

# [ PRESIDENTIAL DECREE NO. 1952, September 05, 1984 ]

## **AMENDING SECTION ONE OF PRESIDENTIAL DECREE NO. 1850, ENTITLED, "PROVIDING FOR THE TRIAL BY COURTS-MARTIAL OF MEMBERS OF THE INTEGRATED NATIONAL POLICE AND FURTHER DEFINING THE JURISDICTION OF COURTS-MARTIAL OVER MEMBERS OF THE ARMED FORCES OF THE PHILIPPINES".**

**WHEREAS**, under existing laws, members of the Armed Forces of the Philippines and the Integrated National Police accused of any crime or offense are triable only in the appropriate courts-martial;

**WHEREAS**, it may be necessary in certain cases, in the interest of justice, for the President of the Philippines to waive court-martial jurisdiction.

**NOW, THEREFORE, I, FERDINAND E. MARCOS**, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order and decree:

**SECTION 1.** Section 1 of Presidential Decree No. 1850 is hereby amended to read as follows:

"Section 1. Court Martial Jurisdiction over Integrated National Police and Members of the Armed Forces. Any provision of law to the contrary notwithstanding— (a) uniformed members of the Integrated National Police who commit any crime or offense cognizable by the civil courts shall henceforth be exclusively tried by courts-martial pursuant to and in accordance with Commonwealth Act No. 408, as amended, otherwise known as the Articles of War; (b) all persons subject to military law under Article 2 of the aforementioned Articles of War who commit any crime or offense shall be exclusively tried by courts-martial or their case disposed of under the said Articles of War; *Provided*, that, in either of the aforementioned situations, the case shall be disposed of or tried by the proper civil or judicial authorities when court-martial jurisdiction over the offense has prescribed under Article 38 of Commonwealth Act Numbered 408, as amended, or court-martial jurisdiction over the person of the accused military or Integrated National Police personnel can no longer be exercised by virtue of their separation from the active service without jurisdiction having duly attached beforehand unless otherwise *provided* by law: **PROVIDED FURTHER, THAT THE PRESIDENT MAY, IN THE INTEREST OF JUSTICE, ORDER OR DIRECT, AT ANY TIME BEFORE ARRAIGNMENT, THAT A PARTICULAR CASE BE TRIED BY THE APPROPRIATE CIVIL COURT.**

As used herein, the term uniformed members of the Integrated National Police shall refer to police officers, policemen, firemen and jail guards."

**SEC. 2.** This Decree shall take effect immediately.

Done in the City of Manila this 5th day of September, in the year of Our Lord, nineteen hundred and eighty-four.

**(Sgd.) FERDINAND E.  
MARCOS**