

[**PRESIDENTIAL DECREE NO. 12-B, October 28, 1972**]

AMENDING PARAGRAPHS ONE, TWO, AND FIVE OF PRESIDENTIAL DECREE NO. 12-A

WHEREAS, Presidential Decree No. 12, dated October 3, 1972, and Presidential Decree No. 12-A, dated October 4, 1972, were issued in order to facilitate and hasten the weeding out of criminal and lawless elements among members of city and municipal police forces throughout the country and to inculcate a sense of discipline among them, by establishing an effective disciplinary machinery for members of local police agencies;

WHEREAS, to accelerate the attainment of the foregoing objectives, it is necessary that a summary procedure be established for the expeditious termination of cases affecting policemen;

NOW, THEREFORE, I, FERDINAND E. MARCOS, Commander-in-Chief of all the Armed Forces of the Philippines, and pursuant to Proclamation No. 1081, dated September 21, 1972, do hereby order and decree that:

1. Paragraph 1 of Presidential Decree No. 12-A is hereby amended to read as follows:

"1. When an administrative charge is Filed under oath against any member of the local police agency, the Board of Investigators as organized under Presidential Decree No. 12, dated October 3, 1972, shall, within three (3) days from receipt thereof, conduct a preliminary inquiry, and should the Board of Investigators find reasonable ground to believe that the respondent is probably guilty of a grave offense, the Board shall immediately suspend the respondent, such suspension to last until final disposition of the administrative case, unless sooner lifted, provided that the Board shall forthwith recommend to the Police Commission that respondent be summarily removed or dismissed in the following cases:

"a) When the respondent is a recidivist or has been repeatedly charged; or

"b) When the respondent is notoriously undesirable on the ground of dishonesty, incompetence, or other kind of misconduct which is of common public knowledge.

"The same procedure shall apply to all pending administrative cases absorbed by the newly created Board of Investigators under Presidential Decree No. 12."

2. Paragraph 2 of the same Decree is hereby amended to read as follows:

"2. Administrative cases against members of the police force now pending decision before the Police Commission shall immediately be evaluated by the Adjudication Board and should the Board find that the offense is grave and the evidence of guilt against the respondent is strong, it shall suspend him immediately, such suspension to last until the Board has promulgated the appropriate decision on the case, provided that it may recommend to the