



Republic of the Philippines  
 Department of the Interior and Local Government  
**NATIONAL POLICE COMMISSION**  
 ALCO Building  
 391 Sen. Gil J. Puyat Avenue  
 Makati, Metro Manila



MEMORANDUM CIRCULAR NO. 95-06

SUBJECT : GUIDELINES FOR THE OBSERVANCE OF OFFICERS AND MEMBERS OF THE PHILIPPINE NATIONAL POLICE IN CONNECTION WITH THE FORTHCOMING NATIONAL AND LOCAL ELECTIONS ON MAY 8, 1995, PURSUANT TO COMELEC RESOLUTION NO. 2739 DATED JANUARY 3, 1995.

TO : PNP Director General  
 PNP Regional Directors/Equivalent Supervisors  
 PNP Provincial Directors/Equivalent Supervisors  
 Chief of Police/Equivalent Supervisors

By virtue of the Commission of Elections Resolution No. 2739 promulgated on January 3, 1995, deputizing among others, the Philippine National Police and the Director General PNP, to assist the COMELEC in its constitutional function of ensuring the holding of free, orderly, honest, peaceful and credible elections on May 8, 1995, the National Police Commission in the exercise of its constitutional and statutory mandate to administer and control the PNP hereby directs the strict observance of the duties and functions reposed to them under number 4 of said Resolution, which are quoted hereunder, to wit:

**"4. PHILIPPINE NATIONAL POLICE"**

4.1 The Director General of the Philippine National Police, is hereby deputized in connection with the May 8, 1995 elections, and as such is directed to:

1. Effect no changes, during the election period, in assignments of regional, district, provincial, city and municipal unit commanders and all PNP personnel under his command without the prior written permission of the Commission:
2. Bring to the attention of each and every member of the Philippine National Police, the following basic considerations:

- a. The conduct of the registration of voters and the elections are purely civil processes and an absolutely civilian affair which requires the least intervention possible from the armed forces, provincial, district, city or municipal police forces and agencies: and
  - b. Orders issued by the Commission in connection with the registration of voters and the elections shall take precedence over and above the orders and directives issued by any other office or agency of the government: Provided, That nothing herein contained shall be construed as in any manner affecting or constituting an impairment of the constitutional powers of the President on the general peace-keeping functions of the Philippine National Police.
3. To direct the officers and enlisted personnel under his command to strictly observe the following duties and functions:
- 1) Provide security to any polling place, the members of the boards of election inspectors and the voters whenever the need therefor arises, or whenever the Commission through its election officers or election law enforcement teams so requires;
  - 2) Provide security to Comelec personnel and representatives performing duties and functions in connection with the registration of voters and the elections whenever a request to this effect is made or when required by the Commission;
  - 3) Take steps and measures to protect voters from threats, intimidation, coercion, harassment or reprisal;
  - 4) Enforce the provisions of Section 261 of the Omnibus Election Code on the following prohibited acts:

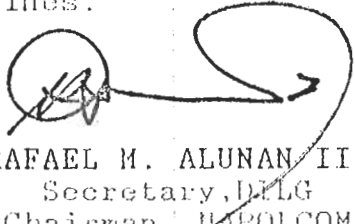
- a. Paragraph (m) on appointment or use of special policemen, special agents, confidential agents or the like;
  - b. Paragraph (p) on deadly weapons;
  - c. Paragraph (q) on carrying firearms outside residence or place of business;
  - d. Paragraph (r) on the use of armored, land, water or aircraft;
  - e. Paragraph (s), amended by Section 32 of Republic Act No. 7166, on wearing of uniforms and bearing of arms;
  - f. Paragraph (t), as amended by Section 33 of Republic Act No. 7166 on policemen and provincial guards acting as bodyguards or security guards;
  - g. Paragraph (u) on reaction, strike forces or similar forces; and
  - h. Ban on dispensing, selling and taking of intoxicating liquor.
- 5) Take effective measures to prevent members of CAFGUs, civilian vigilant units and barangay tanods from engaging in partisan political activities or any act of terrorism, intimidation, coercion, harrasment, or reprisal;
- 6) Take steps and measures to prevent private security agencies from being converted into private armies of any candidate, political party, organization or coalition, campaigners for terroristic or violent acts against persons applying for registration and voters on election day;

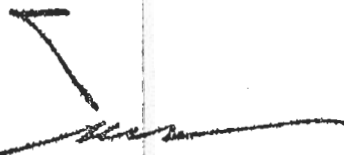
- 7) Implement strictly the rules and regulations promulgated by the Commission in the provinces, cities and municipalities therein which may be placed under COMELEC control and to coordinate with the COMELEC Election Law Enforcement Team therein;
- 8) Enforce specific orders of the Commission to confiscate or tear down prohibited election propaganda or advertisement;
- 9) Perform such other functions and duties or implement such other directives as the Commission may issue from time to time; and
- 10) Render periodic reports on actions taken in accordance with this deputation."

In addition to the foregoing, any member of the PNP who refuses or neglects to comply with, and observe any, or all of the duties and functions assigned to him/her as COMELEC representative shall be prosecuted immediately, either criminally and/or administratively. Further, the Commanding Officer of the erring police personnel shall likewise incur administrative liability for negligence based on the principle of Command Responsibility if it is shown that he had knowledge of the infraction and failed to take corrective measure therefor. The hearing of all administrative cases which may be filed against any policeman arising out of any violation of this Memorandum Circular shall be given top priority.

This Memorandum Circular shall take effect immediately.

ISSUED this 20th day of February 1995, at Makati, Metro Manila, Philippines.

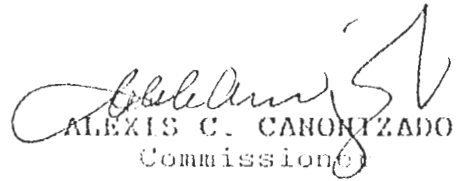
  
RAFAEL M. ALUNAN III  
Secretary, DILG  
Chairman, NAPOLCOM



GUILLERMO P. ENRIQUEZ, JR.  
Commissioner  
Vice-Chairman/Executive Officer

*(Commissioner abroad)*

EDGAR DULA TORRES  
Commissioner



ALEXIS C. CANONIZADO  
Commissioner

Attested by:



REYNALDO JD CUADERNO  
Deputy Executive Director IV

FN: NLELECT  
LAS/RLC  
RCH/2/6/95

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