

AN ACT PROVIDING FOR THE SUSPENSION OR REMOVAL OF MEMBERS OF THE PROVINCIAL GUARDS, CITY POLICE AND MUNICIPAL POLICE BY THE PROVINCIAL GOVERNOR, CITY MAYOR OR MUNICIPAL MAYOR.

REPUBLIC ACT NO. 557, June 17, 1950

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Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

SECTION 1. Members of the provincial guards, city police and municipal police shall not be removed and, except in cases of resignation, shall not be discharged except for misconduct or incompetency, dishonesty, disloyalty to the Philippine Government, serious irregularities in the performance of their duties, and violation of law or duty, and in such cases, charges shall be preferred by the provincial governor in matters against any member of the provincial guards, the city mayor in cases against a member of the city police, and the municipal mayor in cases involving a member of the municipal police, and investigated by the provincial board, the city or municipal council, as the case may be, in public hearing, and the accused shall be given opportunity to make their defense. In every such case filed, a copy of the charges shall be furl the accused by the said provincial governor, city mayor or municipal mayor personally or by registered mail within five days from the date of the filing of the charges, and the investigating body shall try the case within days from the date the accused has been notified of the charge, unless the accused, for good reasons, shall ask for a longer period to prepare his defense. The trial of the case shall be finished within a reasonable time the investigating body shall decide the case within fifteen days from the time the case is submitted for decision

SEC. 2. In all these cases, the decision of the provincial board, the city or municipal council shall be appealable to the Commissioner of Civil Service.

The appellant shall exercise the right to appeal by filing with the provincial governor, the city mayor or the municipal mayor as the case may be, a written appeal within fifteen days from the date he has been notified of the decision. If within this said period of fifteen days no appeal is taken, the decision shall stand final and the Commissioner of Civil Service shall be duly furnished with a copy of the order of suspension or removal. In case of appeal, the provincial governor, the city mayor or the municipal mayor to whom the appeal is filed shall forward the case with all its records to the Commissioner of Civil Service within twenty days from the receipt of the appeal, and the Commissioner of Civil Service shall render decision thereon within a reasonable time and his decision shall be final.

SEC. 3. When charges are filed against a member of the provincial guards, city police or municipal police under this Act, the provincial governor, city mayor or municipal mayor, as the case may be, may suspend the accused, and said suspension to be not longer than sixty days. If during the period of sixty days, the case shall not have been decided finally, the accused, if he is suspended, shall ipso facto be reinstated in office without prejudice to the continuation of the case until its final decision, unless the delay in the disposition of the case is due to the fault, negligence, or petition of the accused, in which case the period of the delay shall not be counted in computing the period of suspension herein provided.

SEC. 4. When a member of the provincial guards, city police or municipal police is accused in court any felony or violation of law by the provincial fist city fiscal, as the case may be, the provincial governor, the city mayor or the municipal mayor shall immediately suspend the accused from office pending the final decision of the case by the court and, in case of acquittal, the accused shall be entitled to payment of the entire salary he failed to receive during his suspension.

SEC. 5. The municipal mayor is hereby empowered to suspend any municipal chief of police for cause mentioned in sections one and four of this Act and in such cases it shall be the duty of the municipal mayor to report the fact of suspension to the municipal council for investigation in the manner and form provided for in sections one and two of this Act.

SEC. 6. The provisions of law and executive orders inconsistent with this Act are hereby repealed or modified.

SEC. 7. This Act shall take effect upon its approval.

Approved, June 17, 1950.

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