



Republic of the Philippines  
 NATIONAL POLICE COMMISSION  
 NATIONAL HEADQUARTERS, PHILIPPINE NATIONAL POLICE  
 OFFICE OF THE CHIEF, PNP  
 Camp 2 Gen. Rafael T. Crame, Quezon City

MEMORANDUM CIRCULAR  
 NO. 2021-055

SUBJECT : PNP ANTI-DRUNK AND DRUGGED DRIVING CAMPAIGN PLAN

TO : See Distribution

DATE : MAY 06 2021

1. REFERENCES:

- a. Republic Act (RA) No. 10586, or otherwise known as the "The Anti-Drunk and Drugged Driving Act of 2013";
- b. RA No. 9165, or otherwise known as "The Comprehensive Dangerous Drugs Act of 2002";
- c. RA No. 4136, or "The Land Transportation and Traffic Code Act of 1964";
- d. Executive Order No. 86, series of 2018, entitled: "Institutionalizing the Philippine Anti-Illegal Drugs Strategy (PADS)," dated October 29, 2018;
- e. Implementing Rules and Regulations of RA No. 10586; and
- f. Global Status Report on Road Safety 2018 launched by the World Health Organization in December 2018.

2. RATIONALE:

This Memorandum Circular (MC) prescribes the guidelines to be strictly followed by all units in its campaign against drunk and drugged driving with the primary goals of reducing road crash incidents, improving public safety, and emptying the streets of drivers who are under the influence of alcohol, dangerous drugs and/or other similar substances.

3. SITUATION:

The World Health Organization Global Status Report on Road Safety 2018 shows an increasing trend in road traffic deaths in the Philippines. Half of these deaths are among vulnerable road users such as the motorcyclists, pedestrians and cyclists. Road traffic injuries also cost about 2.3% of the country's gross domestic product.

Appalled by daily reports of deaths in connection with road accidents, President Rodrigo Roa Duterte mentioned in his December 23, 2019 public address in Cotabato City that the situation is no longer acceptable, likening the death toll of traffic accidents to daily "massacre." He then directed the Philippine National Police (PNP) to help in traffic management to avoid road mishaps.

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 Administrative Officer

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In the 2020 report of the Department of Health, the 8,017 deaths attributed to transport accidents ranked number 17 among the leading causes of deaths in the country. It represents 1.4% share of the total recorded deaths where most are due to health conditions.

To address road safety issues, the Philippines developed the Philippine Road Safety Action Plan 2017-2022, adopting a vision of zero road traffic death, with an interim target to reduce road death rate by at least 20% by 2022. The interventions are organized according to the Action Plan of the Decade of Action for Road Safety 2011-2020, focusing on the following: (1) road safety management; (2) safe roads and mobility; (3) safer vehicles; (4) safer road users; and (5) post-crash care.

WHO has also made mention of the Philippines progress in the area of road safety management with the Department of Transportation as the lead agency in the country's multisectoral road safety action plan. There are already existing legislations on safer roads and mobility and one of these is RA No. 10586, or otherwise known as "The Anti-Drunk and Drugged Driving Act of 2013."

RA No. 10586 mandates the Land Transportation Office (LTO) to deputize traffic enforcement officers of the PNP, the Metropolitan Manila Development Authority (MMDA) and cities and municipalities in order to enforce its provisions. It also requires the LTO and the PNP to conduct training seminars for their law enforcers and deputies with regard to the proper conduct of field sobriety tests and breath analyzer tests every year.

#### 4. MISSION:

The PNP, concurrent with its mission to ensure public safety, and in coordination and partnership with LTO, Local Government Units (LGUs) and the community, shall orchestrate the conduct of a deliberate campaign against drivers who are driving motor vehicles while under the influence of alcohol, dangerous drugs, and/or other similar substances.

#### 5. DEFINITION OF TERMS:

- a. **Alcohol**- refers to alcoholic beverages classified into beer, wine, and distilled spirits, the consumption of which produces intoxication.
- b. **Blood Alcohol Concentration (BAC)** - refers to the measure of amount of alcohol in a person's blood.
- c. **Breath analyzer**- also known as Alcohol Breath Analyzer (ABA) refers to the equipment which can determine the BAC level of a person through testing of his breath.
- d. **Chemical tests**- refer to breath, saliva, urine, or blood tests to determine the blood alcohol concentration level and/or positive indication of dangerous drugs and similar substances in a person's body.

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- e. **Dangerous drugs and other similar substances-** refer to drugs listed in the schedule annexed to the 1954 Single Convention on Narcotic Drugs, as amended by the 1972 Convention of Psychotropic Substances as enumerated in its attachment which is an integral part of RA No. 9165 and those that the Board may reclassify, add to or remove from the list of dangerous drugs.
- f. **Deputation-** the act of appointing a person or persons to represent or act for another or others.
- g. **Driving under the influence of alcohol-** refers to the act of operating a motor vehicle while the driver's blood alcohol concentration level has, after being subjected to a breath analyzer test, reached the level of intoxication.
- h. **Driving under the influence of dangerous drugs and other similar substances-** refers to the act of operating a motor vehicle while the driver, after being subjected to a confirmatory test as mandated under RA No. 9165, is found to be positive for use of any dangerous drugs.
- i. **Drug Screening Test-** refers to a rapid test performed to establish potential/presumptive positive result on the presence of dangerous drugs in a person's body.
- j. **Field sobriety test-** refer to a standard test to initially assess and determine intoxication, such as the horizontal gaze nystagmus, the walk-and-turn, the one-leg stand, and other similar tests.
- k. **Motor vehicle-** refers to any land transportation vehicle propelled by any power other than muscular power.
- l. **Public Utility Vehicles (PUVs)-**refer to motor vehicles for hire and used to carry or transport passengers or goods.
- m. **Unit Commander-** refers to the head of office/unit/station where the deputized PNP personnel is assigned such as but not limited to Regional Director, District Director, City Director, Provincial Director, Station Commander, or Chief of Police, as the case maybe or if assigned to Highway Patrol Group (HPG), the Director, Regional Chief or Provincial Chief.

