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NHQ-PCG/CGIAS

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**REVISED GUIDELINES AND PROCEDURES ON DISPOSITION
OF VIOLATIONS OF CODE OF CONDUCT AND DISCIPLINE FOR PCG
UNIFORMED PERSONNEL**

I. TITLE

This Circular shall be known as the "Revised Guidelines and Procedures on Disposition of Violations of Code of Conduct and Discipline".

II. AUTHORITY

Republic Act No. 9993 (PCG Law of 2009) and its Implementing Rules and Regulations (IRR).

III. REFERENCES

- A. Commonwealth Act No. 408 (Articles of War, as amended by Republic Act No. 242 and 516 and further amended by PD 1166 and PD 1968);
- B. AFPRS / AGAI Circular Number 17 dated 02 October 1987 (Administrative Discharged Prior to Expiration of Term of Enlistment);
- C. Executive Order No. 292 (Administrative Code of 1987);
- D. Republic Act No. 3019 (Anti - Graft and Corrupt Practices Act);
- E. Republic Act No. 6713 (Code of Conduct and Ethical Standards for Public Officials and Employees) and its IRR;
- F. Republic Act No. 9710 (Magna Carta for Women) and its IRR; and
- G. Revised Rules on Administrative Procedures in the Civil Service.

IV. PURPOSE

This Code prescribes the rules and regulations which shall govern the conduct, discipline and administrative disciplinary proceeding involving all PCG Uniformed Personnel.

V. SCOPE AND COVERAGE

This Code shall apply to all PCG Uniformed Personnel who are in the active PCG Service and shall cover service or non - service related offenses. Provided, however, that this Code shall continue to apply to retired PCG Uniformed Personnel for cases filed against them while in the active service.

VI. DEFINITION OF TERMS

For the purpose of this Code, the following words and phrases shall be defined as:

A. **Administrative Disciplinary Proceeding** - methods and processes before the PCG Disciplinary Board that are non-litigious in nature and subject to the minimum requirements of administrative due process. Due process is satisfied when a person is notified of the charge against him and given an opportunity to explain or defend himself. In administrative proceedings, the filing of charges and giving reasonable opportunity for the person so charged to answer the accusations against him constitute the minimum requirements of due process. The essence of due process is simply to be heard, or as applied to administrative proceedings, an opportunity to explain ones' side, or an opportunity to seek reconsideration of the action or ruling complained of.

B. **Administrative Penalty** - disciplinary sanctions imposed by the Disciplinary Authority upon erring PCG Uniformed Personnel not resulting to imprisonment.

C. **Board** - pertains to the PCG Disciplinary Board.

D. **Chain of Command** - is the line of authority and responsibility along which orders are passed.

E. **Code** - refers to the Revised Code of Conduct and Discipline for PCG Uniformed Personnel

F. **Commanding Officer** - the Commander of Coast Guard (CG) Districts, major service commands, commissioned vessel, CG station, CG bases or Head of Office of the Headquarters PCG (HPCG) Central and Technical Staff vested with authority, significant responsibilities, duties and powers under the PCG law of 2009.3

G. **Complaint** - a sworn written statement of disciplinary infractions allegedly committed by respondent PCG Uniformed Personnel, subscribed by the offended party.

- H. **Complaint Sheet** - is the formal written instrument in which the allegations against the respondent PCG Uniformed Personnel are set forth.
- I. **Convening / Appointing Authority** - refers to the Commandant, PCG who has the authority to direct the constitution and convening of PCG Disciplinary Board; likewise referred to the approving authority of the resolution and recommendation of the PCG Disciplinary Board.
- J. **Disciplinary Authority** - refers to a PCG Officer vested with authority under this Code to impose sanctions for violating the same and provide corrective measures to offenders.
- K. **Grave Misconduct** - The misconduct is grave if it involves any of the additional elements of corruption, willful intent to violate the law, or to disregard established rules, which must be established by substantial evidence.
- L. **Grave Offense** - those offenses to which this Code attaches the penalty of dismissal without honor from the PCG Service or suspension without pay of six (6) months and one (1) day to one (1) year for the first offense. In cases of PCG Non-Officers, in lieu of suspension, reduction/demotion to the intermediate or lowest rank/pay grade maybe imposed for the first offense provided a PCG Non Officer in a pay grade above NO-4 (P03) may not be reduced more than two (2) ranks/pay grades. The penalty of dismissal without honor shall be imposed for the second offense committed by both PCG Officers and Non-Officers.
- M. **Gross Neglect of Duty or Gross Negligence** - Refers to negligence characterized by the want of even slight care, acting or omitting to act in a situation where there is a duty to act, not inadvertently but willfully and intentionally, with a conscious indifference to consequences, insofar as other persons may be affected. In cases involving public officials, there is gross negligence when a breach of duty is flagrant and palpable.
- N. **Investigation** - an inquiry for the discovery or collection of facts concerning the matter(s) involved or a careful and accurate examination and inquisition of the information to establish facts.
- O. **Judgment on the Pleadings** - Judgment or resolution of the Board based on the respondent's answer or affidavit which fails to tender an issue or otherwise admits the material allegations in the complaint or report.
- P. **Less Grave Offense** - those offenses to which this Code attaches the penalty of suspension without pay of six (6) months and one (1) day to one (1) year for the first offense and dismissal without honor from the service for the second offense.
- Q. **Minor / Light Offense** - those offenses to which this Code attaches the penalty prescribed in the Table of Punishment.
- R. **Misconduct** - generally means wrongful, improper or unlawful conducted motivated by premeditated, obstinate or intentional purpose. It usually refers to transgression of some established and definite rule of action. To constitute an administrative offense, misconduct should relate to or be connected with the performance of official functions and duties of the PCG personnel.

S. **Moral turpitude** - everything which is done contrary to justice, modesty, or good morals; an act of depravity in the private and social duties which a man owes his fellowmen, or to society in general.

T. **PCG** - shall refer to the Philippine Coast Guard.

U. **PCG Disciplinary Board** - refers to the body composed of PCG Uniformed Personnel designated to resolve administrative disciplinary actions filed against PCG Uniformed Personnel involving any offense enumerated in this Code.

V. **PCG Uniformed Personnel** - refers to all PCG Officers and PCG Non-Officers.

W. **Respondent** - refers to a PCG Uniformed Personnel under investigation or with pending case before the Board

X. **Revised Code of Conduct and Discipline of PCG Uniformed Personnel** - refers to codified rules and regulations which shall govern the conduct, discipline and administrative disciplinary proceeding involving PCG Uniformed Personnel.

