

AMENDING CERTAIN PROVISIONS OF NAPOLCOM MEMORANDUM CIRCULAR NO. 91-002, DATED 8 APRIL 1991, ENTITLED: PROCEDURE IN THE INVESTIGATION AND DISPOSITION OF ADMINISTRATIVE COMPLAINT...

NPC MEMORANDUM CIRCULAR NO. 93-021, October 29, 1993

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In order to ensure speedy, effective and fair investigation of police administrative cases by the People's Law Enforcement Boards (PLEBs), there is need to amend certain provisions of NAPOLCOM Memorandum Circular No. 91-002 dated 8 July 1991, as they are hereby amended, thus:

SECTION 1. Section 1, Rule II of NAPOLCOM Memorandum Circular No. 91-002, s. 1991, is hereby amended to read as follows:

SECTION 1. Complaint - This pertains to any complaint initiated by any person, or his duly authorized representative on account of any injury, damage or disturbance sustained due to an irregular or illegal act committed by a member of the PNP."

SECTION 2. An additional section is hereby inserted between Sec. 4 and Sec. 5, Rule IV, of this same Circular, to read as follows:

"SECTION 4-A. Prohibition for the Reassignment of respondent During the Pendency of an Administrative Case - A respondent PNP member shall not be reassigned or transferred from one city/municipal police station to another, or to any place beyond the jurisdiction of the PLEB hearing his case, without a certification in writing of the PLEB concerned, that his presence is no longer required for such investigation."

SECTION 3. Section 9, Rule IV, of this same Circular is hereby amended to read as follows:

SECTION 9. Preventive Suspension - Should it be established by convincing evidence at any time during the investigation of the administrative cas, that respondent is exerting efforts to harass, intimidate, coerce, or unduly influence complainant or any of his vital witnesses into withdrawing his complaint or retracting his sworn statement against the former, the PLEB, through its Chairman shall recommend to the respondent's chief of police, or appropriate PNP commander, the placement of the respondent under suspension in order to maintain the integrity and objectivity of the investigation.

The recommendation for preventive suspension of respondent shall be in writing, copy furnished the NAPOLCOM Regional Director concerned, for his information and appropriate action.

In the event that the PNP commander, for any reason, shall fail or refuse to issue the requested preventive suspension order, he must submit an explanation in writing stating the reason or reasons for the non-issuance thereof, copy furnished the NAPOLCOM Regional Director.

SECTION 4. Effectivity - This Memorandum Circular shall take effect immediately.

Adopted: 29 Oct. 1993

(Sgd.) RAFAEL M. ALUNAN III

(Sgd.) EDGAR DULA TORRES

Secretary, DILG
Chairman, Napolcom

Commissioner

(Sgd.) FEDERICO S. COMMANDANTE

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