

# **[ GENERAL ORDER NO. 60, June 24, 1977 ]**

## **FURTHER AMENDING GENERAL ORDER NO. 2**

WHEREAS, since the proclamation of martial law on September 21, 1972, the Secretary of National Defense has been authorized to order the arrest of individuals and their detention for the offenses enumerated in General Order No. 2, dated September 22, 1972, and its amendments;

WHEREAS, it is necessary that the military authorities should be able to better concentrate their efforts and attention on their primary functions;

WHEREAS, it is believed now appropriate to limit the authority of the Secretary of National Defense to issue arrest, search and seizure order, as a rule, to offenses falling within the exclusive jurisdiction of military tribunals.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers in me vested by the Constitution, do hereby decree the following as part of the law of the land:

SECTION 1. The authority of the Secretary of National Defense to effect, upon probable cause, the arrest, detention, search and seizure of persons and/or things thru an arrest, search and seizure order, commonly known as ASSO, shall henceforth be limited, generally, to offenses over which the military tribunals have exclusive jurisdiction as redefined in General Order No. 59 dated June 24, 1977.

SECTION 2. The Secretary of National Defense may, for such limited period as may be determined by him, and with the approval of the President, authorize other responsible officials of the Department of National Defense or officers of the Armed Forces of the Philippines to exercise the authority conferred upon him under Section 1 hereof. The issuance, execution and return of ASSOs issued by such other officials/officers shall be under the supervision and control of the Secretary of National Defense.

SECTION 3. Notwithstanding the provisions of Section 1 hereof, the Secretary of National Defense may cause the arrest and detention of persons or the search of places, persons, papers or effects, or the seizure of things, for crimes which although not cognizable by the military tribunals likewise have the effect of undermining national security or public order as determined by him.

SECTION 4. Persons arrested by virtue of an ASSO issued under this General Order shall be kept in detention until otherwise ordered released by me or the Secretary of National Defense who may delegate his authority to release the persons so arrested under such rules and regulations as he may prescribe.

SECTION 5. Nothing in this Order shall operate to invalidate ASSOs previously issued by me or by the Secretary of National Defense. Under such rules and regulations that the Secretary of National Defense shall promulgate, the custody and disposition of the persons arrested and detained by virtue thereof shall be transferred to the proper civil courts if the offenses for which they were arrested pertain to the jurisdiction of the latter, pursuant to the provisions of General Order