Y. **Salary** - covers the basic pay, longevity pay and collateral pay appearing in the Personnel Official Statement of Earnings and Deductions of a PCG Uniformed Personnel.

Z. **Simple Misconduct** - is the transgression of established rules that does not involve any of the additional elements of corruption, willful intent to violate the law or disregard of established rules.

AA. **Simple Neglect of Duty** - denotes the failure of a PCG Uniformed Personnel to give proper attention to a required task or to discharge a duty due to carelessness or indifference.

BB. **Substantial Evidence** - that amount of evidence which a reasonable mind might accept as adequate to justify a conclusion.

CC. **Summary Judgment** - Judgment or resolution of the Board based on affidavits, depositions or admissions of the respondent, private offended party or witnesses.

DD. **Summary Proceeding** - a proceeding whereby judgment or decisions of the Board are derived based on affidavits and position papers submitted to the Board without the conduct of a trial-type proceeding to achieve an expeditious and inexpensive determination of administrative disciplinary cases. The procedure under the 1991 Revised Rules on Summary Procedure may be applied suppletorily.

EE. **Verified Report** - a report verified by a signatory who has read the report and that the allegations therein are true and correct of his personal knowledge or based on affidavits or sworn statement of witnesses and relevant documentary evidence.

VII. GENERAL PROVISIONS

A. The Commanding Officers shall be primarily responsible for the maintenance of discipline of all PCG Uniformed Personnel under his Command and/or Area of Responsibility (AOR). Any Commanding Officer who refuses to act or delays action on a valid complaint against a PCG Uniformed Personnel under his / her command, or refuses or delays to impose a disciplinary punishment under Title XX (Disciplinary Powers of Commanding Officers) of this Code when warranted by the evidence, or otherwise aids or abet the wrongdoing of his subordinate shall be subject to appropriate disciplinary action under this Code.

B. A cause of action in administrative disciplinary proceeding is an act or omission which violates the Command policy on the conduct and discipline of PCG Uniformed Personnel prescribed herein.

C. An Investigation against an erring PCG Uniformed Personnel can be conducted by the Disciplinary Authority *moto proprio*, by reason of a report from the CG -2, verified report, complaint, or upon the directive of the Commandant, PCG.

D. If an investigation is initiated through a complaint, the same shall be duly subscribed to by the offended party and shall contain the following:

1. Full name and address of the complainant;
2. Full name and address of the PCG Uniformed Personnel complained of and present CG assignment;
3. A brief narration of the acts or omissions of PCG Uniformed Personnel which constitutes disciplinary infractions;
4. Documentary evidence and affidavits of witnesses, if any; and
5. Certification of Non - Forum Shopping (**ANNEX "A" - Format**).
Forum shopping is defined as an act of a party, against whom an adverse judgment or order has been rendered in one forum, of seeking and possibly getting a favorable opinion in another forum, other than by appeal or special civil action for certiorari.

E. The complainant or offended party shall be deemed a witness against the erring PCG Uniformed Personnel upon commencement of the administrative case.

F. The withdrawal of the complaint by the offended party does not automatically result in the outright dismissal of the case or exoneration of the Respondent from any administrative disciplinary liability. Where there is obvious truth or merit to the allegation in the complaint or where there is documentary evidence that would tend to prove the guilt of the Respondent, the same may be given due course.

G. No anonymous complaint shall be entertained unless supported by relevant documentary or direct evidence, in which case the Respondent maybe required to comment.

VIII. DISCIPLINARY AUTHORITY

A. The Commandant, PCG being the head of the organization, exercises administrative and disciplinary control and supervision over all PCG Personnel, Uniformed and Non - Uniformed, alike. The Commandant, PCG may direct the conduct of administrative investigation for disciplinary infractions at his own instance or based on reports originating from CG - 2, verified reports or complaints of an offended party.

B. The Coast Guard Internal Affairs Service (CGIAS) may conduct investigation on alleged disciplinary infractions of PCG Uniformed Personnel at its own instance or as may be directed by the Commandant, PCG or based on complaints by an offended party.

C. The following persons exercise disciplinary authority over PCG Uniformed Personnel assigned within their AOR and may direct the conduct of administrative investigation for disciplinary infractions, at their own instance or based on verified reports or complaints of a private offended party and accordingly impose disciplinary sanctions based on the applicable provisions of this Code, to wit:

1. CG District Commanders exercise disciplinary authority over PCG Uniformed Personnel within their AOR including those under their Operational Control (OPCON).

2. Commanders of major service commands, commissioned vessel, CG station, CG bases or Head of office of the HPCG Central and Technical Staff exercise disciplinary authority over the PCG uniformed personnel assigned in their respective units.

3. The Commandant, PCG exercises original and concurrent disciplinary authority with the immediately above - mentioned PCG Officers and, at any instance, may take cognizance and direct the CGIAS to assume and take over any ongoing administrative investigation by the concerned PCG units.

IX. CLASSIFICATION OF OFFENSES AND PENALTIES

Administrative offenses with corresponding penalties are classified into GRAVE, LESS GRAVE, and MINOR or LIGHT, depending on their gravity or depravity and effects on the PCG organization and the government service.

A. The commission of the following **GRAVE OFFENSES** shall be punishable by **Dismissal without Honor** from the PCG Service:

1. **Enlistment, fraudulent.** Enlistment procured by means of willful misrepresentation or concealment of a fact in regard to a prior enlistment or discharge, or in regard to a conviction of a civil or criminal offense, or in regard to imprisonment under sentence of a court;

2. **Desertion.** Any PCG Uniformed Personnel who, having tendered his resignation and prior to due notice of the acceptance of the same, quits his post or proper duties without leave and with intent to absent himself permanently there from shall be deemed a deserter; or

Any PCG Non-Officer who, without having first received a regular discharge and absents himself from the PCG Service and enlisted in other uniformed service shall be deemed to have deserted the PCG Service; or

Any PCG Uniformed Personnel who quits the organization or place of duty with the intent to avoid hazardous duty or to shirk important service shall be deemed a deserter.

