

Republic of the Philippines
Department of the Interior and Local Government
NATIONAL POLICE COMMISSION
City of Makati

MEMORANDUM CIRCULAR NO. 2001-005

AMENDING NAPOLCOM MEMORANDUM CIRCULAR NO. 99-013 DATED DECEMBER 15, 1999, ENTITLED "CLARIFYING THE SCOPE AND EXTENT OF THE NATIONAL POLICE COMMISSION'S (NAPOLCOM'S) POWER OF ADMINISTRATIVE CONTROL AND OPERATIONAL SUPERVISION OVER THE PHILIPPINE NATIONAL POLICE (PNP) UNDER SECTION 14 OF R.A. 6975, AS AMENDED", ON PERSONNEL MATTERS

WHEREAS, Section 14 of R.A. No. 6975, as amended, explicitly specifies and enumerates the various powers and functions of the Commission under its authority of administrative control and operational supervision over the PNP;

WHEREAS, in compliance with the foregoing, the Commission has been issuing periodically policies, standards and regulations to ensure that the administrative and operational requirements of the PNP are managed effectively, efficiently and economically in the pursuit of its mandated goals;

WHEREAS, under Section 16 of the Rules and Regulations Implementing the DILG Act of 1990, "**administrative control**" has been defined to include the review, approval, reversal or modification of plans and programs relating to personnel, organization, financial requirements, logistics, discipline, benefits, training, education and operations;

WHEREAS, the Supreme Court in the case of Gen. Renato de Villa, et al. vs. City of Bacolod, et. al., G.R. No. 80744, dated September 20, 1990, likewise defined administrative control "*as the power of an officer to alter or modify or nullify or set aside what a subordinate officer has done in the performance of his duties and to substitute the judgment of the former for that of the latter*";

NOW, THEREFORE, the Commission, concomitant to its constitutional mandate to administer and control the PNP, has resolved to amend, as it hereby amends, the provisions of Napolcom Memorandum Circular No. 99-013 dated December 15, 1999, on personnel matters, to wit:

A. Appointment of Police Non-Officers (Police Officer I to Senior Police Officer IV)

1. Annual recruitment and promotional quota shall be submitted by the Chief, PNP to the Commission for approval before the Directorate for Personnel and Records Management (DPRM) disseminates such allocation to the PNP Regional Directors and Directors of National Support Units (NSUs), copy furnished the NAPOLCOM Regional Director.
2. All vacancies authorized to be filled up shall be given widest dissemination and posted in at least three (3) conspicuous places at the various levels of command in the PNP, including the national, regional and provincial offices of the NAPOLCOM.
3. PNP Screening Committees in each provincial, district and regional office shall be responsible for the widest dissemination of vacancies in their areas and the determination of the merit and fitness of police applicants.

The composition of these police screening committees shall be approved by the NAPOLCOM Regional Director. Each screening committee shall include as member a NAPOLCOM official who shall be designated by the NAPOLCOM Regional Director. NAPOLCOM officials who are designated as members of police screening committees shall attend and participate in all evaluation activities, to include the final deliberation and preparation of the list of projected appointees.

4. The PNP Screening Committees, after completion of screening and evaluation procedures for all police applicants, prepare a list of projected appointees taking into consideration the approved quota for the particular police office/unit.
5. The list of projected appointees is submitted by the screening committees to the PNP Regional Director who submits such list to the Napolcom Regional Director for approval.
6. Upon approval of such list by the NAPOLCOM Regional Director, the *PNP Regional Director* issues the initial and/or promotional appointments to the ranks of *Police Officer I to Senior Police Officer IV* and transmits appointment papers to the regional Civil Service Commission for attestation purposes.
7. For appointees to the ranks of Police Officer I to Senior Police officer IV at the national headquarters, the list of appointees prepared by the Screening Committee shall first be approved by the Commission before the issuance of appointment papers by the Chief, PNP and endorsement to the Civil Service Commission for attestation.
8. A copy of the attested appointment papers of those newly appointed and/or promoted to the ranks of Police Officer I to Senior Police Officer IV shall be furnished the NAPOLCOM Regional Office for PNP regional personnel or to the Personnel and Administrative Service of the Central Office, NAPOLCOM, for personnel of the national headquarters, which shall maintain an updated file for PNP personnel.

