



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 – 005

PRESCRIBING GUIDELINES ON THE INTERRUPTION OF REGLEMENTARY PERIODS IN THE FILING OF A MOTION FOR RECONSIDERATION AND APPEAL UNDER NAPOLCOM MEMORANDUM CIRCULAR NO. 95-017, AS AMENDED, ENTITLED: *PRESCRIBING GUIDELINES GOVERNING THE PERSONNEL ACTION OF DROPPING FROM THE ROLLS OF OFFICERS AND NON-OFFICERS OF THE PHILIPPINE NATIONAL POLICE (PNP) FOR INCURRING ABSENCES WITHOUT OFFICIAL LEAVE/UNAUTHORIZED ABSENCES*

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, Republic Act No. 6975 (*Department of the Interior and Local Government Act of 1990*), as amended by Republic Act No. 8551 (*Philippine National Police Reform and Reorganization Act of 1998*), enumerates the powers and functions of the National Police Commission (NAPOLCOM), foremost of which is its exercise of administrative control and operational supervision over the Philippine National Police (PNP);

WHEREAS, in the exercise of its constitutional and statutory authorities, the NAPOLCOM has been issuing the corresponding circulars governing personnel action in the PNP, including dropping from the rolls (DFR), to wit: NAPOLCOM M.C. 95-017, M.C. 2010-001, and M.C. 2015-545;

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;

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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, imposing an enhanced community quarantine in high-risk geographic areas of the Philippines and a general community quarantine in the rest of the country from 01 to 15 May 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;

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- 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 (MGCQ) 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 the Dropping from the Rolls Proceedings of PNP uniformed personnel under NAPOLCOM M.C. 95-017, as amended, entitled: *PRESCRIBING GUIDELINES GOVERNING THE PERSONNEL ACTION OF DROPPING FROM THE ROLLS OF OFFICERS AND NON-OFFICERS OF THE PHILIPPINE NATIONAL POLICE (PNP) FOR INCURRING ABSENCES WITHOUT OFFICIAL LEAVE/UNAUTHORIZED ABSENCES*.

SECTION 2. Interruption of the Periods in the Filing of Motion for Reconsideration and Appeal. – The reglementary periods in the filing and service of a Motion for Reconsideration, Appeal, and all other papers or documents with the concerned Non-Disciplinary Authority and/or Appellate Authority are hereby

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interrupted for the period of 17 March 2020 until 15 June 2020. Likewise, the periods prescribed for the actions and submissions of the Non-Disciplinary Authority and/or Appellate Authority and their duly authorized officials are also deemed interrupted for the said period.

For the duration of the aforementioned period, however, the Non-Disciplinary Proceedings under NAPOLCOM M.C. No. 95-017 may continue within such permissible and practicable periods as may be determined by the Non-Disciplinary 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 prescribed in NAPOLCOM M.C. 95-017 shall resume on 16 June 2020.

SECTION 3. *Retroactive Application.* – The interruption of periods prescribed in Section 2 of these Guidelines shall commence retroactively from 17 March 2020.

SECTION 4. *Separability Clause.* – Should any provision of this Memorandum Circular be declared invalid or unconstitutional, the other provisions unaffected thereby shall remain valid and subsisting.

SECTION 5. *Repealing Clause.* – The provisions of NAPOLCOM Memorandum Circular No. 95-017 which are inconsistent with any of the provisions of this Memorandum Circular are hereby repealed or modified accordingly.


SECTION 6. *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.

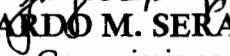
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APPROVED this 22nd day of JUNE 2020, in Quezon City,
Philippines.


EDUARDO M. AÑO
Chairman




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

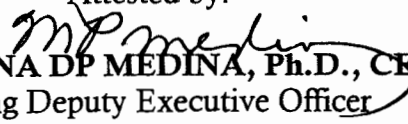

FELIZARDO M. SERAPIO, JR.
Commissioner


ATTY. JOB M. MANGENTE
Commissioner


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