3. **Advising or aiding another to Desert.** Any PCG Uniformed Personnel who advises or persuades or knowingly assists another to desert the PCG Service;

4. **Disrespect toward the President, Vice - President, Congress of the Philippines or Secretary of the Department of Transportation and Communications.** Any PCG Uniformed Personnel who shall use contemptuous or disrespectful words against the President, Vice - President, Congress of the Philippines or Secretary of the Department of Transportation and Communications;

5. **Assaulting or Willfully Disobeying Superior PCG Officer.** Any PCG Uniformed Personnel who, on any pretense whatsoever, strikes his superior Officer or draws or lifts up any weapon or offers any violence against him, being in the execution of his office, or willfully disobeys any lawful command of his superior Officer;

6. **Insubordinate conduct toward PCG Non - Officer.** Any PCG Non - Officer who strikes or assaults, or who attempts or threatens to strike or assault, or willfully disobeys the lawful order of a PCG Non-Officer while in the execution of his / her office, or uses threatening or insulting language, or behaves in an insubordinate or disrespectful manner toward a PCG Non-Officer while in the execution of his / her office;

7. **Quarrels; Frays; Disorders.** Any PCG Uniformed Personnel who shall refuse to obey an order or draws a weapon upon or otherwise threatens or does violence to another PCG Uniformed Personnel who ordered him to part and quell from a quarrel, fray and disorder;

8. **Escaping or conspiring to escape from confinement or arrest.** Any PCG Uniformed Personnel found to have been administratively liable under this Code maybe held in confinement or arrest. Any PCG Uniformed Personnel placed in arrest under the provisions of this Code shall thereby be restricted to his / her barracks, quarters, or tent, unless such limits shall be enlarged by the disciplining authority;

9. **Releasing without proper authority or allowing escape through negligence or design any PCG Uniformed Personnel committed to his / her charge;**

10. **Willfully or through negligence causing damage or loss of any PCG property of a value of more than One Hundred Thousand Pesos (Php 100,000.00);**

11. **Willfully or through negligence selling, injuring or losing any arms, ammunition, accoutrement, equipment, clothing, or other property issued for use in the coastguard service of a value of more than One Hundred Thousand Pesos (Php 100,000.00);**

12. **Found Drunk on Duty.** Any PCG Uniformed Personnel found drunk on duty;
13. **Misbehavior of Sentinel.** Any PCG Uniformed Personnel who is found drunk or sleeping upon his / her post or who leaves it before being properly relieved;
14. **Concealing, destroying, mutilating, obliterating, or removing willfully and unlawfully a public property or public record;**
15. **False swearing or giving of false statements under oath;**
16. **Gross Neglect of Duty;**
17. **Grave Misconduct;**
18. **Grossly Immoral Conduct.** A grossly immoral conduct is one that is so corrupt and false as to constitute a criminal act or an act so unprincipled or disgraceful as to be reprehensible to a high degree;
19. **Gross insubordination;**
20. **Conviction of a crime involving moral turpitude;**
21. **Falsification of Official Document;**
22. **Physical or mental incapacity or disability due to immoral or vicious habits;**
23. **Receiving for personal use of a fee, gift or other valuable thing in the course of official duties or in connection therewith when such fee, gift or other valuable thing is given by any person in the hope or expectation of receiving a favor or better treatment than that accorded to other persons, or committing acts punishable under the anti-graft laws;**
24. **Soliciting or accepting directly or indirectly, any gift, gratuity, favor, entertainment, loan or anything of monetary value which in the course of his / her official duties or in connection with any operation being regulated by, or any transaction which may be affected by the functions of his/her office. The propriety or impropriety of the foregoing shall be determined by its value, kinship, or relationship between giver and receiver and the motivation. A thing of monetary value is one which is evidently or manifestly excessive by its very nature;**
25. **Willful defamatory imputation of any and all circumstances which tend to damage or discredit the image and reputation of the PCG organization; or**
26. **Any analogous circumstances or cases not mentioned above.**

B. The following **GRAVE OFFENSES** shall be punishable by **Suspension without Pay of six (6) months and one (1) day to one (1) year for the first offense and Dismissal without Honor from the service for the second offense:**

1. **Inefficiency and incompetence in the performance of official duties;**

2. **Frequent unauthorized absences, tardiness in reporting for duty, or loafing from duty during regular office hours;**
3. **Drunk and disorderly in command, quarters, station or camp;**
4. **Knowingly making a false official report or statement;**
5. **Habitual gambling in a command, quarters, station, or camp involving huge sum of wager (bets) or prize;**
6. **Indecent exposure;**
7. **Introducing, using or being under the influence of any intoxicating liquor in the command, quarters, station, or camp;**
8. **Conduct prejudicial to the best interest of the service or of a nature that brings discredit to the PCG organization;**
9. **Directly or indirectly having financial and material interest in any transaction requiring the approval of his / her office.** Financial and material interest is defined as pecuniary or proprietary interest by which a person will gain or lose something;
10. **Owning, controlling, managing or accepting employment as officer, employee, consultant, counsel, broker, agent, trustee, or nominee in any private enterprise regulated, supervised or licensed by his / her office, unless expressly allowed by law;**
11. **Disclosing or misusing confidential or classified information officially known to him / her by reason of his / her office and not made available to the public, to further his / her private interests or give undue advantage to anyone, or to prejudice the PCG organization or the public interest;**
12. **Obtaining or using any statement filed under this Code for any purpose contrary to morals or public policy or any commercial purpose other than by news and communications media for dissemination to the general public;**
13. **Recommending any person to any position in a private enterprise which has a regular or pending official transaction with his / her office, unless such recommendation or referral is mandated by (1) law, or (2) international agreements, commitment and obligation, or as part of the function of his / her office;**
14. **Conduct unbecoming of a PCG Uniformed Personnel;**
15. **Failure to observe the Chain of Command in relation to the exhaustion of the remedies provided in this Code such as but not limited to seeking redress or intervention from political figures, government or nongovernment agencies for personal gain or interest; or**
16. **Any analogous circumstances or cases not mentioned above.**

Provided that the Board may, in addition to the penalty of suspension in cases involving PCG Officers recommend that the latter shall not be qualified for the next promotion cycle to which subject Officer is categorized under the primary or secondary zone of consideration.

Provided further that, the Board may, in lieu of suspension, recommend the reduction/demotion to the intermediate or lowest rank / pay grade in cases involving PCG Non - Officers. In no case, however, shall a PCG Non - Officer in a pay grade above NO - 4 (P03) be reduced more than two (2) ranks / pay grades.

The penalty of dismissal without honor shall be imposed for the second offense committed by both PCG Officers and PCG Non - Officers.

