



Republic of the Philippines
NATIONAL POLICE COMMISSION
DILG – NAPOLCOM Center
NAPOLCOM Building, EDSA corner Quezon Avenue
West Triangle, Quezon City 1104

NAPOLCOM MEMORANDUM CIRCULAR NO. 2020 – 002

PRESCRIBING GUIDELINES ON THE INTERRUPTION OF REGLEMENTARY PERIODS IN NAPOLCOM MEMORANDUM CIRCULAR NO. 2011-009, ENTITLED: *REVISED RULES GOVERNING THE INVESTIGATION AND ADJUDICATION OF BENEFIT CLAIMS OF UNIFORMED MEMBERS OF THE PHILIPPINE NATIONAL POLICE (PNP)*, AND MEMORANDUM CIRCULAR NO. 95-011, AS AMENDED, ENTITLED: *PRESCRIBING THE RULES AND REGULATIONS IN THE IMPLEMENTATION OF THE NAPOLCOM SCHOLARSHIP PROGRAM FOR SURVIVING CHILDREN OF DECEASED AND/OR PERMANENTLY INCAPACITATED PNP PERSONNEL, UNDER R.A. 6963 AND NAPOLCOM RESOLUTION NO. 94-047*

WHEREAS, Article XVI Section 6 of the 1987 Constitution provides that: *The state shall establish and maintain one police force, which shall be national in scope and civilian in character, to be administered and controlled by a national police commission. x x x*

WHEREAS, Presidential Decree No. 1184 (P.D. 1184), or the *Integrated National Police Personnel Professionalization Law of 1977*, as amended, provides for the grant by the National Police Commission (NAPOLCOM) of death and disability benefits to uniformed personnel who die or become incapacitated in line of duty, or by reason of the performance of duty, or due to sickness contracted in the course of employment;

WHEREAS, Republic Act No. 6963 (R.A. 6963), otherwise known as *An Act Granting Special Financial Assistance and Benefits to the Family or Beneficiary of any Police or Military Personnel or Fireman Killed or Permanently Incapacitated while in the Performance of his Duty or by Reason of his Office or Position and for other Purposes*, provides for the grant of scholarship privileges to be administered by the NAPOLCOM to all surviving children of any police personnel who is killed or becomes permanently incapacitated while in the performance of his duty;

WHEREAS, in the exercise of its constitutional and statutory authority, the NAPOLCOM has been issuing the corresponding circulars governing the investigation and adjudication of benefits claim of uniformed members of the Philippine National Police (PNP), foremost of which is NAPOLCOM Memorandum Circular No. 2011-009 (NMC 2011-009), and circulars governing applications for scholarship benefit, foremost of which is NAPOLCOM Memorandum Circular No. 95-011 (NMC 95-011), as amended;

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WHEREAS, on 08 March 2020, upon confirmation by the Secretary of Health of the local transmission in the country of the Corona Virus Disease (COVID-19), President Rodrigo Roa Duterte issued Proclamation No. 922 declaring a State of Public Health Emergency throughout the Philippines;

WHEREAS, on 16 March 2020, President Duterte issued Proclamation No. 929 declaring a State of Calamity throughout the Philippines for a period of six (6) months, and imposing an Enhanced Community Quarantine (ECQ) throughout Luzon due to COVID-19 starting 17 March 2020 until 12 April 2020;

WHEREAS, on 24 March 2020, Republic Act No. 11469, or the *Bayanihan to Heal As One Act*, was enacted, authorizing the President to, among others, move statutory deadlines and timelines for the filing and submission of any document, the payment of taxes, fees, and other charges required by law, and the grant of any benefit, in order to ease the burden on individuals under Community Quarantine;

WHEREAS, on 07 April 2020, Executive Secretary Salvador C. Medialdea issued a Memorandum on the extension of the ECQ over the entire Luzon until 30 April 2020, the part of which reads: *Pursuant to Republic Act No. 11469 or the “Bayanihan to Heal as One Act,” Proclamation Nos. 929 and 922 (s. 2020), upon the recommendation of the Inter-Agency Task Force for the Management of Emerging Infectious Diseases (IATF) in its Joint Resolution No. 20 (s. 2020) dated 06 April 2020, the Enhanced Community Quarantine (ECQ) over the entire Luzon is hereby EXTENDED until 11:59 p.m. of 30 April 2020;*