B. Appointment of Police Officers (Police Inspector to Deputy Director General)

1. Annual recruitment and promotional quota for the ranks of Police Inspector and above shall be submitted by the Chief, PNP to the Commission for approval, based on the approved rank distribution and as supported by the PNP appropriation for the year, before nationwide dissemination by the DPRM.
2. All vacancies authorized to be filled up shall be given widest dissemination and posted in at least three (3) conspicuous places at the various levels of command in the PNP, including the national, regional and provincial offices of the NAPOLCOM.
3. Police screening committees at the national level shall be responsible for the determination of merit and fitness of applicants for initial appointment, that is, lateral entry into the service, or promotional appointment to higher ranks.
4. The composition of each national screening committee shall be approved by the Commission. Each committee shall include a NAPOLCOM Senior Official who shall be designated by the Vice Chairperson – Executive Officer and shall attend and participate in all screening and evaluation activities.

5. Taking into consideration the number of vacancies to be filled up and the lateral entry and promotional zone of consideration which is twice the number of vacancies, the national screening committee shall prepare and submit to the Chief, PNP the list of qualified promotables ranked in the order of fitness and qualification.
6. The Chief, PNP submits the list of promotables to the Commission which shall deliberate and determine the best qualified for lateral entry or promotional appointment.
7. Upon approval by the Commission en banc of the list of lateral entry and promotional appointees, the following actions shall be undertaken:
 - 7.1 The *Chief of the PNP* issues the appointments of those to be appointed to the rank of *Police Inspector to Police Superintendent*. He shall submit these appointment papers to the national office of the Civil Service Commission for attestation.
 - 7.2 The appointment papers of those to be promoted to the ranks of *Senior Superintendent to Deputy Director General* are submitted, to the President for approval, together with the necessary approval of the Chief, PNP, a copy of the Resolution of the Commission en banc approving the promotion, and endorsement by the Chairperson of the Civil Service Commission.
8. A copy of the attested appointment papers of these newly appointed and/or promoted officers shall be furnished the Personnel and Administrative Service of the National Police Commission for file.

C. Appointment of Director General

The President appoints the Director General from among the Police Chief Superintendents, Directors and Deputy Director Generals. It shall be the responsibility of the Commission to recommend to the President, the best qualified for appointment to the rank of Director General who shall be the Chief, PNP.

D. On the matter of assignment/designation of Chief of Police of Municipalities and Component Cities, the following shall be observed:

1. The list of five (5) qualified eligibles, together with their personal information folders, shall be submitted by the PNP Provincial Director through the PNP Regional Director to the NAPOLCOM Regional Director for review and confirmation within five (5) working days from receipt thereof.
2. Should the NAPOLCOM Regional Director find the list of recommendees in order, he shall confirm the same, and forthwith return it to the PNP Provincial Director through the PNP Regional Director for immediate transmittal to the City/Municipal Mayor for him to select the Chief of Police of the locality, within ten (10) working days from receipt thereof.
3. If any of the submitted recommendees is not qualified for assignment/designation as Chief of Police in accordance with existing NAPOLCOM issuances, the NAPOLCOM Regional Director, within five (5) working days from receipt of the list, shall return the same to the PNP Provincial Director through the PNP Regional Director stating therein the reason(s) with the specific instruction to replace him with one who is qualified.
4. Within ten (10) working days from receipt of the list of five (5) recommendees for assignment/designation as Chief of Police, the City/Municipal Mayor shall

signify his/her choice in writing to the PNP Provincial Director, who shall thereupon issue the order of assignment accordingly.