C. The following **LESS GRAVE OFFENSES** are punishable by **Suspension without Pay of one month and one day to six months for the first offense and Dismissal without Honor from the service for the second offense:**

1. **Other cases of Fraudulent Enlistment;**
2. **Attempting to Desert;**
3. **Entertaining a Deserter by any PCG Uniformed Personnel;**
4. **Attempting to escape arrest or confinement;**
5. **Willfully or through negligence causing damage or loss of any Coastguard property of a value of more than Ten Thousand Pesos (Php 10,000.00) but less than or equal to One Hundred Thousand Pesos (Php 100,000.00);**
6. **Willfully or through negligence selling, injuring or losing any arms, ammunition, accoutrement, equipment, clothing, or other property issued for use in the coastguard service of a value of more than Ten Thousand Pesos (Php 10,000.00) but less than or equal to One Hundred Thousand Pesos (Php 100,000.00);**
7. **Using a provoking or reproachful speech or gesture to another;**
8. **Misconduct;**
9. **Insubordination;**
10. **Neglect of Duty;**
11. **Abusing a public animal (CG - K9);**
12. **Allowing a prisoner to receive or obtain intoxicating liquor and / or drinking liquor with a prisoner;**
13. **Possessing an unauthorized weapon;**
14. **Discharging a firearm due to negligence;**

15. **Drunk and disorderly under such circumstances as to bring discredit upon coastguard service;**

16. **Immoral Conduct.** Immoral conduct is conduct that is willful, flagrant or shameless, and that shows a moral indifference to the opinion of the good and respectable members of the community;

17. **Willful failure to pay just debts or willful failure to pay taxes due to the government.** The term "just debts" shall apply only to:

- a. Claims adjudicated by a court of law; or
- b. Claims the existence and justness of which are admitted by the debtor.

18. **Failure to submit Statement of Assets and Liabilities (SALN) or submission of SALN with incomplete / incorrect data in accordance with pertinent Government regulations.**

19. **Being held administratively liable for commission of acts constituting minor or light offenses for three (3) times; or**

20. **Any analogous circumstances or cases not mentioned above.**

Provided that the Board may likewise recommend the placement of the Respondent four (4) piles lower in the promotion list in addition to the penalty of suspension in cases involving PCG Officers.

Provided further that, the Board may, in lieu of suspension, recommend the reduction / demotion to the next lower rank / pay grade in cases involving PCG Non - Officers.

The penalty of dismissal without honor shall be imposed for the second offense committed by both PCG Officers and Non-Officers.

X. MITIGATING AND AGGRAVATING CIRCUMSTANCES

In the determination of the penalties to be imposed, mitigating and / or aggravating circumstances attendant to the commission of the offense shall be considered. In relation to the aforementioned, the Board may consider the penalty / penalties imposed by a Commanding Officer for Grave or Less Grave Offenses under Title XX herein (DISCIPLINARY POWERS OF COMMANDING OFFICERS) as mitigating circumstance / s in favor of the Respondent.

XI. PENALTY FOR THE MOST SERIOUS OFFENSE

If the Respondent is found guilty of two (2) or more charges or counts, the penalty imposed should be that corresponding to the most serious charge and the rest shall be considered as aggravating circumstances.

XII. CONSTITUTION OF THE PCG DISCIPLINARY BOARD

A. **Five (5) separate, independent and co-equal PCG Disciplinary Boards shall be created to handle cases depending on the rank / s of the respondent / s involved which should be composed of the following:**

1. **One (1) PCG Disciplinary Board for Senior Officers (case / s involving Lieutenant Commanders up to Flag Rank Officers):**

Chairperson : Flag Rank Officer

Four (4) Members : Three (3) Line Officers with ranks of CAPTAIN and above and one (1) Law Member

2. **One (1) PCG Disciplinary Board for Junior Officers (case / s involving Cadet / s or Cadette / s, Candidate Coast Guard Officer / s, PROBATIONARY ENSIGNS up to LIEUTENANT):**

Chairperson : CAPTAIN

Four (4) Members : Three (3) Line Officers with ranks of LIEUTENANT and above and one (1) Law Member

3. **Three (3) PCG Disciplinary Boards for PCG Non - Officers.** Each of the afore - mentioned shall be composed of the following:

Chairperson : CAPTAIN

Four (4) Members : One Line Officer (1) Line Officer with a rank of LIEUTENANT and above; one (1) Law Member; and two (2) PCG Non – Officers with ranks of Chief Petty Officer and above.

B. **Appointing Authority / Convening Authority.** The Commandant, PCG shall have the exclusive power to appoint the chairperson and members of each of the PCG Disciplinary Boards and direct the convening thereof.

C. **Qualifications and Prohibitions on Board Membership.** The Commandant, PCG shall detail as chairperson and members those PCG Uniformed Personnel (preferably assigned in Manila / Cavite area) who are best qualified for the duty by reasons of seniority, training, work / job experience, judicial temperament and geographical assignment. No PCG Uniformed Personnel shall sit as chairperson or member of the Board when he / she is the complainant or witness for or against the Respondent.

D. **Venue.** All PCG Disciplinary Boards shall be based in the HPCG or other PCG Bases within the Manila / Cavite area. Provided, that, any of the said Boards shall resolve an Administrative Case against a PCG Uniformed Personnel in other venue upon the directive of the Commandant, PCG.

E. **Law Member.** The Commandant, PCG shall detail as one of the members thereto a law member, regardless of rank, who shall be an Officer of the Coast Guard Legal Service (CGLS) or an Officer of other CG units / service who is a member of the Philippine bar and certified by the Commander, CGLS to be qualified for such detail.

F. **Secretariat.** There shall be one (1) Secretariat for all PCG Disciplinary Boards to ensure the efficient and effective management of case records and unity of rules and regulations of all the said PCG Disciplinary Boards.

The Head Secretariat shall be chosen from among the Officers assigned at the CGIAS. Members of the Secretariat shall be selected from the PCG Uniformed Personnel as may be recommended by the CG - 1 and approved by the Commandant, PCG.

The Secretariat shall have the power to issue subpoena as directed by any of the Chairperson of the PCG Disciplinary Boards. In addition to his / her other duties, the Head Secretariat shall prepare and submit to the Chairperson of each PCG Disciplinary Boards a monthly status report of the cases and activities of the Board furnishing a copy thereof to the Commandant, PCG and Commander, CGIAS.

G. **Tenure.** The duly designated and appointed chairperson and members of the Boards shall serve for a term of two (2) years. Provided, that all cases submitted within their two (2) year term are resolved already. Otherwise, the said chairperson or member shall continue to act as such for the unresolved cases. Provided, further, that the newly designated chairperson or member shall already serve for the cases referred to the Board from the effectivity of his / her designation as such. Provided, finally, that the designation of the chairperson or member of a Board may be terminated sooner by the Commandant, PCG. Each of the Board shall conduct a regular meeting to be held once every month.