WHEREAS, since the implementation of the community quarantine (both ECQ and GCQ), the mobility of people around Luzon, and even in certain jurisdictions in Visayas and Mindanao, has been heavily restricted, and lawyers, law firms, and postal services had not been included in the list of exempted individuals, entities, and services from the community quarantine;

WHEREAS, cognizant of said limitation on the mobility of individuals during the existence of the community quarantine and in pursuance of the authority granted to him under R.A. 11469, President Duterte issued on 21 April 2020 Administrative Order No. 30 directing all government offices to formulate and issue guidelines on the interruption of periods for the filing of documents, payment of taxes, charges and other fees, and cancellation of proceedings before their respective offices, and on the movement of timelines for the release of benefits;

WHEREAS, on 30 April 2020, President Duterte issued Executive Order No. 112,

Philippines and a general community quarantine in the rest of the country from May 1-15, 2020, and adopting the Omnibus Guidelines in the implementation thereof as recommended by the IATF;

WHEREAS, on 11 May 2020, the IATF issued Resolution No. 35 which provides for, among others:

- a) removing certain low-risk provinces, HUCs, and ICCs from Community Quarantine, without prejudice to strict observation of minimum health standards;
- b) placing certain moderate-risk provinces, HUCs, and ICCs under a General Community Quarantine until 31 May 2020, without prejudice to the declaration of localized Enhanced Community Quarantine in critical areas;
- c) placing certain high-risk provinces, HUCs, and ICCs under a Modified Enhanced Community quarantine until 31 May 2020, without prejudice to the declaration of localized Enhanced Community Quarantine in critical areas;

WHEREAS, on 15 May 2020, the IATF issued Resolution No. 37 which placed all Provinces, HUCs, and ICCs not classified as either low-risk, moderate-risk, or high-risk, under General Community Quarantine (GCQ) until 31 May 2020;

WHEREAS, on 29 May 2020, the IATF issued Resolution No. 41 which provides for, among others:

- a) placing certain provinces, HUCs, and ICCs in Luzon, Visayas, and Mindanao under Modified General Community Quarantine (MGQC) until 15 June 2020;
- b) placing certain provinces, HUCs, and ICCs in Luzon, Visayas, and Mindanao under General Community Quarantine (GCQ) until 15 June 2020;
- c) while classified as high risk areas, placing all HUCs of the National Capital Region (NCR), the Municipality of Pateros, and Cebu City under General Community Quarantine (GCQ) until 15 June 2020.

NOW, THEREFORE, THE COMMISSION, premised on the foregoing and pursuant to its constitutional and statutory mandates, hereby **RESOLVES** to prescribe the following guidelines:

SECTION 1. Coverage. – These Guidelines shall be applicable to all proceedings for Applications for Death, Total Permanent Disability, and Scholarship (DTS) Benefits before the NAPOLCOM Central and Regional Offices and concerned PNP Offices as governed by NAPOLCOM M.C. 2011-009 and M.C. 95-011.

SECTION 2. *Interruption of the Periods in the Filing and Service of Claims, Applications, Notices, Adjudications, Decisions, Orders, and Appeals.* – The reglementary periods in the filing and service of claims, applications, affidavits, processes, adjudications, orders and appeals, and all other papers or documents in relation to Applications for DTS Benefits are hereby interrupted for the period of 17 March 2020 until 15 June 2020. Likewise, the periods mandated in NAPOLCOM M.C. 2011-009 and M.C. 95-011 for the submission of reports and/or rendition of adjudications, decisions, resolutions, and orders are also deemed interrupted for said period.

For the duration of the aforementioned period, however, the proceedings governed by NAPOLCOM M.C. 2011-009 and M.C. 95-011 may continue within such permissible and practicable periods as may be determined by the Approving Authority concerned, taking into consideration the circumstances of the parties involved, and upon strict observance of the existing guidelines and precautionary measures provided by the IATF in combating COVID-19.

Compliance with the reglementary periods in NAPOLCOM M.C. 2011-009 and M.C. 95-011 shall commence on 16 June 2020, subject to the additional guidelines prescribed in the succeeding sections.

