



PAMBANSANG PUNONGHIMPILAN TANOD BAYBAYIN NG PILIPINAS
(National Headquarters Philippine Coast Guard)
139 25th Street, Port Area,
1018 Manila

NHQ –PCG

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CIRCULAR
NUMBER01-19

INTERIM RULES AND PROCEDURES FOR ADMINISTRATIVE DISCIPLINARY CASES

I. AUTHORITY

- A. Republic Act No. 9993
- B. Executive Order No. 292

II. Scope and Applicability

This interim rules and procedures shall apply only to administrative disciplinary cases pending disposition due to the abolition of former disciplinary boards involving uniformed personnel of the PCG.

III. Procedures

A. Order of Disposition of Pending Cases

1) Disciplinary cases now pending for disposition shall be resolved chronologically based on the date the cases were received by the Secretariat.

2) An interim secretariat shall be created to assist the Disciplinary Boards in the disposition of disciplinary cases.

B. Disposition Process

1) The interim secretariat shall evaluate the stage of each case before forwarding such to the proper disciplinary board.

2) After determination of stage, the interim secretariat shall forward the case folder to the appropriate disciplinary board. There shall be enough copies of the case folder for each of the members of the board. The interim secretariat shall keep and manage the original case folder, promptly updating such with every new development in the case process.

3) The secretariat shall likewise inform the respondent concerned that their case has been submitted for consideration and disposition to the appropriate disciplinary board.

4) Upon receipt of case folder, the board shall study and assess all testimonies, statements, counter affidavit and/or reply from the respondent, and evidence at hand.

5) The board shall convene for discussions on the merits of the case within three days from receipt of the case folder and to decide whether there is need for clarificatory questions of the witnesses if there are any.

6) The board shall summon the witnesses to confirm their signatures on the statements they submitted on the fourth day from receipt of case folder. The respondent shall be invited to attend as well but there will be no cross examination of witnesses.

7) If based on the case folder, the former hearing body has already met with the witnesses, then the concerned board shall within five days after receipt of the case folder, submit their findings with a clear penalty recommended based on the Table of Offenses and Penalties to the Commandant for approval.

8) After approval of the findings of the board by the Commandant, the decision shall be forwarded to the interim secretariat that shall enter the decision in the case folder and forward a copy thereof to the CG-1 for publication and recording in the personal 201 file of the respondent concerned, another copy to the respondent and another to the complainant, if there are any.

9) Respondent may file reconsideration or appeal within five days from receipt of the approved decision.

10) All approved decisions are final and executory.

11) The present existing Disciplinary Boards including the interim secretariat shall be considered automatically dissolved thirty days from the approval of the last decision submitted to the Commandant. Further this Interim Rules and Procedures shall also cease to be effective on the same time as the board and interim secretariat.

C. Bases and Other Considerations

1) The board shall use the existing circulars on the code of conduct of the PCG specifically on the violations or offenses and penalties to be imposed.

2) In the assessment of individual cases, consideration should also include any letter appealing for the resolution or dismissal of the cases.

3) Considerations should be given to the length of pendency of the case vis-à-vis the gravity of the offense and the penalty recommended as reflected in the Table of Offenses and Penalties in HPCG Circular No. 05-16.

IV. EFFECTIVITY

This Circular shall take effect fifteen (15) days after its publication by the Coast Guard Adjutant.

BY COMMAND OF ADM HERMOGINO PCG:

OFFICIAL:


LIEZEL B BAUTISTA
CDR PCG
Coast Guard Adjutant
12/02/19

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