H. **The PCG Disciplinary Boards shall be under the functional supervision of the Commander, CGIAS.**

Functional supervision of the Commander, CGIAS shall pertain to overseeing that the respective boards meet regularly to ensure expeditious disposition of cases.

I. **Jurisdiction not Exclusive.** The provisions of this Code conferring jurisdiction upon the PCG Disciplinary Board shall not be construed as depriving other tribunals or civil courts of concurrent jurisdiction in respect of Offenders or offenses that by statute or by law may be tried by such tribunals or courts.

XIII. SUMMARY PROCEDURE IN ADMINISTRATIVE DISCIPLINARY CASES FORWARDED TO ANY OF THE PCG DISCIPLINARY BOARDS

A. A disciplinary action may be commenced upon endorsement by the Commandant, PCG, a verified report from PCG Units, or complaint by an offended party. However, the PCG Disciplinary Board shall only act upon Investigation Reports which are duly approved by the Commandant, PCG.

B. Within ten (10) days from receipt of the directive from the Commandant, PCG, the Board shall meet and convene to evaluate the Investigation Report and discuss the possibility of simplification of issues, admissions of facts, limitations on

witnesses, propriety of rendering judgment on the pleadings, summary judgment or of dismissing the action on valid grounds, or necessity of suspending the proceedings or such other matters intended to expedite the disposition of the case.

C. Upon convening, the Board may issue a directive requiring the erring PCG Uniformed Personnel to submit to the Board his Answer which shall state therein his defenses or justifications, if there be any, on the finding of violation of rules and regulations or commission of any offenses under this Code based on the Investigation Report. The respondent's answer shall be submitted to the Board within fifteen (15) days from receipt thereof.

D. Within ten (10) days from receipt of the Answer or the lapse of the prescribed period to submit the Answer, the Board motu proprio shall then meet to proceed with the disposition of the administrative case and render their resolution and recommendation based on the Investigation Report, Answer of the respondent and/or available evidence.

E. The Board, in the exercise of its discretion, may direct the respondent or any witnesses, if there be any, to appear for clarificatory questions within ten (10) days from the receipt of the Answer. On the other hand, the Board, also in its discretion, may approve the request of the respondent to conduct a summary hearing to allow the latter to examine or refute the evidence against him.

F. At any time during the proceeding, the respondent may be assisted by a private counsel of his own choice such that during clarificatory questioning by the Board, the respondent may confer with his private counsel before answering. However, during confrontation or examination of witnesses, the respondent shall direct all his questions to the Board. The Board upon determination of the relevance and materiality of the respondent's questions shall then propound the same to the witnesses.

G. Legal Officers of the PCG are prohibited from representing the erring PCG Uniformed Personnel before the Board.

H. All questions and answers by the parties summoned before the Board during the summary hearing shall be directed to the Board for determination of its materiality and relevance.

I. In the event of a summary hearing, the Board may require the respondent to submit his position paper within ten (10) days from the termination thereof. The respondent shall specify in his position paper all his available defenses and grounds for exoneration. The refusal or failure of the respondent to submit his position paper when directed to shall constitute a waiver on his part to present any additional evidence and shall give the Board the authority to render its resolution and recommendation based on the pleadings or evidence gathered.

J. The failure or refusal of the respondent to appear before the Board when duly summoned thereto for clarificatory questions shall constitute a waiver on his part to present additional evidence and shall give the Board the authority to render its resolution and recommendation based on the pleadings or evidence gathered.

K. Within ten (10) days from receipt of the position paper or the lapse of the given period to submit the same, the Board shall render its resolution and

recommendation based on the pleadings or evidence gathered for submission to the Commandant, PCG.

XIV. GUIDELINES FOR THE PCG DISCIPLINARY BOARD

A. Upon receipt of the directive to hear an administrative case, the PCG Disciplinary Board shall immediately convene to discuss the internal rules to be observed by the Board during the proceedings and other matters which may be taken up thereon. The Secretariat shall ensure that minutes of the meetings or hearing of the Board are reduced into writing and signed by all the members of the Board.

B. The Board shall then fix the schedule of meetings and hearings avoiding unnecessary delays in order to facilitate the expeditious disposition of the administrative case. The Chairperson of the PCG Disciplinary Board, through the Secretariat, shall immediately cause the issuance of summons for the parties involved.

C. The Chairperson of the PCG Disciplinary Board shall preside over the scheduled meetings and hearings of the Board. In the absence of the Chairperson of the Board, the Vice - Chairperson or the most Senior Officer present at the meeting shall preside.

D. A majority of the members shall constitute a quorum for the Board to convene in a meeting or hearing and the decision of the majority of the members present at a meeting or hearing at which there is a quorum shall prevail.

E. Any person called to attend the Board meeting or hearing shall be directed to take an Oath or Affirmation before the Board may propound any clarificatory questions based on the affidavits, depositions and any other available evidence.

F. A duly authenticated deposition may be read in evidence before the Disciplinary Board in any case, if the witness, by reason of age, sickness, body infirmity, imprisonment, or other reasonable cause is unable to appear and testify in person at the place of trial or hearing

G. After careful evaluation of the Investigation Report, Answer, Position paper and any other evidence, the Chairperson shall immediately call for a Board meeting to vote on the determination and disposition of the administrative case. The Chairperson shall call upon each member of the Board to state his / her vote and the reasons thereto starting from the most junior member present. The Chairperson shall be the last member to state his/her vote and the reasons thereto.

H. The members of the Board shall confer and discuss among themselves the determination and disposition of the administrative case based on substantial evidence gathered in the course of the proceeding in order to come up with the appropriate resolution and recommendation as a collegial body.

I. The votes of the majority of the members present in the hearing or meeting with a quorum shall prevail. The Chairperson shall endeavor to take just and possible means to come up with a final resolution of the Board in cases where the votes result to a tie.

J. The Chairperson may designate any member of the Board to reduce into writing the Resolution and Recommendation of the Board. Each member of the Board

shall thereafter affix his / her signature on the Resolution before submitting the same to the Commandant, PCG for approval.

K. The Secretariat of the PCG Disciplinary Board shall keep a record of the entire proceeding and a copy of the pertinent documents thereto. The original records of the proceedings shall then be forwarded to the Commandant, PCG. All records of such proceedings shall be transferred to the Office of the PCG Disciplinary Board.

L. The Secretariat shall provide the CG - 1 a copy of the final resolution as approved by the Commandant, indicating the penalty imposed upon erring PCG personnel which shall form part of the 201 file and/or unit punishment book

XV. RESOLUTION AND RECOMMENDATION OF THE PCG DISCIPLINARY BOARD

A. Within ten (10) days from receipt of the answer and / or position paper or the expiration of the period for submitting the same, the Board shall issue its resolution and recommendation which contain a brief statement of the facts, rule or regulation violated, or offense committed a discussion on the findings of the Board, evidence and basis for the recommendation.

