penalties. —

a. The penalty of dismissal, which results in the separation of the respondent from the service, shall carry with it that of cancellation of eligibility, forfeiture of leave credits and retirement benefits, and the disqualification for re-employment in the police service;

b. The penalty of suspension, which consists in the temporary separation or cessation from work of the respondent for the duration of the sanction, shall carry with it that of disqualification for promotion corresponding to the period of suspension.

RULE VII
Final Provisions

SECTION 1. Repealing Clause. — All issuances contrary to or inconsistent with this Circular are hereby amended or repealed accordingly.

SECTION 2. Separability Clause. — If any portion or provision of these Rules is declared illegal, the same shall not affect the validity and effectivity of the other provisions not affected thereby.

SECTION 3. Penalty Clause. — Any violation of these Rules shall be a ground for administrative disciplinary action in accordance with existing laws and regulations.

SECTION 4. Effectivity. — This Circular shall take effect fifteen (15) days from date of publication in a newspaper of general circulation, and a copy of the same filed with the UP Law Center in consonance with the Administrative Code of 1987.

Adopted: December 11, 2002

(SGD.) JOSE D. LINA, JR.
Chairperson

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