



**PAMBANSANG PUNONGHIMPILAN TANOD BAYBAYIN NG PILIPINAS**  
(National Headquarters Philippine Coast Guard)  
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1018 Manila

**NHQ - PCG/CGLS**

30 January 2024

**CIRCULAR  
NUMBER 02-24**

**POLICY ON THE DEPLOYMENT AND UTILIZATION OF COAST GUARD  
LEGAL UNITS AND/OR COAST GUARD LEGAL SERVICE PERSONNEL  
UNDER THE OPERATIONAL CONTROL OF OTHER PHILIPPINE  
COAST GUARD UNITS**

**I. AUTHORITY:**

- A. Republic Act (R.A.) No. 9993 (The Philippine Coast Guard [PCG] Law of 2009); and
- B. Implementing Rules and Regulations of R.A. No. 9993.

**II. REFERENCES:**

- A. DOTr Memorandum Circular Number 2021 - 11 dated 18 August 2021 (Revised Promotion System for Commissioned Officers of the PCG)
- B. NHQ / CGIAS Circular Nr 13 - 19 dated 18 November 2019 (Revised Guidelines and Procedure on Disposition of Violations of Code of Conduct and Discipline for PCG Uniformed Personnel);
- C. CG- 1 / CGAO Circular Number 01 - 08 dated 21 February 2008 (PCG Uniformed Personnel Rotation Policy);
- D. HPCG Circular Nr 03 - 05 dated 04 April 2005 (Career Development Pattern of EP in the PCG);
- E. HPCG / CGIAS Circular Nr 06 - 03 dated 22 September 2003 (Annual General Inspection); and
- F. PCG Officer's Career Pattern dated 23 May 2003

**III. SCOPE:**

This Circular shall be applicable to:

- A. National Headquarters, Coast Guard Legal Service (NHQ - CGLS) and all its Law Divisions and Branches;

- B. Coast Guard Legal Units (CGLU) and/or Coast Guard Legal Service (CGLS) Personnel under the Operational Control of other PCG units; and
- C. PCG Units exercising Operational Control over a CGLU and/or CGLS Personnel.

#### IV. OBJECTIVE:

The objective of this Circular is to ensure the efficiency of the CGLUs and/or CGLS Personnel in providing Legal Services to PCG Units exercising Operational Control over the latter.

#### V. PURPOSES:

- A. To establish the guidelines in the deployment and utilization of CGLUs and/or CGLS Personnel placed under the Operational Control of PCG Units outside of NHQ - CGLS.
- B. To define the Legal Services that can be rendered and/or can be requested by a PCG Unit or its Commander from the CGLU and/or CGLS Personnel deployed in such Unit.
- C. To define and delineate the authorities of the Unit of deployment and the NHQ - CGLS over the deployed CGLUs and/or CGLS Personnel.
- D. To establish a procedure in providing or requesting for Legal Services in PCG units where a CGLU and/or CGLS Personnel are deployed.

#### VI. DEFINITION OF TERMS:

The meaning of terms as used in this Circular are as follows:

- A. **Administrative Control** — refers to the authority of the NHQ - CGLS to control and supervise a CGLU and/or CGLS Personnel deployed in another PCG Unit in respect to personnel administration, leaves, rest and recreation, benefits, organization, training, logistics and rotation in deployment.
- B. **Coast Guard Legal Unit (CGLU)** — refers to a Unit of the Coast Guard Legal Service (CGLS) composed of CGLS Personnel who are placed under the Operational Control of other PCG Units or Offices.
- C. **Deployment** — refers to the placement of a CGLU and/or CGLS Personnel in a PCG Unit outside of the NHQ - CGLS in order to discharge duties and functions by providing Legal Services.
- D. **Legal Officer** — refers to a PCG Officer and a member of the Philippine Bar who is assigned with the CGLS.
- E. **Legal Opinion** — is an official and written document prepared and issued by a Legal Officer and/or a CGLU containing an objective interpretation or analysis about the application of law to a particular set of facts or circumstances with conclusions or recommendations.

F. **Legal Services** — refers to a set of work or duties performed by a CGLU or a Legal Officer that requires the application of law or legal knowledge and skill.

G. **Officer-in-Charge (OIC)** — pertains to a Legal Officer, designated by the Commander, CGLS to lead, direct, and supervise a particular CGLU.

H. **Operational Control** — refers to the authority of the Unit of deployment to assign tasks to a CGLU and/or CGLS Personnel. Assigned tasks are Legal Services as technical support for the performance of the Unit's administrative and operational functions.