B. The resolution and recommendations of the PCG Disciplinary Board shall be subject to the approval of the Commandant, PCG.

C. The Commandant, PCG, in the exercise of his discretion, may approve, disapprove, vacate or modify the resolution and/or the recommendation of the PCG Disciplinary Board.

D. The Commandant, PCG may vacate the resolution and / or the recommendation of the Board and / or impose lesser or greater administrative disciplinary sanctions which he may deem appropriate.

E. The Commandant, PCG may at his discretion forward the Resolution of the PCG Disciplinary Board to the Coast Guard Legal Service (CGLS) for Comment before rendering decision on said Resolution. The CGLS shall submit its Comment to the Commandant, PCG within fifteen (15) days from receipt thereof.

XVI. RULES AND REGULATIONS

The PCG Disciplinary Boards shall, not later than sixty (60) days from the issuance of the orders of the Chairpersons and Members of all the respective Boards, issue a uniform rules and procedures to be adopted in the conduct of administrative disciplinary proceedings by the said Boards.

XVII. APPROVING / CONFIRMING AUTHORITY

A. The Commandant, PCG shall have the authority to approve and confirm the resolution and recommendations of the PCG Disciplinary Board to impose administrative sanctions on any erring PCG Non - Officer including the penalty of

Suspension without pay, demotion, suspension without pay or dismissal without honor from the PCG Service.

The Commandant, PCG shall have the authority to approve and confirm the resolution and recommendations of the PCG Disciplinary Board to impose administrative sanctions on any erring Probationary Ensign, Cadet or Cadettes and Candidate Coast Guard Officers which includes the penalty of dismissal without honor from the PCG Service.

The Commandant, PCG shall have the authority to approve and confirm all administrative sanctions imposed on erring PCG Officers, except that in cases where the recommended sanction is dismissal without honor from the PCG Service of PCG Officers with the rank of ENSIGN to CAPTAIN. The CPCG approved resolution dismissing from the service PCG Officers with the rank of ENSIGN to CAPTAIN shall be forwarded to the Secretary of the Department of Transportation for confirmation.

The Commandant, PCG approved resolution recommending dismissal without honor from the PCG Service of Flag Rank Officers shall be immediately forwarded by the Commandant, PCG for endorsement of the Secretary of the Department of Transportation (DOTr) to the Office of the President for confirmation.

B. The Commandant, PCG approved Resolution of the PCG Disciplinary Board except those involving dismissal without honor from the service of PCG Officers shall be immediately executory pending appeal. An appeal shall not interrupt or stay the execution of the administrative sanctions imposed.

C. The erring PCG Non - Officer shall immediately serve the administrative sanction pending appeal until the Commandant, PCG approved Resolution appealed from is amended, mitigated or vacated by the Commandant, PCG. On the other hand, the erring PCG Officer shall immediately serve the administrative sanction pending appeal except when the penalty imposed is dismissal without honor in which case, the service of sanctions shall commence upon confirmation by the Secretary of the Department of Transportation (DOTr) or the President as maybe applicable.

XVIII. MOTION FOR RECONSIDERATION

A. Within fifteen (15) days from receipt of the Resolution of the disciplining authority the party / parties concerned who deemed himself/themselves aggrieved thereof may file a Motion for Reconsideration with the same disciplining authority on the ground of insufficiency of evidence or that the Resolution and / or recommendation of the disciplining authority is contrary to law.

B. The Motion for Reconsideration shall be resolved by the disciplining authority within fifteen (15) days from receipt thereof.

C. No second motion for reconsideration shall be allowed.

XIX. APPEAL

A. The resolution of the disciplining authority may be appealed to the next higher authority within fifteen (15) days from receipt thereof by either the respondent or offended party, as the case maybe. Provided that, if the resolution is for the dismissal of the case, the offended party may only appeal the same based on grounds and/or evidence not considered by the disciplining authority.

B. Any appeal made beyond the prescriptive period stated herein shall not be entertained.

C. The notice of appeal shall be filed with the next higher authority which shall specifically state the date of the Resolution appealed from and the date of receipt thereof. Failure to do so may cause the dismissal of the appeal.

D. The Coast Guard Legal Service (CGLS) as directed by the Commandant, PCG shall review all cases forwarded to it on appeal. The review of the case by the CGLS shall be submitted to the Commandant, PCG within fifteen (15) days from receipt thereof.

E. In the absence of an appeal, the Commandant, PCG approved Resolution dismissing a PCG Non - Officer shall be considered final and executory.

F. In the case of PCG Officers with the rank of ENSIGN to CAPTAIN, upon lapse of the prescriptive period to appeal, the Commandant, PCG approved Resolution shall be immediately forwarded to the Office of the Secretary of the Department of Transportation (DOTr) for confirmation.

G. In the case of Flag Rank Officers, upon lapse of the prescriptive period to appeal, the Commandant, PCG approved Resolution shall be immediately forwarded to the Office of the President for confirmation upon endorsement of the Secretary of the Department of Transportation (DOTr).

XX. DISCIPLINARY POWERS OF COMMANDING OFFICERS

The Commanding Officer of any Coast Guard District, Major Service Command, Commissioned Vessel, Coast Guard Station, Installation or the Heads of Office of the HPCG Central staff, may for MINOR / LIGHT OFFENSES, impose disciplinary punishments upon PCG Uniformed Personnel of his / her unit / office without the intervention of the PCG Disciplinary Board.

A. Investigation Procedures

1. The Commanding Officer shall motu proprio, based on reports from the CG - 2, receipt of verified reports, complaints, or directive from the Commandant, PCG conduct an investigation of a PCG Uniformed Personnel assigned in his / her Unit / Office regardless of the nature of the assignment of the said PCG Uniformed Personnel. For the aforementioned purpose, the Commanding Officer may designate an Investigating Officer.

2. The Respondent shall be notified in writing of the complaint / report against him / her by the Investigating Officer requiring him / her further to give his sworn statement or submit his / her counter - affidavit / explanation preferably by personal service. Otherwise, service shall be made by registered mail with return card. Within ten (10) days from receipt of the notice, the Respondent shall give his / her sworn statement or submit his counter - affidavit / explanation to the Investigating Officer.

3. The Investigating Officer shall prepare and submit his / her Investigation Report to the Commanding Officer within ten (10) days after receipt of the sworn statement or counter - affidavit / explanation of the Respondent or the lapse of the ten (10) days period given to the Respondent for the afore - mentioned purpose.

