

**[NPC MEMORANDUM CIRCULAR NO. 2004-005,
June 24, 2004]**

**AMENDING NAPOLCOM MEMORANDUM CIRCULAR NO. 2001-009
ENTITLED: "STRENGTHENING THE ADMINISTRATIVE
DISCIPLINARY FUNCTIONS OF THE COMMISSION BY
AUTHORIZING ITS REGIONAL DIRECTORS AND ACTING
REGIONAL DIRECTORS TO EXERCISE SUMMARY DISMISSAL
POWERS OVER MEMBERS OF THE PHILIPPINE NATIONAL POLICE
IN THEIR RESPECTIVE REGIONS AND PRESCRIBING THE RULES
TO GOVERN THE SAME"**

WHEREAS, pursuant to Section 53 of RA No. 8551 the Commission is granted summary dismissal powers over any respondent-member of the PNP, in any of the following cases:

- a. when the charge is serious and the evidence of guilt is strong;
- b. when the respondent is a recidivist or has been repeatedly charged and there are reasonable grounds to believe that he is guilty of the charges;
- c. when the respondent is guilty of a serious offense involving conduct unbecoming of a police officer; and
- d. when the respondent is on absence without official leave for a continuous period of thirty (30) days or more;

WHEREAS, in the interest of justice the Commission issued Memorandum Circular No. 2001-009 authorizing its Regional Directors and acting Regional Directors to exercise summary dismissal powers over members of the PNP with the end in view of facilitating a prompt and speedy resolution of cases filed before it;

WHEREAS, after a punctilious study on such grant, the Commission is inclined to withdraw such authority and instead to limit the same to the conduct of pre-charge investigation and formal hearing;

NOW, THEREFORE, the Commission in the exercise of its legislative fiat has resolved to amend as it hereby amends Napolcom Memorandum Circular No. 2001-009 entitled "Strengthening the Administrative Disciplinary Functions Of The Commission By Authorizing Its Regional Directors and Acting Regional Directors To Exercise Summary Dismissal Powers Over Members Of The Philippine National Police In Their Respective Regions And Prescribing The Rules To Govern the Same" and instead authorizing its RDs and ARDs to conduct pre-charge investigation and formal hearing of complaints filed against uniformed members of the PNP within their respective regions in accordance with the following rules and regulations: