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AMENDING SUB-PARAGRAPH 4 OF PARAGRAPH V NHQ PNP CIRCULAR 2002-001 DATED JANUARY 7, 2002 ENTITLED “PAYMENT OF RETIREMENT BENEFITS OF PNP PERSONNEL (RETIREES) WITH PENDING CASES”

NHQ PNP CIRCULAR NO. 2010-012, August 18, 2010

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Whereas, the PNP issued on January 7, 2002 Circular No. 2002-001 entitled “Payment of Retirement Benefits of PNP Personnel (Retirees) with Pending Cases” which provides under Sub-Paragraph 4 of Paragraph V that “If the pending case is an administrative case and the penalty prescribed in the event of conviction is dismissal from the service, the retiree shall not be paid of his retirement benefits until the final resolution of his case, whether before the PNP, PLEB, Ombudsman, NAPOLCOM or CSC x x ";

Whereas, the DPRM recommended an amendment of said provision to qualify retiring personnel to receive retirement gratuities for compassionate justice despite pending cases considering that they worked long years in the PNP service.

Whereas, it is axiomatic that retirement laws are liberally construed and administered in favor of the persons intended to be benefitted. All doubts as to the intent of the law should be resolved in favor of the retiree to achieve its humanitarian purposes (190 SCRA 315 [1990]; Ortiz v. Commission on Elections, 162 SCRA 812 [1988]; Bautista v. Auditor General, 104 Phil. [1958].

Whereas, the PNP, after careful evaluation of the facts and circumstances, it was determined that there is a necessary to amend Sub-paragraph 4 of Paragraph V, NHQ Circular 2002-001;

NOW, THEREFORE, the CPNP, pursuant to the inherent powers vested in him by his position and designation has resolved to amend, AS HE HEREBY AMENDS Sub- paragraph 4 of paragraph V NHQ PNP CIRCULAR 2002-001, to wit;

Sub-paragraph 4 Paragraph V, NHQ Circular 2002-001 is hereby amended to read as follows:

> Section 4, “Even if the nature of the pending administrative case would result to dismissal from the service, the retirement benefits shall be released regardless of the final resolution: Provided, that the mode of release of the retirement gratuity shall be outright pension, not lump sum, so as to ensure immediate imposition of penalty in the monthly pension. Provided, furthermore, that if the offense committed in an administrative case is grave and the imposable penalty is dismissal from the service, the retiree shall secure a guarantor to be solidarily liable for restitution in case of conviction.”

(SGD.) JESUS A. VERZOSA, CEO VI
Police Director General
Chief, PNP

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