

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

MEMORANDUM CIRCULAR NO. 2002-002

CLARIFYING THE DELINEATION OF THE FUNCTIONS OF CHIEFS OF POLICE AND CITY/MUNICIPAL MAYORS AS DEPUTIES OF THE NATIONAL POLICE COMMISSION RELATIVE TO THE EXERCISE OF POWERS AND FUNCTIONS OVER PNP UNITS WITHIN THEIR JURISDICTION

WHEREAS, pursuant to the provisions of Section 51 of R.A. No. 6975, as amended, the City and Municipal Mayors are deputized as representatives of the National Police Commission in their respective jurisdictions;

WHEREAS, as deputies of the Commission, City and Municipal Mayors are vested with powers and functions of operational supervision and control, development and establishment of an integrated area/community public safety plan embracing priorities of action and program thrusts for implementation by the local PNP stations, administrative discipline, and other powers relating to police personnel management;

WHEREAS, while these delegated powers and functions are enumerated under Section 51 of R. A. No. 6975, as amended, Mayors do not fully exercise them in the absence of clear delineation and operational definition vis-à-vis the exercise of command, supervision and control powers by the Chief of Police;

NOW, THEREFORE, THE COMMISSION HAS RESOLVED TO PRESCRIBE, AS IT HEREBY PRESCRIBES the following:

- 1) On Operational Supervision and Control
  - a) City/Municipal Mayors exercise a higher level of operational supervision and control over police stations in their localities. As such, their activities to implement this function shall focus neither on the individual police personnel nor on police actions per se but rather on issuance of policies and guidelines to ensure public safety and effective maintenance of peace and order within the locality. They shall:
    - 1) Exercise operational supervision and control over the PNP unit in their respective jurisdictions, except during the thirty (30) day period immediately preceding and thirty (30) days following any national, local and barangay elections. During the said period, the local police force shall be under the supervision and control of the Commission on Elections.
    - 2) Prescribe general guidelines on the utilization of the members of the police station for maximum effectiveness. Along this line, the Mayors shall deal only with answers to *what*, *where*, and *why*.
    - 3) Issue directives for the conduct of police operations to stop illegal activities and neutralize criminal syndicates particularly on illegal gambling and drugs.

All orders of the Mayors shall be coursed through the Chief of Police in keeping the principle of Unity of Command.

- 4) Assess and evaluate the overall effectiveness of the police stations as well as the overall performance of the Chiefs of Police; such evaluation reports to be submitted to the Napolcom Regional Director, the PNP Provincial Director and the Provincial Governor.

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b) Chiefs of Police on the other hand, are vested with the power to direct the *tactical* and *strategic* movements, deployment, placement and/or specific assignment of individual police members, and the utilization of equipment, facilities and other resources of the police stations. They shall:

- 1) Prepare operational plans to implement directives of the Mayors relative to maintenance of public safety and peace and order, including the allocation of resources and assessment of specific police personnel to implement the plan; thus, the answer to *who* and *how* for particular police operations.
- 2) Submit to the Mayors after completion reports on special police operations conducted by them.
- 3) Submit to the Mayor, Napolcom Regional Director, PNP Provincial Director and Provincial Governor accomplishment report of his station.

## 2) Development and Establishment of an Integrated Area/Community Public Safety Plan

### a) City/Municipal Mayors

- 1) Develop and establish an integrated are/community public safety plan, in consultation with the local peace and order council thereat, embracing priorities of action and program thrusts for implementation by the concerned police station.
- 2) Regularly examine their environments particularly those relating to public safety and peace and order; and share and disseminate gathered information to the police force, through the COP.
- 3) Use gathered public safety and peace and order information in a directive way to draw forth and elicit general action by the police.
- 4) As chairperson of the local peace and order council, shall initiate the development and establishment of the Integrated Are/Community Public Safety Plan (IACPS) for implementation by the police in their locality.
- 5) Require submission by the COP periodic accomplishment reports and rendition of public safety and peace and order reports during CPOC/MPOC meetings.
- 6) Monitor status of implementation of IACPS.

