

PROVIDING FOR SUPERVISORY AUTHORITY OF LOCAL EXECUTIVES OVER CERTAIN UNITS OF THE INTEGRATED NATIONAL POLICE AND FOR OTHER PURPOSES.

PRESIDENTIAL DECREE NO. 1162, June 08, 1977

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WHEREAS, pursuant to Section 12, Article XV of the Constitution of the Philippines, Presidential Decree No. 765, dated August 8, 1975 has been promulgated creating the Integrated National Police;

WHEREAS, Presidential Letter of Instructions No. 337 issued on November 17, 1975 to delineate the functions and define the relationships between the local civil officials, on the one hand, and the Integrated National Police, on the other hand, relative to the maintenance of peace and order and public safety;

WHEREAS, there are some portions of various provinces cities and municipalities in the country where disorder, riot, lawless violence, rebellious or seditious conspiracy, insurgency, subversion or other criminal activities have taken, or are in danger of taking place to the extent of adversely affecting peace and order and public safety therein and thereby hamper the progress and effective implementation of economic, social, social and other development programs;

WHEREAS, in order to deal swiftly and effectively with any of the aforesaid situations toward the restoration of peace and order and public safety in affected localities and in the furtherance of local autonomy as enunciated in the Constitution, it is expedient that the Governors, City and Municipal Mayors concerned be vested with the necessary authority pertinent to the employment or deployment of units or elements of the Integrated National Police stationed within their respective geographical areas;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order and decree as part of the laws of the land, the following:

SECTION 1. Definition of terms.- For purposes of this Decree, the following terms shall mean and be interpreted as hereunder indicated:

- a. "Units".-It refers to organized elements of the police, fire or jail personnel of the Integrated National Police.
- b. "Employ".-It refers to the utilization of units or elements of the Integrated National Police for the purpose of protection of lives and properties, enforcement of laws, maintenance of peace and order, prevention of crimes, arrest of criminal offenders, investigation of the commission of crimes and offenses and bringing the offenders to justice, prevention and control of fires, and insuring public safety, particularly in the suppression of disorder, riot, lawless violence, rebellious or seditious conspiracy, insurgency, subversion, or other criminal activities.
- c. "Deploy".-It shall mean the orderly and organized physical movement of elements or units of the Integrated National Police within a province, city or municipality for purposes of employment as herein defined.
- d. "General Supervision".-It is the power to see to it that the units or elements of the Integrated National Police perform their duties properly according to existing laws and rules, regulations and policies promulgated by competent authority in order that the overall mission of the Integrated National Police in maintaining law and

order and insuring public safety in any province, city or municipality shall be effectively achieved. This power of general supervision shall include the following:

- (1) The authority to call upon the appropriate Commander or elements of the Integrated National Police to suppress violence or disorder, enforce the law, maintain peace and order, and insure public safety.
- (2) The authority to call the local Commander or Officer-in-Charge of the station or unit of the Integrated National Police to meetings and conferences on matters of public interest;
- (3) The authority to require assistance from such station or unit in the interest of general public service, provided the primary missions of said unit are not prejudiced;
- (4) The right to be informed by the local Commander or Officer-in-Charge of the station or unit of the peace and order situation in the locality, and the crime prevention and public safety programs being undertaken.
- (5) The authority to give appropriate guidance to said local Commander or Officer-in-Charge provided the same does not conflict with the primary missions of their station or unit, and to caution them if they do not perform their duties/missions properly;
- (6) The authority to render appropriate reports and recommendations to higher headquarters of the Integrated National Police if after giving such guidance, said elements misbehave or fail to perform their duties in accordance with laws, rules or existing policies; and
- (7) The authority to file proper administrative and/or criminal actions in accordance with existing laws and regulations in cases of breaches of discipline and derelictions of duty by personnel of the Integrated National Police.

e. "Operational Supervision and Direction". It is the power to see to it that the units or elements of the Integrated National Police perform their duties properly according to existing laws and the rules, regulations and policies promulgated by competent authority, and the power to employ or deploy such units or elements, in coordination with the Provincial or District Police Superintendent, Station Commander or Officer-in-Charge to insure public safety and the effective maintenance of peace and order within the locality.

f. "Embattled Area". - It is an area such as a portion of a province, city or municipality, where there is actual or imminent danger of disorder, riot, lawless violence, rebellious or seditious conspiracy, insurgency, subversion or other criminal activities of such magnitude as to greatly endanger lives and properties and set back or hamper the progress and effective implementation of the economic, social, political and other development and reform programs therein.

SEC. 2. Exercise of General Supervision. - The Governor of Metropolitan Manila, the provincial governors, the city mayors and the municipal mayors shall have the power to exercise general supervision over units or elements of the Integrated National Police stationed or assigned within their respective jurisdictions.