4. The Commanding Officer shall approve or disapprove the Investigation Report of the Investigating Officer within fifteen (15) days from receipt thereof. The Respondent may be furnished a copy of the Investigation Report upon his / her request.

5. The Commanding Officer shall immediately submit a copy of the Approved Investigation Report to the Commandant, PCG (Attn: DCS - HRM, CG - 1) copy furnished CGIAS for information and reference.

B. LIGHT OR MINOR OFFENSES that are under the Disciplinary Powers of Commanding Officers:

1. **Failing to report or leaving without permission at the fixed time to the properly appointed place of Reveille, Retreat, Roll Call, Scheduled Duty, or Troop Formation;**

2. **Appearing in civilian clothing without authority;**

3. **Committing a nuisance.** A nuisance is any act, omission, establishment, condition of property or anything else which injures or endangers the health or safety of others; annoys or offends the senses; shocks, defies or disregards decency or morality; obstructs or interferes with the free passage of any public highway or street, or any body of water; or hinders or impairs the use of property;

4. **Appearing in unclean uniform, or not in prescribed uniform, or in uniform but not in the prescribed manner;**

5. **Disorderly in command, quarters, station, or camp;**

6. **Loitering or sitting down on duty;**

7. **Unclean accoutrement, arm, clothing, equipment, or other coastguard property in his charge;**

8. **Violation of any office rules and regulations;**

9. **Simple Misconduct;**

10. **Non - Support;** and

11. **Any analogous circumstances or cases not mentioned above.**

C. **Penalties.** The Commanding Officer may impose the applicable penalties under the **Table of Authorized Maximum Punishment under this Title (ANNEX B)** for violations of **Minor or Light Offenses**. Provided that, the Commanding Officer may impose one or more of the said penalties as he / she may deem necessary.

D. **Effects of Imposition of Penalties for violations of Minor or Light Offenses.**

1. The imposition and enforcement of disciplinary punishment under authority of this Title for commission of Light or Minor Offenses shall immediately be executory. The punishment imposed under this Title shall form part of the erring PCG Uniformed Personnel 201 File and unit punishment book.

2. A PCG Officer meted with punishment under this Title by a Flag rank Officer shall automatically be considered on non-promotable status for a period of one year from the date of the imposition of the punishment. The imposition by a Flag rank Officer of three or more disciplinary punishments during the three years next preceding the consideration for promotion of an erring PCG Officer shall constitute a ground for deferment from promotion of the said erring PCG Officer.

3. A PCG Non - Officer meted with punishment under this Title by a PCG Officer with a rank of Commander or higher shall automatically be considered on non - promotable status for a period of one (1) year from the date of the imposition of the punishment.

4. A PCG Uniformed Personnel punished under this Title who deems his punishments unjust or disproportionate to the offense may through the proper channel, file a motion for reconsideration to the next superior authority, but shall in the meantime be required to undergo the punishment imposed.

E. **Authority of the Commanding Officer to impose Penalties for Violations of GRAVE or LESS GRAVE Offenses provided in the herein Code.**

The Commanding Officer shall have the authority to initially impose one or more penalties provided in the **Table of Authorized Maximum Punishment under this Title (ANNEX B)** for violations of Grave or Less Grave Offenses and immediately implement the same without prejudice to the endorsement / submission of the appropriate Investigation Report to the Commandant, PCG for his / her approval or referral to the CGLS, CGIAS, or PCG Disciplinary Board for review, further investigation, or disposition of the appropriate administrative case, respectively.

F. **On the Spot Correction.** For commission of Light or Minor Offenses under para B numbers 1 to 9, the Commanding Officer may impose immediate penalty such as calisthenics, touring or other physical exercises provided that said penalty shall not be immoral, demeaning, or degrading to the dignity and welfare of the Offender.

XXI. SUSPENSION OF PCG UNIFORMED PERSONNEL

A. **Preventive Suspension Pending Investigation**

1. **Authority.** The Commandant, PCG, as Head of the PCG and Disciplinary Authority, may impose preventive suspension pending investigation against a Respondent when there is sufficient basis to hold him / her administratively liable for Grave Offense/s under this Code or when there is sufficient reason to believe that he / she may influence the course of the investigation by reason of his / her position, rank, or by nature of the case. Similarly, the Commanding Officer Commander, CGIAS and the PCG Disciplinary Board may recommend to the Commandant, PCG the imposition of preventive suspension pending investigation against a Respondent on the same grounds. A written notice of the suspension order shall be served to the Respondent preferably by personal service; otherwise, service shall be by a licensed courier service or registered mail with return card.

2. **Nature.** Preventive Suspension Pending Investigation without pay is not a penalty. It is designed merely as a measure of precaution so that the Respondent may be removed from the scene of his / her alleged misfeasance / malfeasance / nonfeasance while the same is being investigated. During the effectivity of the preventive suspension pending investigation, the Respondent shall receive no pay.

3. **Effectivity.** The preventive suspension pending investigation shall be effective immediately from the date of the suspension order and shall continue until the lapse of the period imposed by the Disciplinary Authority or receipt by the Respondent of the Resolution of the case by the Board duly approved by the Commandant, PCG. Provided, that the said period shall not exceed ninety (90) days.

4. **Implementation.** Upon receipt of the directive from the Commandant, PCG the CG - 1 shall immediately issue the preventive suspension order against the Respondent effective on the date indicated in the said directive. Likewise, upon receipt of the appropriate order from the CG - 1, the CGFC shall immediately stop there lease of the salary of the Respondent reckoned from the effectivity indicated in the said order.

5. **Effect of Exoneration.** The prevented suspension pending investigation shall not be considered as a penalty. Hence, the Respondent shall not receive reimbursement of his / her salary during the effectivity of the said suspension even if he / she is exonerated in the final Resolution of his / her case. Provided that, if the exoneration is based on lack of merit of the case and not merely on technicalities, the Respondent shall be reimbursed of his / her salary during the period of the said suspension that he / she actually served.

B. **Suspension as a Penalty**

1. **Authority.** The respective Board created pursuant to this Code may recommend suspension as a penalty without pay when the Resolution of the case determined that the respondent committed an offense under this Code warranting the same.

2. **Effectivity.** Suspension as a penalty shall take effect immediately upon approval by the Commandant, PCG of the Resolution of the Board with the recommendation for the imposition of the said suspension and shall continue for the entire duration of the same unless reversed or rescinded earlier by the Commandant, PCG. Provided that if the Respondent is still serving preventive suspension pending

investigation, the same shall automatically be terminated on the date of the effectivity of the suspension as a penalty. Consequently, the Respondent will already commence serving the suspension as a penalty.

