



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 – 001

PRESCRIBING GUIDELINES ON THE INTERRUPTION OF THE REGLEMENTARY PERIODS AND SUSPENSION OF CERTAIN PROCEEDINGS IN NAPOLCOM MEMORANDUM CIRCULAR NO. 2016-002, ENTITLED: *REVISED RULES OF PROCEDURE BEFORE THE ADMINISTRATIVE DISCIPLINARY AUTHORITIES AND THE INTERNAL AFFAIRS SERVICE OF THE PHILIPPINE NATIONAL POLICE*

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*), provides for the administrative disciplinary mechanisms for, and enumerates the disciplinary authorities over, members of the Philippine National Police (PNP);

WHEREAS, in the exercise of its constitutional and statutory authority, the National Police Commission (NAPOLCOM) has been issuing the corresponding circulars prescribing the rules of procedure governing proceedings in administrative cases against erring members of the PNP, the latest of which is NAPOLCOM Memorandum Circular No. 2016-002 (NAPOLCOM M.C. 2016-002);

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;

NAPOLCOM Memorandum Circular No. **2020** – 001
**PRESCRIBING GUIDELINES ON THE INTERRUPTION
OF THE REGLEMENTARY PERIODS AND
SUSPENSION OF CERTAIN PROCEEDINGS IN
NAPOLCOM MEMORANDUM CIRCULAR NO. 2016-
002, ENTITLED: REVISED RULES OF PROCEDURE
BEFORE THE ADMINISTRATIVE DISCIPLINARY
AUTHORITIES AND THE INTERNAL AFFAIRS
SERVICE OF THE PHILIPPINE NATIONAL POLICE**

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 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

NAPOLCOM Memorandum Circular No. **2020** – 001
**PRESCRIBING GUIDELINES ON THE INTERRUPTION
OF THE REGLEMENTARY PERIODS AND
SUSPENSION OF CERTAIN PROCEEDINGS IN
NAPOLCOM MEMORANDUM CIRCULAR NO. 2016-
002, ENTITLED: REVISED RULES OF PROCEDURE
BEFORE THE ADMINISTRATIVE DISCIPLINARY
AUTHORITIES AND THE INTERNAL AFFAIRS
SERVICE OF THE PHILIPPINE NATIONAL POLICE**

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 all proceedings governed by NAPOLCOM M.C. 2016-002, otherwise known as the *Revised Rules of Procedure Before the Administrative Disciplinary Authorities and the Internal Affairs Service (IAS) of the Philippine National Police*, to wit: Summary Dismissal Cases, Cases for Breach of Internal Discipline, Citizen's Complaint Cases, and Appeals (SBCA).

SECTION 2. Interruption of the Periods in NAPOLCOM M.C. 2016-002. – Owing to physical restrictions, mobility limitations, and work suspensions in the executive branch of government, the reglementary periods provided in NAPOLCOM M.C. 2016-002 for actions in SBCA are hereby interrupted for the period of 17 March 2020 until 31 May 2020. Likewise, the periods provided in NAPOLCOM M.C. 2016-002 with respect to the actions and submissions required of the

Disciplinary Authorities and their duly authorized officials are also deemed interrupted for the said period.

Said interruption shall not, however, be understood as to cause the cessation of administrative proceedings against uniformed members of the PNP as governed by NAPOLCOM M.C. 2016-002. In this regard, administrative proceedings commenced and/or concluded in SBCA during the period of 17 March 2020 until 15 June 2020 shall remain valid and binding.

Compliance with the reglementary periods in NAPOLCOM M.C. 2016-002 shall commence on 16 June 2020, subject to the additional guidelines prescribed in the succeeding sections.