I. **Unit of Deployment** — refers to a PCG unit other than the NHQ - CGLS where a CGLU and/or CGLS Personnel are placed in order to render Legal Services. Such Unit exercises Operational Control over the CGLU and/or CGLS Personnel.

## VII. GENERAL PROVISIONS:

A. The function of a CGLU and/or CGLS Personnel is to provide Legal Services to a Unit of deployment as a technical support in its administration and operations.

B. The OIC of a CGLU shall serve as the adviser of the Commander of the Unit of deployment in respect to legal matters related to the administration and operations of the Unit of deployment.

C. The OIC shall exercise control and supervision over a CGLU activated in a Unit of deployment.

D. To ensure the efficient discharge of duties by means of providing Legal Services, the OIC, other Legal Officer/s, and/or its staff of a CGLU shall not be given any collateral assignments or positions in the Unit of deployment.

E. In the exigency of Service when there is no available Line Officer or Non - Officer, the Commander of the Unit of deployment may designate temporarily a Legal Officer or member of the CGLU to perform a collateral duty. The Unit of deployment shall inform the Commander, CGLS of such temporary collateral assignment.

F. Only Legal Services related to the official functions of the PCG or discharge of official duties of a PCG officer or personnel shall be rendered by the CGLU or Legal Officer.

G. Any PCG Officer or personnel is not allowed to exert any form of influence that would affect the independence of the CGLU or Legal Officer in performing Legal Services.

H. A CGLU and/or CGLS Personnel shall be under the Operational Control of the Unit of deployment while the NHQ- CGLS shall exercise Administrative Control over the same.

I. A deployed Legal Officer and/or Staff shall be subject to the existing Disciplinary System and Procedures of the PCG.

J. The Unit of deployment shall provide office space and equipment for the use of the CGLU and/or CGLS Personnel.

K. The National Headquarters Philippine Coast Guard (NHQ - PCG) thru the NHQ - CGLS shall provide the necessary petroleum, oil, and lubricants (POL) support to all the CGLUs, Branches, and Divisions.

L. Each CGLU thru the NHQ - CGLS shall establish and maintain a Petty Cash Fund to defray the daily expenses for its administration and operations. A Petty Cash Custodian of the CGLU shall be designated by the Commander, CGLS thru the recommendation of the respective OIC of the CGLUs.

M. The Units of Deployment / Offices for Designation of Legal Officers and Staff are as follows:

1. The Offices of Deputies of the Chief of Coast Guard Staff (CG - 1 to CG - 15)
2. Operating Command / Units
  - a. Coast Guard Districts; and
  - b. Coast Guard Stations.
3. Functional Commands
  - a. Maritime Safety Services Command;
  - b. Marine Environmental Protection Command; and
  - c. Maritime Security and Law Enforcement Command.
4. Operational Support Commands
  - a. Coast Guard Special Operations Force;
  - b. Coast Guard Weapons, Communications, Electronics, and Information Systems Command;
  - c. Coast Guard Community Relations Service; and
  - d. Coast Guard Aviation Force.
5. Administrative Support Commands
  - a. Coast Guard Logistics Systems Command;
  - b. Coast Guard Fleet; and
  - c. Coast Guard Education, Training and Doctrine Command.
6. Special Service Commands
  - a. Coast Guard Human Resource Management Command;
  - b. Coast Guard Finance Center;
  - c. Coast Guard Center for Strategic Studies and International Affairs Center;
  - d. Coast Guard Internal Audit;
  - e. Coast Guard Inspector General and Internal Affairs

- f. Service; and  
Coast Guard Intelligence Force.
7. Technical Service Commands
    - a. Coast Guard Medical Service;
    - b. Coast Guard Dental Service;
    - c. Coast Guard Veterinary Service;
    - d. Coast Guard Ecumenical Service; and
    - e. Coast Guard Nursing Service.
  8. National Headquarters Philippine Coast Guard Flag Office
    - a. Office of the Commandant, PCG;
    - b. Office of the Deputy Commandant for Operations;
    - c. Office of the Deputy Commandant for Administration; and
    - d. Office of the Chief of Coast Guard Staff.
  9. Any other Units / Offices of the PCG that require Legal Services.

N. All the Units enumerated under paragraph M shall be deployed with a CGLU and/or CGLS Personnel by the NHQ - CGLS. However, if the number of Legal Officers at the CGLS is not enough to fill up all the identified units, the basis of deployment shall depend on the demand for Legal Services of one PCG Unit in comparison with other units as evaluated by the Commander, CGLS, with the Coast Guard Districts as the priority.