SECTION 3. *Filing and Submission through Electronic Mail (E-mail).* – To ensure the continuity in the “New Normal” of proceedings governed by NAPOLCOM M.C. 2011-009 and M.C. 95-011, the Commission hereby authorizes the filing of Applications for DTS Benefits through electronic mail (e-mail). With the exception of receipts, the original of which must still be submitted, supporting documents/proofs required to be filed with Applications for DTS Benefits may also be submitted through e-mail.

Pursuant to Section 4, Rule 130 of the 2019 Proposed Amendments to the Revised Rules on Evidence which took effect last 01 May 2020, the Commission hereby recognizes as “duplicates of the original document” the copies of the Applications for DTS Benefits and the supporting documents/proofs thereof sent through e-mail and to be printed thereafter. As duplicates of the original, such are admissible to the same extent as the original document, except when: (1) a genuine question is raised as to the authenticity of the original, or (2) in the circumstances, it is unjust or inequitable to admit the duplicate in lieu of the original.

In the event that a question on authenticity or equity as stated above arises during the evaluation by the Approving Authority concerned of the Application for DTS Benefits and/or its supporting documents/proofs, the applicant shall be required to submit the original copy of the document in question to the hearing officer or appropriate Approving Authority in the manner prescribed in NAPOLCOM M.C. 2011-009 and NAPOLCOM M.C. 95-011.

SECTION 4. *Actions Required from the Approving Authority.* – It shall be the duty of the Approving Authority concerned, or its duly authorized and recognized official, to create within forty-eight (48) hours from issuance of this Resolution, their official and dedicated e-mail address/es to which an e-mail may be sent by the parties concerned. The Approving Authority concerned shall forthwith disseminate to the public, in a clear and consistent manner, said e-mail address/es for easy and continued reference. Further, the Approving Authority concerned, or its duly authorized official, shall check said official e-mail address/es on an hourly basis.

If in receipt of an Application for DTS Benefits and/or its supporting documents/proofs, it shall be the duty of the Approving Authority concerned, or its duly authorized official, to reply to the sender of the communication, acknowledging receipt of the documents sent through e-mail and stating the total number of page/s of said communication. In addition, it shall be the duty of the Approving Authority concerned or its duly authorized official to inform the sender of the document/s as to its conformity or non-conformity with the requirements or solemnities required in NAPOLCOM M.C. 2011-009 or M.C. 95-011. In case of non-conformity, he/she shall forthwith inform the sender of the deficiency/ies of the documents sent through e-mail and allow the sender the opportunity to comply with the prescribed requirements/solemnities within a period of seventy-two (72) hours.

A newly-filed Application for DTS Benefits, compliant with the requirements prescribed in NAPOLCOM M.C. 2011-009 or M.C. 95-011, must be printed immediately by the Approving Authority or its duly authorized official.

SECTION 5. *Applicability to Pending Applications.* – For pending Applications for DTS Benefits, it shall be the duty of the Approving Authority concerned, or its duly authorized official, to inform the applicants of the herein guidelines authorizing the filing/submission of supporting documents/proofs through e-mail and to ask them whether they intend to avail of said mode of filing/submission. If in the affirmative, the Approving Authority or its duly authorized official shall, thereafter, comply with the requirements of the immediately preceding section.

SECTION 6. *Service through E-Mail.* – In addition to the usual modes of service being availed of by the Approving Authority or its duly authorized official, service of Processes to the parties by e-mail is hereby permitted. A party who intends to be served through e-mail with Processes in Applications for DTS Benefits shall submit a request, under oath, to the Approving Authority or its duly authorized official. Under said oath, the party shall forthwith provide the e-mail address to which the Processes in Applications for DTS Benefits shall be served. For applicants represented by counsel who intends to use the official e-mail address of the latter, a copy of said counsel's entry of appearance and/or engagement contract/retainer agreement shall likewise be sent to the Disciplinary Authority.

For purposes of this Section, the term “Processes” shall include notices, summons, subpoenas, or such other interlocutory orders or directives of the Approving Authority or its duly authorized official in furtherance of the proceedings but without disposing of the application on its merits.

SECTION 7. *Format of Communications Transmitted through E-Mail.* – All documents to be transmitted through e-mail in Applications for DTS Benefits, as well as all Processes from the Approving Authority or its duly authorized official, must be in Portable Document Format (PDF). Attachments to said Applications or Processes to be sent which are not documentary in nature shall be photographed and converted into PDF.