SECTION 3. *Proceedings under NAPOLCOM M.C. 2016-002 in the New Normal.* – In compliance with the guidelines prescribed in IATF Resolution No. 30 dated 29 April 2020, as amended by IATF Resolution No. 37 dated 15 May 2020, or the *OMNIBUS GUIDELINES ON THE IMPLEMENTATION OF COMMUNITY QUARANTINE IN THE PHILIPPINES*, as adopted in E.O. No. 112, the following guidelines are hereby prescribed in proceedings governed by NAPOLCOM M.C. 2016-002:

Section 3.1. *Filing through electronic mail.* To ensure the continuity of proceedings governed by NAPOLCOM M.C. 2016-002 in the “New Normal,” the filing through electronic mail (e-mail) of Complaints, Affidavits, Counter-Affidavits, Pleadings, Motions, Position Papers, and other Communications in Summary Dismissal Cases, Cases for Breach of Internal Discipline, and Citizen’s Complaint Cases (SBC) may be resorted to, in addition to the existing modes of filing prescribed in NAPOLCOM M.C. 2016-002.

In this regard, it shall be the duty of the Disciplinary Authority concerned, or its duly authorized official, to create within forty-eight (48) hours from issuance of this Memorandum Circular, their dedicated and official e-mail address/es to which electronic transmission shall be made by the parties concerned.

The Disciplinary Authority concerned shall forthwith disseminate to the public, in a clear and consistent manner, said e-mail address/es for easy and continued reference.

Section 3.2. *Actions on communications in SBC received through e-mail.* The Disciplinary Authority concerned, or its duly authorized official, shall check on an hourly basis their official e-mail address/es. If in receipt of a new Complaint, Affidavit, Counter-Affidavit, Pleading, Motion, Position Paper, or other Communications in SBC, it shall be the duty of the Disciplinary Authority’s duly authorized official to reply to the

NAPOLCOM Memorandum Circular No. 2020 –001
PRESCRIBING GUIDELINES ON THE INTERRUPTION
OF THE REGLEMENTARY PERIODS AND
SUSPENSION OF CERTAIN PROCEEDINGS IN
NAPOLCOM MEMORANDUM CIRCULAR NO. 2016-
002, ENTITLED: REVISED RULES OF PROCEDURE
BEFORE THE ADMINISTRATIVE DISCIPLINARY
AUTHORITIES AND THE INTERNAL AFFAIRS
SERVICE OF THE PHILIPPINE NATIONAL POLICE

sender of the communication, acknowledging receipt of the communication, the documents forming part of the communication, and the total number of pages of said communication.

In addition, for communications in SBC requiring certain contents, requirements, or solemnities prescribed under NAPOLCOM M.C. 2016-002, it shall be the duty of the Disciplinary Authority or its duly authorized official to inform the sender of the Communication as to its conformity with prescribed contents, requirements, or solemnities. If not conforming, he/she shall forthwith inform the sender of the deficiency/ies of the sent Communication and allow the sender the opportunity to supply the missing content/s, and/or comply with the requirements/solemnities under NAPOLCOM M.C. 2016-002 within a period of seventy-two (72) hours.

A newly-filed administrative complaint, compliant with the requirements prescribed in NAPOLCOM M.C. 2016-002, must be printed immediately by the Disciplinary Authority's duly authorized official and recorded in its official docket book prior to initial evaluation thereof.

Further, for purposes of establishing the metrics of the efficacy of herein guidelines, administrative cases initiated through electronic filing shall be recorded in a separate docket book dedicated to administrative complaints commenced through email.

Section 3.3. *Application to pending cases.* For pending cases, or those for which a Formal Charge has already been issued against a respondent, it shall be the duty of the Disciplinary Authority concerned, or its duly authorized official, to inform the parties of the herein guidelines authorizing the filing of Communications through e-mail and to ask them whether they intend to avail of said mode of filing. If in the affirmative, the abovementioned actions shall be required to be performed by the Disciplinary Authority or its duly authorized representative, with the exception of having the case recorded in a separate docket book dedicated to complaints initiated through e-mail.