O. The Policy on Homesteading under PCG Circular Nr 01 - 08 (PCG Uniformed Personnel Rotation Policy) and the rank of the Legal Officer or Staff, in relation to the Table of Organization and Equipment (TOE) of the CGLS shall be taken into consideration for deployment in a PCG Unit.

## VIII. GUIDELINES:

A. Except for the Central Staff, an Activation Order for the establishment of a CGLU in a particular PCG Unit is a prerequisite for the deployment of a CGLU and/or CGLS Personnel.

B. A CGLU shall be composed of an OIC and other CGLS Personnel who are classified as:

1. **Paralegal Officer**— a PCG Officer who is not a member of the Philippine Bar but studied law or had undertaken a Paralegal Training approved by the NHQ - CGLS.

2. **Paralegal Investigator** — a CGLS Personnel who had undertaken the NHQ - CGLS approved Paralegal Specialization or its equivalent and Paralegal Investigators' Course.

3. **Paralegal Specialist** — a CGLS Personnel and/or other PCG Non — Uniformed Personnel who had undertaken the NHQ - CGLS approved Paralegal Specialization Course.

4. **Paralegal Staff**— a CGLS Personnel who has not yet undergone the NHQ - CGLS approved Paralegal Specialization Course.
- C. An OIC and/or other CGLS Personnel can be deployed to a CGLU activated in a PCG Unit upon the issuance of a Unit Order by the NHQ - CGLS.
- D. A CGLU and/or CGLS Personnel may be deployed to other PCG Units or be recalled to the NHQ - CGLS through a Unit Order from the Commander, CGLS.
- E. The Commander of the Unit of deployment shall have the authority to direct the CGLU and/or CGLS Personnel to render Legal Services in relation to any work pertaining to the administration and operation of the Unit.
- F. Other Officers or Personnel in the Unit of deployment may request for Legal Services from the CGLU or a Legal Officer only through the Commander of the Unit. However, any Officer, Non - Officer or Non - Uniformed Personnel assigned in the Unit, as an organic or under Operational Control, may directly request for legal advice or assistance from the CGLU or Legal Officer by personal, appearance, telephone, or any other means of communication, in the following instances:
1. When the legal concern does not require the decision or judgment of the Unit Commander and no written document is needed; and
  2. When arrest, search or seizure is to be conducted or was performed by reason of Law Enforcement Operations.
- G. Legal Services shall include the following functions and duties performed by a Legal Officer:
1. Preparation of written legal opinions;
  2. Briefing on legal compliances or requirements prior to conduct of law enforcement operations;
  3. Legal advice or consultation by personal appearance, videoconference, radio, telephone, internet or other means of communication;
  4. Preparation of complaints and pleadings to be filed or submitted in judicial, quasi-judicial or investigative bodies;
  5. Monitoring of PCG cases filed in judicial, quasi-judicial or investigative bodies;
  6. Preparation of legal forms or documents including letters pertaining to matters with legal concerns;
  7. Notarization of work-related documents (if a Legal Officer has a notarial commission);
  8. Representation and/or handling of work-related cases in judicial, quasi-judicial bodies or investigative bodies;
  9. Representation in meetings with Government Organizations, Private Entities, or individuals which involve legal matters or concerns;
  10. Adjudication or Investigation of Administrative Cases in the PCG;

11. Membership in boards, committees, Technical Working Groups (TWG), or any interim body created in the PCG or in its units whose function requires the application of law;
12. Conduct of trainings or lectures pertaining to law-related topics; and
13. Other activities of analogous or incidental in nature.

H. Where there is a question on whether an assigned task by a Unit of deployment to a CGLU or Legal Officer is a performance of Legal Service or not, the Commander, CGLS shall make an evaluation and determination through the issuance of a Legal Opinion which will be forwarded to the Commandant, PCG.

I. A CGLU or Legal Officer can be designated to review an Investigation Report for violation of the PCG Code of Conduct, or as a member of a Disciplinary Board. Hence, a Legal Officer shall not be designated as an Investigating Officer in relation to an Officer / s or Non — Officer / s who allegedly violated the disciplinary regulations of the PCG.

