

[PNP Memorandum Circular No. 2015-008, April 06, 2015]

GUIDELINES IN THE ISSUANCE OF MISSION OR LETTER ORDERS BY HEADS OF LAW ENFORCEMENT AGENCIES

*Adopted: 06 April 2015
Date Filed: 28 April 2015*

1. REFERENCES

- a. Republic Act No. 10591 titled: "An Act Providing for a Comprehensive Law on Firearms and Ammunition and Providing Penalties for Violation Thereof" otherwise known as the "Comprehensive Firearms and Ammunition Regulation Act" dated May 29, 2013; and
- b. Implementing Rules and Regulations of RA No. 10591.

2. SCOPE:

This PNP Memorandum Circular applies to law enforcement agencies, government guard units, and member-agencies of the National Law Enforcement Coordinating Committee (NALECC) including other Law Enforcement Agencies (LEAs) that may be created in the future and which may be authorized by the Philippine National Police in its capacity as the agency mandated to issue licenses for the possession of firearms and explosives in accordance with law, under Section 24f of R.A. No. 6975 as amended, and under Section 44 of R.A. 10591.

3. PURPOSE:

This PNP Memorandum Circular establishes the policies, guidelines, and procedures governing the issuance of Mission or Letter Orders (MOs/LOs) by heads of LEAs pursuant to Sections 7.10, 7.11, 7.12, 7.13, and 7.14 of the IRR of RA 10591 in fulfillment of the State Policy enshrined under Section 2 of RA No. 10591 which provides:

“ It is the policy of the State to maintain peace and order and protect the people from violence. The State also recognizes the right of its qualified citizens to self-defense through, when it is the reasonable means to repel unlawful aggression under the circumstances, the use of firearms. Towards this end, the State shall provide for a comprehensive law regulating ownership, possession, carrying, manufacture, dealing in and importation of firearms, ammunition or parts thereof, in order to **provide legal support to law enforcement agencies in their campaign**

against crime, stop the proliferation of illegal firearms or weapons and the illegal manufacture of firearms or weapons, ammunition and parts thereof." (emphasis supplied).

4. POLICIES:

- a. MO/LO shall only be issued to a regular public officer or employee of a LEA of the government who has a plantilla position in the performance of his law enforcement functions and duties;
- b. Substitution of the firearms previously assigned to a public officer or employee to another public officer or employee is not allowed; and
- c. The head of agency of an authorized LEA shall be responsible for the timely submission of firearms status and monitoring report on a quarterly, semi-annually and annually to the C, PNP (Attn: C, FEO).

5. GUIDELINES:

- a. MO/LO shall only be issued by the authorized Head of Office indicated in paragraph 5f and 5g of this circular and the scope shall only be within the jurisdiction of the issuing Authority.
- b. Only regular public officers or employees of a LEA indicated in paragraphs 5f and 5g of this circular who have been issued with Licenses to Own and Possess Firearms (LTOFP) as mandated by RA No. 10591 and its IRR are qualified to be issued MOs/LOs by respective Heads of Offices.
- c. When required by proper authorities, MO/LO shall be shown on demand without resentment to avoid misunderstanding.
- d. The duration of the MO/LO shall have a maximum validity of one (1) month.

The term "**duty**" as used herein means a task or function that requires the use of government issued firearm to insure its accomplishment. This includes, but shall not be limited to: guarding or participation in training, combat, police, intelligence and security operations; detail as participants in parade and ceremonies and the like. The authority to carry government issued firearm in the above instances shall apply not only in the specific place of duty but also from the camps, barracks, quarters or assembly area of such personnel to the place of duty and back.

The term "**official mission**" shall refer to a task that requires the personnel concerned to go out of his official station for its accomplishment.

e. Manner of Carrying Firearms:

- 1) As general rule, government issued firearms or personally owned firearms registered in the Firearms Information Management System (FIMS) of FEO covered by MOs/LOs shall be carried only by regular public officer or employee of Law Enforcement Agency

- wearing an agency prescribed or proper uniform while in the actual performance of their law enforcement duty or official mission;
- 2) A regular public officer or employee of LEA in an agency prescribed or proper uniform covered by MO/LO shall place his government-issued firearms or personally-owned firearms registered in the FIMS in a holster securely attached to the belt, except that military pilots in flying uniforms and crew of armored vehicles may carry their firearms in shoulder holster;
 - 3) A regular public officer or employee of a LEA in agency prescribed or proper uniform but without holster and those in civilian clothes who are issued MOs/LOs shall ensure that respective firearms are concealed unless in actual use for a legitimate purpose;
 - 4) The practice of flagrantly displaying a firearm or tucking it at the waist while wearing an agency prescribed/proper uniform, or in civilian attire is prohibited; and
 - 5) Only firearms specifically described in the MO/LO shall be carried.

f. Limitations and Restrictions:

- 1) Those who were issued MOs/LOs shall not bring respective government issued firearms or personally-owned firearms registered in the FIMS as indicated in respective MOs/LOs while inside the public drinking places, cabarets, public dance halls, places of worship and other commercial and public establishment, public amusement places or attending civic, political and religious rallies and meetings except while in the actual performance of law enforcement duty or official mission;
- 2) Carrying of long firearms (small or light weapon) is strictly prohibited in Metro Manila, chartered cities, provincial capitals, and other thickly populated areas or in fiestas or other large gatherings except when called for actual performance of law enforcement duty or official mission; and
- 3) Authorized regular public officer or employee of a LEA who is issued MO/LO is not allowed to carry firearms outside of residence except while in the actual performance of duty or official mission.

g. Authority to Issue Mission Order Involving the Carrying of Firearm

The following are authorized to issue MO/LO with provisions which may entitle the bearer thereof to carry his government issued firearm and ammunition for the duration of such mission:

- 1) For officers, men, and regular civilian agents of the Armed Forces of the Philippines (AFP):
 - a) The Chief of Staff, AFP;
 - b) Chiefs of the General/Special/Technical and Personal Staffs;
 - c) Commanders of the AFP Major Services including the Chiefs of respective General/Special/Technical and Personal Staffs;
 - d) Commanders and Chiefs of Staffs of AFPWSSUs and Commands/Units of the AFP and Major Services;
 - e) Commanders of the Battalions and Higher Units and their