Section 3.4. *Suspension of personal appearance/attendance.* All stages of proceedings in Summary Dismissal Cases, Cases for Breach of Internal Discipline, and Citizen's Complaints Cases requiring the personal appearance/attendance of any party thereto shall be suspended. Instead, videoconferencing or other similar modes of communication dispensing with physical face-to-face interaction shall be adopted. The Disciplinary Authority concerned, or its duly authorized official, shall ensure appropriate recording of the proceedings, and accessibility of the

NAPOLCOM Memorandum Circular No. 2020 – 001
PRESCRIBING GUIDELINES ON THE INTERRUPTION
OF THE REGLEMENTARY PERIODS AND
SUSPENSION OF CERTAIN PROCEEDINGS IN
NAPOLCOM MEMORANDUM CIRCULAR NO. 2016-
002, ENTITLED: REVISED RULES OF PROCEDURE
BEFORE THE ADMINISTRATIVE DISCIPLINARY
AUTHORITIES AND THE INTERNAL AFFAIRS
SERVICE OF THE PHILIPPINE NATIONAL POLICE

recorded proceedings, to the parties. The proceedings shall, in addition to being transcribed as required in NAPOLCOM M.C. 2016-002, be copied in a compact disc (CD) or USB flash drive and said storage device shall likewise form part of the records of the case.

In cases where videoconferencing may not be resorted to, the proceedings in Summary Dismissal Cases, Cases for Breach of Internal Discipline, and Citizen's Complaints Cases requiring the personal appearance/ attendance of any party shall proceed in accordance with the provisions of NAPOLCOM M.C. 2016-002, 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 3.5. *Service through courier or e-mail.* As far as practicable, service to the parties of Processes in Summary Dismissal Cases, Cases for Breach of Internal Discipline, and Citizen's Complaints Cases (SBC) shall be made either through personal service or through registered mail. In addition, service via courier is hereby permitted, with the understanding that for Processes in SBC sent through courier, the date of actual receipt thereof by the intended recipient shall be considered as the date of service.

A party who intends to be served with Processes in SBC via e-mail shall submit a written request, under oath, to the Disciplinary Authority stating such fact. Under said oath, the party shall forthwith provide the e-mail address to which the Processes in SBC shall be served. For parties 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 in SBC" shall include notices, summons, subpoenas, or such other interlocutory orders or directives of the Disciplinary Authority or its duly authorized official in furtherance of the proceedings but without disposing of the case on its merits.

Section 3.6. *Format of communications transmitted through e-mail.* All Complaints, Affidavits, Counter-Affidavits, Pleadings, Motions, Position Papers, other Communications, as well as all Processes in SBC,

NAPOLCOM Memorandum Circular No. 2020 – 001
*PRESCRIBING GUIDELINES ON THE INTERRUPTION
OF THE REGLEMENTARY PERIODS AND
SUSPENSION OF CERTAIN PROCEEDINGS IN
NAPOLCOM MEMORANDUM CIRCULAR NO. 2016-
002, ENTITLED: REVISED RULES OF PROCEDURE
BEFORE THE ADMINISTRATIVE DISCIPLINARY
AUTHORITIES AND THE INTERNAL AFFAIRS
SERVICE OF THE PHILIPPINE NATIONAL POLICE*

including their attachments, to be transmitted through e-mail must be in Portable Document Format (PDF). Pieces of evidence for attachment to Communications in SBC, or attachments in Processes to be sent, which are not documentary in nature shall be photographed and converted into PDF.

SECTION 4. Confidentiality. – The Disciplinary Authority concerned, and its duly authorized official, who receives the Communications in SBC shall not use or convey the same except for the purpose/s for which the communication was sent. Thus, it shall be the duty of the Disciplinary Authority or its duly authorized official to inform the parties intending to send Communications in SBCA through e-mail to include a confidentiality notice worded as follows:

The e-mail message and all attachments that may have been transmitted with it are intended solely for the use of the addressee and may contain legally privileged and confidential information. If you are not the intended recipient, or an employee or agent responsible for delivering the message to him/her, you are hereby notified that any dissemination, distribution, copying, or other use of the message, its attachments or any portions thereof, is strictly prohibited. If you have received this message erroneously, kindly notify the sender immediately by replying to this message and deleting the same from your computer.