SECTION 8. *Suspension of Proceedings Requiring Physical Appearance/Attendance.* – Taking into consideration the challenges on mobility of claimants and applicants arising from the existing community quarantine, all stages of the proceedings in Applications for DTS Benefits requiring the personal appearance and/or attendance of any party thereto shall be suspended. Instead, the concerned Approving Authority shall adopt videoconferencing or other similar modes of communication dispensing with physical face-to-face interaction. The Approving Authority concerned, or its duly authorized official, shall ensure appropriate recording of the proceedings, and accessibility of the recorded proceedings. The proceedings shall, in addition to being transcribed, be copied in a compact disc (CD) or USB flash drive and said storage device shall likewise form part of the records of the application.

In cases wherein videoconferencing may not be resorted to, the proceedings in Applications for DTS Benefits requiring the personal appearance/attendance of any party shall proceed in accordance with the provisions of NAPOLCOM M.C. 2011-009 or M.C. 95-011, with the requirement that the attendees to the proceedings observe the Minimum Public Health Standards prescribed by the Department of Health (DOH) aimed at the reduction of contact and transmission of COVID-19, the most basic of which are as follows: (i) the use of protective equipment suitable to the setting, *i.e.*, wearing of cloth masks or surgical masks; (ii) implement strict social distancing of at least 1 meter; (iii) limitation of non-essential travel and activities; and (iv) installation of architectural or engineering interventions, as may be deemed appropriate.

SECTION 9. *Retroactive Application.* – The interruption of periods prescribed in Section 2 of these Guidelines shall commence retroactively from 17 March 2020.

SECTION 10. *Separability Clause.* – Should any provision of this Memorandum Circular be declared invalid or unconstitutional, the other provisions unaffected thereby shall remain valid and subsisting.

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SECTION 11. Repealing Clause. – The provisions of NAPOLCOM Memorandum Circular No. 2011-009 and NAPOLCOM Memorandum Circular No. 95-011 which are inconsistent with any of the provisions of this Memorandum Circular are hereby repealed or modified accordingly.

SECTION 12. Effectivity. – On account of the declared State of Public Health Emergency and State of Calamity due to COVID-19, this Memorandum Circular shall take effect immediately upon the filing of a copy thereof with the Office of the National Administrative Register in compliance with Section 3, Book VII of E.O. 292 or the *Administrative Code of 1987*.

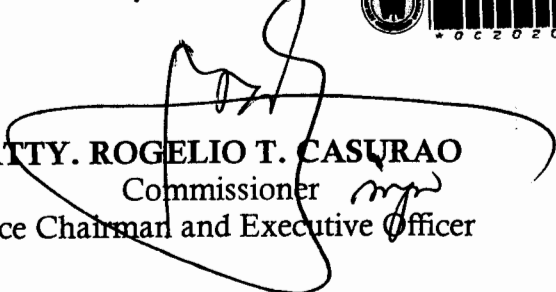
RESOLVED FURTHER that the duration and effectiveness of these Guidelines shall be without prejudice to future directives or orders to be issued by the Inter-Agency Task Force for the Management of Emerging Infectious Diseases (IATF) or the Office of the President, pursuant to Republic Act No. 11469 or the *Bayanihan to Heal As One Act*.

RESOLVED FINALLY that a copy of this Memorandum Circular be furnished the IATF in compliance with Administrative Order No. 30.


APPROVED this 22nd day of JUNE, 2020, in Quezon City, Philippines.


EDUARDO M. AÑO
Chairman




ATTY. ROGELIO T. CASURAO
Commissioner
Vice Chairman and Executive Officer


FELIZARDO M. SERAPIO, JR.
Commissioner


ATTY. JOB M. MANGENTE
Commissioner

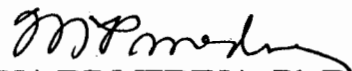
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ZENONIDA F. BROSAS
Commissioner


ARCHIE FRANCISCO F. GAMBOA
Commissioner

I hereby attest and certify that this Memorandum Circular was approved *ad referendum* upon due consultation by the members of the Commission *En Banc*.

Attested by:


Dir. MYRNA DP MEDINA, Ph.D., CESE
Acting Deputy Executive Officer
Head, Office for Strategy Management