

[PRESIDENTIAL DECREE NO. 971, July 27, 1976]

PROVIDING LEGAL ASSISTANCE FOR MEMBERS OF THE INTEGRATED NATIONAL POLICE WHO MAY BE CHARGED FOR SERVICE-CONNECTED OFFENSES AND IMPROVING THE DISCIPLINARY SYSTEM IN THE INTEGRATED NATIONAL POLICE, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES.

WHEREAS, Presidential Decree No. 765, dated August 8, 1975, has established the Integrated National Police to attain a high level of efficiency and discipline in police administration under a unified command:

WHEREAS, the existing laws, decrees, rules and regulations need further strengthening to achieve the desired discipline and conduct in the service;

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

SECTION 1. *Summary Disciplinary Powers of Commanders.*—The duly designated commanders in the Integrated National Police shall, in dealing with a minor offense committed by any regular or uniformed member of their respective commands, have the summary disciplinary powers as indicated below:

- a. Municipal substation commanders, station and district commanders, and provincial police superintendents or officers holding equivalent commands may summarily impose the administrative punishment of admonition or reprimand; restriction to specified limits; withholding of privileges; forfeiture of salary for not more than ten (10) days; suspension for a period not exceeding ten (10) days; or any combination of the foregoing, provided that the total period shall not exceed ten (10) days.
- b. The Regional or Zone Directors, including the Director of the Metropolitan Police Force, shall have the power to impose upon any of the members under their respective commands summary disciplinary punishment of suspension for not exceeding fifteen (15) days or forfeiture of salary of not more than fifteen (15) days.
- c. The Director General shall have the power to impose upon the members of the Integrated National Police, summary disciplinary punishment of suspension for not exceeding thirty (30) days or forfeiture of salary of not more than thirty (30) days.

SEC. 2. *Minor Offense, defined.*—Minor offense refers to an act or omission not involving moral turpitude but affecting the internal discipline of the Integrated National Police.

Whether an offense is minor or not depends upon its nature, the time and place of its commission and the rank of the person committing it.

In no case shall the following offenses be considered as minor; disloyalty to the government; grave misconduct; gross inefficiency or incompetence; oppression;

serious irregularities or serious neglect; notoriously disgraceful or immoral conduct; engaging directly or indirectly in partisan political activities; falsification; other crimes involving moral turpitude; directly or indirectly obstructing, defeating or violating the civil rights and liberties of an individual; receiving a fee, gift or other valuable thing from any person who gives the same in consideration of services or favors received or in the hope or expectation of receiving a favor or better treatment than that accorded to other persons.

SEC. 3. *Finality of Summary Disciplinary Action.*—The summary disciplinary action imposed upon a member of the Integrated National Police shall be final and executory: Provided, that the disciplinary action taken by a commander lower than the Director General may be appealed to the next higher commander within ten (10) days from receipt of notice of the decision thereof by the member concerned.

SEC. 4. *Preventive Suspension by Reason of Pending Criminal Case.*—Whenever a member of the Integrated National Police is accused in the civil or military court of any felony or violation of law by the municipal or city attorney, the provincial or city fiscal, the prosecutor of the Department of Justice or the authorized representative of the Philippine Constabulary/Integrated National Police, the National Bureau of Investigation or any major service . of the Armed Forces of the Philippines, the station or higher commander concerned or the National Police Commission shall immediately suspend the accused from office pending final decision by the court. For this purpose, it shall be the duty of the judge or clerk of court concerned to furnish the station commander or police superintendent and the National Police Commission with the copy of the complaint or information against said member. The preventive suspension of the accused shall remain operative pending decision of the case by the court unless sooner lifted by the said Commission by reason of the exigency of the service upon recommendation of the Director General,

SEC. 5. *Placement of the Accused in the Custody of his Commander.*—When the charge against a member of the Integrated National Police, referred to in the preceding section, arose from the performance of duty, the court may, upon proper petition of the immediate commander, place the member concerned under the custody of such commander in lieu of requiring a bail bond.

SEC. 6. *Entitlement to Reinstatement and Salary.*—A member of the Integrated National Police who may have been suspended from office in accordance with the preceding sections shall, upon acquittal from the charges against him, be entitled to reinstatement by the station or higher commander and payment of any salary and/or allowances withheld from him by reason of such suspension.

SEC. 7. *Suspension by reason of detention.*—Any member of the Integrated National Police who may have been lawfully detained by the military authorities for offenses covered by Presidential General Order No. 2A, as amended, shall also be considered suspended from office during such detention: Provided, That, if he is released without formal charges having been filed against him in court, he shall be entitled to the rights provided for in the preceding section hereof.

SEC. 8. *Removal and Suspension of Members of the Integrated National Police.*—Members of the Integrated National Police may be suspended for a period not exceeding one year or removed from the service for misconduct, incompetency, dishonesty, disloyalty to the government, irregularities in the performance of duties, neglect of duty or violation of law, upon written complaint filed under oath with the