SEC. 3. Operational Supervision and Direction by Local Executives. - Whenever any portion of Metropolitan Manila, or a province, city or municipality becomes an embattled as defined in Section 1 hereof, the President of the Philippines upon the recommendation of the Secretary of National Defense may, place the units or elements of the Integrated National Police stationed or assigned in such embattled area under the operational supervision and direction of the Governor of Metropolitan Manila or the provincial governor, city or municipal mayor as case may be. For this purpose, the Chief of Constabulary/Director General of the Integrated National Police shall make timely assessments of the peace and order and public safety conditions in Metropolitan Manila and in each province, city or municipality to determine the actual or impending existence of an embattled area therein.

SEC. 4. Termination of Authority. - Whenever any portion of Metropolitan Manila or a province, city or

municipality has ceased to be an embattled area, or whenever the power of operational supervision and direction is abused thru improper or illegal utilization of the units or elements of the Integrated National Police therein thus negating the effectiveness of the overall peace and order campaign, the Chief of Constabulary/Director General of the Integrated National Police, may recommend to the President the termination of such authority that may have been granted to the Governor of Metropolitan Manila or to a provincial governor, city or municipal mayor.

SEC. 5. Duty of Local Commanders Towards Local Executives.-The local Commanders of the Integrated National Police units shall keep the local executives informed of the peace and order situation within their respective jurisdictions, such other matters relative to law and order and public safety; they shall cooperate and/or coordinate with the said civil officials for the effective and faithful execution of law enforcement and public safety programs in their respective jurisdictions.

SEC. 6. Cooperation and Assistance.-The local officials in their respective areas of responsibility shall extend the necessary support, cooperation and assistance to the units of the Integrated National Police in order to enable the latter to perform their principal duty of preserving peace and order and insuring public safety therein.

SEC. 7.-Administrative Supervision and Control.-The power of administrative supervision and control vested by Section 9 of Presidential Decree No. 765, dated August 8, 1975, in the Integrated National Police and in the National Police Commission shall remain with said agencies: Provided, That wherever the Integrated National Police personnel strength is not adequate to effectively deal with, suppress or prevent the actual or imminent disorder, riot, lawless violence, rebellious or seditious conspiracy, insurgency, subversion or other criminal activities the Chief of Constabulary/Director General of the Integrated National Police is hereby authorized to waive all qualifications, except citizenship and moral, mental and physical fitness, for the selection and appointment of additional members in the Integrated National Police: Provided further, That in issuing such waivers, the Chief of Constabulary/Director General of the Integrated National Police shall take into consideration such factors as possession of relevant qualifications, skills, training, and/or experiences in police, public safety or allied services, and the geographical location of police or fire station or jail concerned: Provided furthermore, That only temporary appointments may be extended under this section until the prescribed training shall have been satisfactorily completed by the appointee concerned to compensate for the lack of educational qualifications: Provided finally, That such appointments shall be exempt from attestation by the National Police Commission as prescribed in Republic Act No. 4864, otherwise known as the Police Act of 1966, as amended.

SEC. 8. Testimonial Civil Service Eligibility.-Members of the Integrated National Police so appointed in accordance with the preceding section shall be given special training as prescribed by the Chief of Constabulary/Director General of the Integrated National Police, in addition to the usual basic course for all members. After the completion of three years of satisfactory and faithful service from the date of their original appointment and after having successfully completed the prescribed special and basic training, said members shall be granted testimonial civil service eligibility by the National Police Commission; thenceforth, they shall be eligible for permanent appointment in the Integrated National Police.

SEC. 9. Funding for the Employment, Deployment, Equipage and Additional Personnel of the Integrated National Police.-The National Government shall provide such additional funds as may be needed to adequately support the activities relative to the employment and deployment of units or elements of the Integrated National Police in embattled areas as herein contemplated, as well as the appointments of additional personnel authorized in the preceding Section 7 hereof, including their training, equipage, compensation and other benefits. For this purpose the Chief of Constabulary/Director General of the Integrated National Police shall submit to the President, through the Secretary of National Defense, a supplemental budgetary program to carry out the purposes of this Decree which shall be exempt from the usual budgetary ceiling.

SEC. 10. Appropriation.-The sum of fifty million pesos (P50,000,000) is hereby appropriated out the funds of the National Treasury not otherwise appropriated for the effective implementation of this Decree. Thereafter, such sums as are necessary to meet the funding requirements referred to in the preceding Section 9 hereof shall be appropriated yearly out of the funds of the National Treasury not otherwise appropriated.

SEC.11. Rules and regulation.-The Chief of Constabulary/Director General of the Integrated National Police shall, subject to approval by the Secretary of National Defense, promulgate the necessary rules and regulations for the effective implementation of this Decree.

SEC. 12. Repealing Clause.-The provisions of all laws, decrees, orders, instructions, rules and regulations which are inconsistent with this Decree are hereby repealed or modified accordingly.

SEC. 13. Effectivity.-This Decree shall take effect immediately.

Done in the City of Manila, this 8th day of June in the year of Our Lord, nineteen hundred and seventy-seven,

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President:

(Sgd.) JUAN C. TUVERA
Presidential Assistant

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