SECTION 5. Review and Recommendation. – These guidelines, issued in compliance to the issuances by the Chief Executive that were promulgated in response to the present State of Calamity and State of Public Health Emergency, may be revised at any time should prevailing circumstances change. Thus, in order to help the Commission monitor the efficacy of these guidelines and identify appropriate improvements/interventions thereon, the Disciplinary Authorities defined in NAPOLCOM M.C. 2016-002 and for whose guidance these guidelines are being issued, are hereby required to submit to the Commission *En Banc*, through the Office of the Vice Chairman and Executive Officer, appropriate reports on the implementation of these guidelines and their recommendations thereon, if any. For the NAPOLCOM, said submission shall be complied with by its Regional Offices every 5th day of the month.

SECTION 6. Retroactive Application. – The interruption of periods prescribed in Section 2 of these Guidelines shall commence retroactively from 17 March 2020.

SECTION 7. Separability Clause. – Should any provision of this Memorandum Circular be declared invalid or unconstitutional, the other provisions unaffected thereby shall remain valid and subsisting.

NAPOLCOM Memorandum Circular No. 2020 – 001
PRESCRIBING GUIDELINES ON THE INTERRUPTION
OF THE REGLEMENTARY PERIODS AND
SUSPENSION OF CERTAIN PROCEEDINGS IN
NAPOLCOM MEMORANDUM CIRCULAR NO. 2016-
002, ENTITLED: REVISED RULES OF PROCEDURE
BEFORE THE ADMINISTRATIVE DISCIPLINARY
AUTHORITIES AND THE INTERNAL AFFAIRS
SERVICE OF THE PHILIPPINE NATIONAL POLICE

SECTION 8. *Repealing Clause.* – The provisions of NAPOLCOM Memorandum Circular No. 2016-002 which are inconsistent with any of the provisions of this Memorandum Circular are hereby repealed or modified accordingly.

SECTION 9. *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*.

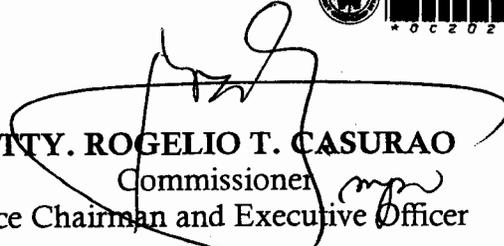
RESOLVED FURTHER that the duration and effectiveness of these Guidelines shall be without prejudice to future directives or orders to be issued by the Inter-Agency Task Force for the Management of Emerging Infectious Diseases (IATF) or the Office of the President, pursuant to Republic Act No. 11469 or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



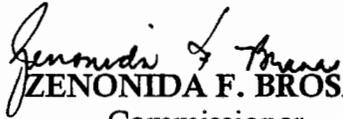

ATTY. ROGELIO T. CASURAO
Commissioner
Vice Chairman and Executive Officer


FELIZARDO M. SERAPIO, JR.
Commissioner


ATTY. JOB M. MANGENTE
Commissioner

NAPOLCOM Memorandum Circular No. 2020 – 001

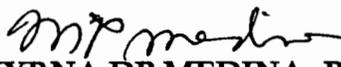
PRESCRIBING GUIDELINES ON THE INTERRUPTION
OF THE REGLEMENTARY PERIODS AND
SUSPENSION OF CERTAIN PROCEEDINGS IN
NAPOLCOM MEMORANDUM CIRCULAR NO. 2016-
002, ENTITLED: REVISED RULES OF PROCEDURE
BEFORE THE ADMINISTRATIVE DISCIPLINARY
AUTHORITIES AND THE INTERNAL AFFAIRS
SERVICE OF THE PHILIPPINE NATIONAL POLICE *mpm*


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