



MEMORANDUM CIRCULAR NO. 2023- 003

**AMENDING SECTION 1 (J), RULE 2 OF MEMORANDUM CIRCULAR NO. 2016-002,
ENTITLED: "REVISED RULES OF PROCEDURE BEFORE THE ADMINISTRATIVE
DISCIPLINARY AUTHORITIES AND THE INTERNAL AFFAIRS SERVICE OF THE
PHILIPPINE NATIONAL POLICE, TO INCLUDE SPECIAL ACTION FORCE (SAF)
BATTALION COMMANDER AND COMPANY COMMANDER
AS EQUIVALENT SUPERVISOR POSITION**

WHEREAS, Section 6 Article XVI of the Philippine Constitution and Section 14(a) of Republic Act No. 6975¹, as amended by Section 5 of Republic Act (R.A.) No. 8551², provide that the Philippine National Police (PNP) shall be administered and controlled by the National Police Commission (NAPOLCOM);

WHEREAS, the Commission, pursuant to Section 52(b) of R.A. 8551, issued Memorandum Circular No. 2016-002³ which provides for the equivalent supervisors of the duly designated supervisors of the PNP who shall, after due notice and summary hearing, exercise disciplinary powers, as follows:

"Section 1 (j), Rule 2 of MC No. 2016-002, provides:

- j) Equivalent Supervisors - PNP Officers occupying positions/designations equivalent to that of Chief of Police, Provincial Director and Regional Director who are vested with disciplinary authority over personnel of their respective offices, charged with minor offenses involving breach of internal discipline as provided under Section 41 (b) of R.A. 6975, as amended:

For purposes of these Rules, the following are considered equivalent supervisors:

1. Chief of Police
 - a. Chief, Provincial Public Safety Company
 - b. Chief, District Public Safety Battalion
 - c. Chief, Police Station of Manila Police District and Quezon City Police District
2. Provincial Director
 - a. Director, City Police Office of Highly Urbanized or Chartered Cities
 - b. Chief, Regional Public Safety Battalion
 - c. Chief, Regional Administrative Support Unit
 - d. Chief, Regional Operational Support Unit
3. Regional Director
 - a. Director, Police District Office, National Capital Region Police Office
 - b. Director, National Administrative Support Unit
 - c. Director, National Operational Support Unit

¹ Department of the Interior and Local Government Act of 1990.

² Philippine National Police Reform and Reorganization Act of 1998.

³ Revised Rules of Procedures Before the Administrative Disciplinary Authorities and the Internal Affairs Service of the Philippine National Police, issued on March 7, 2016.

In case the head of any of the above-enumerated offices/units of the PNP is only an officer-in-charge, he/she may conduct investigation and submit his recommendation to the next higher Disciplinary Authority."

WHEREAS, the Commission has recognized that while the Chief, Regional Public Safety Battalion and the SAF Battalion Commander's duties and responsibilities as well as their spans of control are comparable, the latter is not among those considered supervisor equivalent to the Provincial Director thereof;

WHEREAS, the Commission has also recognized that the SAF Company Commander, whose duties and responsibilities as well as the span of control are comparable with that of the Chief, Provincial Public Safety Company, is not among those considered supervisor equivalent to the Chief of Police;

WHEREAS, the Commission, taking into consideration the size and scope of the SAF organization, deems it necessary to mandate the SAF Battalion Commander and SAF Company Commander to exercise disciplinary authority over personnel of their respective jurisdictions;

NOW, THEREFORE, the Commission in the exercise of its constitutional and statutory mandate to administer and control the PNP, **HAS RESOLVED** as it **HEREBY RESOLVES**, that Section 1 (J), Rule 2, of Memorandum Circular No. 2016-002⁴ be amended further to read:

"Section 1 (J), Rule 2, of M.C. No. 2016-002, provides:

- j) Equivalent Supervisors- PNP Officers occupying positions/designations equivalent to that of Chief of Police, Provincial Director and Regional Director who are vested with disciplinary authority over personnel of their respective offices, charged with minor offenses involving breach of internal discipline as provided under Section 52 of R.A. No. 8551⁵:

For purposes of these Rules, the following are considered equivalent supervisors:

1. Chief of Police
 - a. Chief, Provincial Public Safety Company
 - b. Chief, District Public Safety Battalion
 - c. Company Commander, Special Action Force
 - d. Chief, Police Station of Manila Police District and Quezon City Police District
2. Provincial Director
 - a. Director, City Police Office of Highly Urbanized or Chartered Cities
 - b. Chief, Regional Public Safety Battalion
 - c. Battalion Commander, Special Action Force
 - d. Chief, Regional Administrative Support Unit
 - e. Chief, Regional Operational Support Unit

⁴ Ibid,3.

⁵ Ibid,2.

M.C. No. 2023-003, entitled: "Amending Section 1(J), Rule II of M.C. No. 2016-002, entitled: "Revised Rules of Procedure Before the Administrative Disciplinary Authorities and the Internal Affairs Service of the Philippine National Police, by Inclusion of the Special Action Force (SAF) Battalion Commander and SAF Company Commander as Equivalent Supervisors"

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3. Regional Director
 - a. Director, Police District Office, National Capital Region Police Office
 - b. Director, National Administrative Support Unit
 - c. Director, National Operational Support Unit


In case the head of any of the above-enumerated offices/units of the PNP is only an officer-in-charge, he/she may conduct an investigation and submit his recommendation to the next higher Disciplinary Authority."


RESOLVED FURTHER, that the SAF Battalion Commander and SAF Company Commander's disciplinary authority shall only be within the range of penalties for light offenses as enumerated under M.C. No. 2016-002⁶.

All issuances and existing rules and regulations inconsistent with this Circular are hereby repealed and modified accordingly.

This Memorandum Circular shall take effect upon approval.

APPROVED this 27th day of October in the Year Two Thousand and Twenty-Three in Quezon City, Metro Manila, Philippines.


ATTY. BENJAMIN C. ABALOS, JR.
Secretary, DILG
Ex-officio Chairperson, NAPOLCOM


ALBERTO A. BERNARDO
Commissioner
Vice-Chairperson and Executive Officer


EDILBERTO D. LEONARDO
Commissioner


RICARDO P. BERNABE III
Commissioner


BEATRICE AURORA A. VEGA-CANCIO
Commissioner


BENJAMIN C. ACORDA JR
Commissioner

⁶ Ibid, 3.

M.C. No. 2023-003, entitled: Amending Section 1 (J), Rule 2 of M.C. No. 2016-002, entitled: "Revised Rules of Procedures Before the Administrative Disciplinary Authorities and Internal Affairs Service of the Philippine National Police, by Inclusion of the Special Action Force (SAF) Battalion Commander and SAF Company Commander as Equivalent Supervisors"
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I hereby attest and certify that this Memorandum Circular was approved ad referendum upon due consultation by the members of the Commission En Banc.


EVANGELINE R. ALMIRANTE
Staff Service Chief
Planning and Research Service