3. **Implementation.** Upon receipt of the Resolution of the Board duly approved by the Commandant, PCG, the CG - 1 shall immediately issue the suspension order against the Respondent effective on the date of the approval of the Commandant, PCG. Then, CG - 1 shall immediately furnish the CGFC a copy of the suspension order. Upon receipt of the suspension order, CGFC shall stop the release of the salary of the Respondent reckoned from the effectivity indicated in the said order.

C. Effect of the Reversal of the Resolution of the Board

1. If the Resolution of the Board finding the Respondent administratively liable for the commission of an offense under this Code warranting the imposition of suspension as a penalty is reversed by the Commandant, PCG, the same shall have the effect of exoneration. Consequently, the Respondent shall be reimbursed of his / her salary during the period of the suspension that he / she actually served.

2. Upon receipt of the decision of the Commandant, PCG reversing the Resolution of the Board, CG - 1 shall issue an order lifting the suspension effective on the date indicated on the said decision. Then, CG -1 shall furnish CGFC a copy of the said order. The CGFC, upon receipt of the order from the CG - 1 shall release the salary of the Respondent effective on the date indicated in the said order. Likewise, CGFC shall reimburse the salary of the Respondent during the period of the suspension he / she actually served.

XXII. RELIEF OR RE - ASSIGNMENT OF RESPONDENT

The Commanding Officer may, at his / her option, seek the relief and re assignment of the Respondent during the conduct of the administrative proceeding which shall not also be considered as a penalty.

XXIII. PRESCRIPTION OF OFFENSES

Offenses under this Code are deemed administrative in nature hence not subject to prescription.

XXIV. OTHER LEGAL ACTIONS

The Command may further employ or pursue such other civil and criminal actions as provided for under existing laws.

XXV. EFFECT OF DEATH

Death of the Respondent during the pendency of the investigation and / or pendency of the administrative case before the PCG Disciplinary Board terminates the administrative case and has the effect of exoneration.

XXVI. BUDGET ALLOCATION

The Command through the DCS of HRM, CG - 1 shall allocate funds to defray the necessary expenses of the Boards, including the appropriate honoraria / allowances of all the Chairperson and members of each of the Boards and its Secretariat.

XXVII. TRANSITORY PROVISIONS

Offenses committed prior to the effectivity of this Code shall be covered by the applicable and existing policies at the time of the commission of the same.

XXVIII. REPEALING CLAUSE

All rules and/or regulations or portion thereof inconsistent with the provisions of this Code, are hereby repealed or modified accordingly.

XXIX. SEPARABILITY CLAUSE

If, for any reason, a provision or part hereof shall be declared illegal, the validity of the other provisions shall not be affected by such declaration.


XXX. EFFECTIVITY

This Code shall take effect upon its publication by the Coast Guard Adjutant.

BY COMMAND OF VADM GARCIA PCG:

OFFICIAL:

JOSE WILLIAM U ISAGA
COMMO PCG
Chief of Coast Guard Staff


LIEZEL B BAUTISTA
CDR PCG
Coast Guard Adjutant
11-24-12

Annex A – Certificate of Non-Forum Shopping
Annex B – Table of authorized punishments under title XX under NHQPCG/CGIAS

ANNEX A

CERTIFICATE OF NON - FORUM SHOPPING

I, _____, of legal age, _____, Filipino, and a resident of _____, after having been duly sworn to in accordance with law, do hereby depose and say that:

I filed a complaint affidavit against _____.

I have NOT filed any criminal or administrative complaint or commenced any other action or proceeding involving the same parties, issues and cause of action in any other form EXCEPT the following: (Note: Check all applicable boxes and specify the forum where complaint or action is pending and the nature of the proceedings in the blank space. Otherwise, put N/A or "not applicable")

- Court _____
- Prosecutor's office _____
- Quasi - Judicial body _____
- other government agencies _____

Should I learn that a similar action or proceeding has been filed or is pending in the aforementioned court, prosecutor's office, quasi-judicial body or government agency, I undertake to notify the Office of the Ombudsman of the present status thereof within FIVE (5) DAYS from my notice of the same.

I fully understand that failure on my part to comply with the foregoing requirement shall be sufficient cause for the dismissal of this case.

IN WITNESS WHEREOF, I hereby affix my signature hereto on this _____ day of _____, _____ at _____.

(Complainant)

I hereby certify that I have examined the Complainant and that I am fully satisfied that he / she voluntarily executed and understood the contents of this Certification.

Administering Officer



**TABLE OF AUTHORIZED PUNISHMENTS UNDER TITLE XX under NHPCG / CGIAS Circular
 Number _____ dated 30 _____ (Revised Guidelines and Procedures on Disposition of Violations of
 Code of Conduct and Discipline for PCG Uniformed Personnel)**

AUTHORIZED PUNISHMENT	BY A CO WITH FLAG RANK		BY A CO WHOSE RANK IS CDR OR ABOVE		BY A CO WHOSE RANK IS LCDR OR BELOW	
	Officer	Non-Officer	Officer	Non-Officer	Officer	Non-Officer
Withholding of Privileges	60 days	60 days	30 days	30 days	30 days	30 days
Restriction	60 days	60 days	30 days	60 days	30 days	30 days
Arrest in Quarters	30 days	30 days	15 days	30 days	15 days	15 days
Forfeiture of pay	1/2 of 1 mo for 3mos	1/2 of 1 mo for 2mos	1/2 of 1 mo for 1mo	1/2 of 1 mo for 2 mos	1/2 of 1 mo for 1 mo	1/2 of 1 mo for 1 mo
Detention or w/holding of pay	1/2 of 1 mo for 6mos	1/2 of 1 mo for 4 mos	1/2 of 1mo for 3mos	1/2 of 1 mo for 4mos	1/2 of 1 mo for 3 mos	1/2 of 1mo for 3mos
Deprivation of Liberty	60 days	60 days	30 days	60 days	30 days	30 days
Reprimand	Yes	yes	yes	yes	yes	yes
Admonition	Yes	yes	yes	yes	yes	yes
Confinement	No	30 days	no	30 days	no	15days
Correctional Custody	No	30 days	no	30 days	no	15 days
Extra Duties	No	45 days	no	45 days	no	15 days
Reduction in Rank	No	above E-4 (2 grade only) Others-lowest or any grade	no	above E-4 (2 grades only) Others- lowest or any grade	no	not lower than 1 or 2 grades