### b) Chiefs of Police

- 1) Assist the Mayors in formulating and implementing the Integrated Area/Community Public Safety Plan and render periodic reports on status of the implementation of the plan's law enforcement component to the concerned city/municipal mayor, copy furnished the Napolcom Regional Director and the Police Provincial Director.
- 2) Make use of information shared by the Mayor in the formulation of police operations, programs and projects.
- 3) Submit periodic accomplishment reports to the Mayor and render public safety and peace and order reports during CPOC/MPOC meetings.

### 3) Disciplinary Powers

#### a) City/Municipal Mayors

Pursuant to Section 41 (a-2) of R.A. No. 6975, as implemented by Napolcom Memorandum Circular No. 91-008, impose the following sanctions for minor offenses involving citizen's complaint against erring members of the police station:

- withholding of privileges
- restriction to specified limits
- suspension or forfeiture of salary, or any combination thereof, for a period of not less than sixteen (16) days but not exceeding thirty (30) days

#### b) Chiefs of Police

Pursuant to Section 41 (b-1) of R.A. No. 6975, as implemented by Napolcom Memorandum Circular No. 96-010, impose administrative punishments for minor offenses involving citizen's complaint and breach of internal discipline committed by erring members of the police station:

- admonition or reprimand;
- restriction to specified limits;
- withholding of privileges
- forfeiture of salary or suspension, or any combination thereof, for a period not exceeding fifteen (15) days

### 4) Other Powers

#### a) City/Municipal Mayors

- 1) Choose the Chief of Police from a list of five eligibles recommended by the provincial police director, upon prior consultation with the Napolcom Regional Director concerned regarding the qualification of the candidates in relation to the standards prescribed by Section 34 of R.A. No. 6975 as amended by Section 22 of R.A. No. 8551, as well as their suitability for the position. Provided, however, that in no case shall an Officer-in-Charge be designated for more than thirty (30) days.
- 2) Through the City/Municipal Peace and Order Council (CPOC/MPOC) of which he is the chairperson, recommend the recall or reassignment of the Chief of Police (COP) if ineffective in combating crime or maintaining peace and order.
- 3) Recommend to the Provincial Police Director, through the Provincial Governor, the transfer, reassignment or detail of PNP members outside of their locality.
- 4) Recommend from a list of eligibles previously screened by the peace and order council the appointment of the new members of the PNP to be assigned in their respective municipalities without which no such appointments shall be attested; Provided, That whenever practicable and consistent with the requirements of the service, PNP members shall be assigned to the city or municipality of their residence.
- 5) Exercise control and supervision over anti-gambling operations within the locality.
- 6) Conduct inspection and audit of performance and facilities of police stations under their jurisdiction for the purpose of assessing their operational preparedness and effectiveness, and such other functions as maybe duly authorized by the Commission.

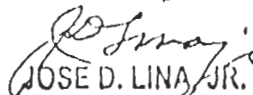
b) Chiefs of Police


- 1) Recommend to the PNP Provincial Director, through the Mayor, the transfer, reassignment or detail of PNP member outside of his city/municipality.
- 2) Forward to the Mayor all applications received by and/or filed with the police station for Initial appointment to the rank of Police Officer I, for the screening and evaluation of CPOC/MPOC of which the Mayor is the Chairperson.
- 3) Undertake campaign against illegal gambling operations as an inherent law enforcement function of the Chief of Police and/or as directed by the Mayor.
- 4) Inspect or cause to be inspected regularly all members of his police station, paying particular attention to morale of his men, attendance and discipline; all equipment relating to firepower, mobility, communication particularly on their serviceability and, ensure effectiveness, efficiency and economy in the utilization of the resources of the station.

All other Napolcom issuances or parts thereof which are inconsistent with, or contrary to, the provisions of this Circular are hereby repealed, amended or modified.

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

Approved this 12<sup>th</sup> day of April 2002 at Makati City.

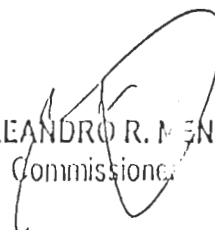
  
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Commissioner

  
PIDG LEANDRO R. MENDOZA  
Commissioner

Attested by:

  
REYNALDO JD CUADERNO  
Deputy Executive Director IV