J. By reason of the performance of missions and functions of the agency, cases filed in any judicial, quasi-judicial or investigative body within the Area of Responsibility (AOR) of the Unit of deployment, where the PCG, any of its Unit or, any of its Officer or personnel is a party or involved, must be reported to the CGLU of the said Unit. The CGLU must be furnished by the Unit of deployment with the records or any other pleadings or documents in relation to such a case.

K. The CGLU, as part of its official duties and functions, shall monitor the progress and status of cases mentioned in the preceding paragraph.

L. The CGLU shall maintain a file of case records and other documents prepared or issued in relation to Legal Services rendered.

M. The guidelines pertaining to request and issuance of a Legal Opinion from the CGLU or a Legal Officer are as follows:

1. The issuance of Legal Opinion for a particular subject of concern from a CGLU shall be made thru a written request from the Commander of the Unit of deployment.
2. To ensure the study and research, a reasonable length Of time must be allotted for the preparation of the Legal Opinion after the request.
3. The Legal Opinion of the CGLU shall be prepared and signed by a Legal Officer (if applicable) and approved by the OIC of the said CGLU.
4. A Legal Opinion already issued by a CGLU is intended to be relied on for decision making or execution of an action by the Commander of the Unit to whom it is addressed. A copy of the said

Legal Opinion shall form part of the Document to be signed by the Commander of the Unit as reference.

5. The Legal Opinion issued by a CGLU or Legal Officer shall form part of the records of the particular subject or concern. Hence, such Legal Opinion shall be included in the records or files, if to be forwarded to the NHQ — PCG or other Offices / Agencies.

6. A Unit in the NHQ - PCG or the Commandant, PCG may rely on the Legal Opinion issued by a CGLU as attached in the records or files of a particular subject matter from the forwarding PCG Unit, or exercise the option to request for another Legal Opinion from the Commander, CGLS for the same subject matter.

7. Accordingly, the NHQ — CGLS shall also issue a Legal Opinion to be prepared and signed by the concerned Legal Officer and approved by the Commander, CGLS. Similarly, A copy of the said Legal Opinion shall form part of the Document to be signed by the Commandant, PCG as reference.

8. A Legal Opinion shall be prepared and written in accordance with the Legal Opinion Format (**Annex**).

N. The CGLU is required to submit a monthly report of the status of cases, Legal Services, or assistance rendered in the Unit of deployment to NHQ - CGLS.

O. As the Legal Adviser of the Commandant, PCG, the Commander, CGLS may report to the former any legal concern with utmost significance to the PCG based on the reports submitted by the CGLUs.

#### **IX. COMPLIANCE MONITORING AND AUDIT:**

A. Compliance to the provisions of this Circular shall be subject to the monitoring of NHQ-CGLS and audit of Coast Guard Inspector General — Internal Affairs Service.

B. Compliance of the Unit of deployment to this Circular shall also be included in the Annual General Inspection.

#### **X. INVESTIGATION AND DISCIPLINARY ACTION:**

Non - compliance to the provisions of this Circular which result to a violation of the PCG Code of Conduct shall be subject to investigation and filing of the necessary Administrative Case.

#### **XI. RECISSION:**

Any regulation of the PCG inconsistent with the provisions of this Circular is hereby rescinded or amended accordingly.



**XII. AUTOMATIC REVIEW:**

This Circular shall be automatically reviewed by a Committee to be created in the NHQ - CGLS created for such purpose after three (3) years from the date of publication.

**XIII. AMENDMENT:**

Any amendment to this Circular shall be approved by the Commandant, PCG after the review and recommendation of a committee in the NHQ - CGLS which will be created for that purpose. The approved amendment shall become effective after publication.

**XIV. REPUBLICATION:**

There shall be a republication of this Circular after the automatic review cited in paragraph.

**XV. SEPARABILITY CLAUSE:**

Should any provision or part of this Circular be declared invalid, the other provisions, so far as separable from the invalid provisions, shall remain in force and effect.

**XVI. EFFECTIVITY:**

This Circular shall take effect upon publication.

**BY COMMAND OF COAST GUARD ADMIRAL GAVAN:**

**OFFICIAL:**

**JOEVEN L FABUL**  
**CG COMMO**  
Chief of the Coast Guard Staff

  
**CHARITY G COPIACO**  
**CG CDR**  
Coast Guard Adjutant  
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Top Margin 3/4

**ANNEX**

Right Margin 3/4

1-1/4 Left Margin

**NHQ - CGLS / CGLU**  
(Letter Head)

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CGLS / CGLU LTR \_\_\_\_\_

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Legal Officer

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Approved by:

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Commander, CGLS / OIC