5. Should the Mayor fail to choose from among the five (5) recommendees after the prescribed ten-day period, the PNP Provincial Director shall immediately issue an order of assignment in favor of anyone in the list.
6. The PNP Provincial Director may relieve for cause a Chief of Police duly designated in accordance with this Circular upon consultation with the Mayor.
7. In case of conflict between the PNP Provincial Director and the Mayor, either of them may refer the matter to the NAPOLCOM Regional Director through the PNP Regional Director who shall render a decision within five (5) working days from receipt thereof.
8. The decision of the NAPOLCOM Regional Director shall be final unless an appeal is submitted to the Commission en banc which shall resolve the matter within ten (10) working days from acquisition of jurisdiction over the issue. No Motion for Reconsideration/Review on the en banc decision shall be allowed.

E. On the matter of assignment/designation of Provincial Director and Chief of Police of highly urbanized cities, the following shall be complied with:

1. The list of three (3) qualified eligibles in the case of provinces, or five (5) qualified eligibles in the case of highly urbanized cities, shall be submitted by the PNP Regional Director, a copy of transmittal letter furnished the Napolcom Regional Director, to the Commission for review and approval, through the Chief, PNP.
2. Upon approval, the Commission returns the list to the PNP Regional Director through the Chief, PNP.
3. Any disagreement or objection by the Commission to any of the recommendees shall be returned to the PNP National Headquarters with specific instructions and/or corrective actions.
4. The PNP Regional Director transmits the list of qualified eligibles to the Provincial Governor/City Mayor for him/her to select the Provincial Director/Chief of Police within ten (10) working days from receipt of the list.
5. The Provincial Governor shall signify his/her choice in writing to the PNP Regional Director, who shall thereafter issue the order of assignment accordingly.
6. In case of conflict between the PNP Regional Director and the Provincial Governor, either of them may refer the matter to the NAPOLCOM Regional Director who shall resolve the matter within five (5) working days from receipt thereof.
7. The decision of the NAPOLCOM Regional Director shall be final and immediately executory unless appealed to the Commission en banc which shall resolve the matter with finality and order the implementation within ten (10) working days from acquisition of jurisdiction over the issue. A Motion for Reconsideration/Review on the en banc decision shall not be allowed.
8. The Chief, PNP by himself or through the Regional Director, or through the Regional Director himself, may relieve for cause a Provincial Director duly

designated in accordance with this Circular upon consultation with the Provincial Governor.

- F. All other assignments of police officers with the rank of Police Inspector to Superintendent to division chief or higher positions within the region shall be made in consultation with the Napolcom Regional Director.**
- G. The assignment of police officers with the rank of Chief Inspector to Superintendents to division chief or higher positions at the national headquarters shall be confirmed by the Commission en banc.**
- H. On the assignment/designation of PNP Directorial Staff, Regional Directors and NSU Directors, including their deputies, the same shall be reviewed and confirmed by the Commission, before the same is submitted to the President for approval.**
- I. The assignment, reassignment or transfer of all PNP officers other than those mentioned in Paragraph H above, with the rank of Senior Superintendent and higher, shall be subject to prior recommendation and/or approval by the Commission, copy furnished the Office of the President.**

All other NAPOLCOM issuances, or portions thereof, contrary to, or inconsistent with, this Circular are hereby modified or repealed accordingly.

This Memorandum Circular should take effect fifteen (15) days from date of filing with the UP Law Center in consonance with the Administration Code of 1987.

APPROVED, this 22nd day of May, 2001 at Makati City, Metro Manila, Philippines.


JOSE D. LIMA, JR.
Chairperson


EDGAR DULA TORRES
Commissioner


JOSE PERCIVAL A. ADIONG
Commissioner


ROGELIO A. PUREZA
Commissioner

LEANDRO R. MENDOZA
Commissioner

Attested by:


BERNARDO C. CALIBO
Commission Secretary