## 6. EXECUTION:

This MC shall be implemented in five phases prescribed below, while the law enforcement procedures are guided in the provisions of the Implementing Rules and Regulations (IRR) of RA No. 10586.

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## a. Concept of Implementation

The five phases of implementation include: 1) Deputation, 2) Education and Training, 3) Nationwide Information Campaign, 4) Law Enforcement, and 5) Monitoring and Evaluation. This concept will complement the Anti-Overloading Mobile Enforcement operations jointly conducted by PNP/LTO/Department of Public Workers and Highways (DPWH) and LGUs. However, this time more active collaboration with the LGUs and joint operations with concerned law enforcement agencies will be implemented.

### 1) Deputation

PNP personnel whose present work assignments are directly and actually related to traffic management and control may be deputized by LTO after complying with the requirements set forth under Rule VI, Section 1 of the IRR of RA No. 10536.

The Unit Commanders must ensure compliance thereof and shall coordinate with LTO Regional/District Officers for the conduct of Deputies Training Seminar of their target personnel and for the latter's subsequent deputation and deployment within their respective areas.

Deputized PNP personnel shall be subject to the reportorial and procedural guidelines set in the IRR. Personnel with revoked deputations, regardless of the reason, shall not be qualified for further deputation.

### 2) Education and Training

The PNP, in close collaboration and partnership with the LTO and other law enforcement agencies, shall conduct periodic training seminars for its traffic enforcement personnel with regard to the proper conduct of field sobriety test and ABA test following the guidelines and procedures issued by LTO.

It is important that the LTO-deputized PNP personnel are knowledgeable in terms of assessing the balance, coordination and ability of the driver to divide his attention to the three tasks during the field sobriety test: the eye test (horizontal gaze nystagmus), walk-and-turn, and one-leg stand. The tests have been scientifically proven to validate legal intoxication in drivers suspected of drunken driving in 90% of cases if administered by a trained law enforcement officer.

In addition to the field sobriety test, knowledge in the use and determination of the blood alcohol content level of an accosted driver is important to support the PNP officer in citing the former's LTO violation or in the filing of appropriate case in court, if necessary.

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### 3) Nationwide Information Campaign

The PNP shall actively engage the community through various means in cooperation with TRMP (Television-Radio-Internet-Messaging-Print) facilities for the attainment of reducing road crash incidents, improving public safety, and emptying the streets of drivers who are under the influence of alcohol, dangerous drugs and/or other similar substances.

Cooperation between the PNP, LTO, and other involved agencies in disseminating this campaign is important to make it known more widely and to enhance its credibility both with the target audience and potential supporters. It helps draw support from diverse constituencies and networks.

### 4) Law Enforcement Operations

All concerned PNP units shall conduct focused police operations against drunk and drugged drivers to eradicate the number of drivers who are driving a motor vehicle while under the influence of alcohol, dangerous drugs, and/or other similar substances. It will be spearheaded by the PNP-HPG, Traffic Enforcement Units/Teams from the District, City and Police Station level in close coordination with the LTO, concerned government agencies/LGUs, and other stakeholders.

PNP personnel must have reasonable ground to believe that the person driving the motor vehicle is under the influence of alcohol, dangerous drugs, and/or other similar substances upon personally witnessing a traffic offense committed by means of lane straddling, making sudden stops, overspeeding, weaving or weaving in such an apparent way as to indicate that the driver is under the influence of alcohol, dangerous drugs, and/or other similar substances.

In the course of apprehension for another traffic offense, the evident smell of alcohol in a driver's breath, generally slurred speech in response to questioning, bloodshot or reddish eyes, flushed face, poor coordination, difficulty in understanding, and responding intelligently to questions shall also constitute probable cause.

In any case, the burden of proof to establish the existence of a probable cause is on the law enforcement officer.

In addition, all driver's licenses confiscated shall be turned over to the nearest LTO within 24 hours after confiscation together with the copy of the Temporary Operators Permit (TOP) for safekeeping and shall be released by LTO only after final disposition or lawful order of competent authority and/or courts.

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## 5) Monitoring and Evaluation

The PNP Anti-Drunk and Drugged Driving National Oversight Committee shall be established at the national and regional levels to supervise the implementation of this MC, monitor and periodically evaluate the performance of the Police Regional Office (PROs) and their attached HPG regional units.

The Oversight Committee at the National level will be headed by The Deputy Chief PNP for Operations as Chairman and The Director for Operations (TDO) as Vice-Chairman. The other Committee members are as follows:

TDIDM	-	Member
TDPCR	-	Member
TDPRM	-	Member
TCHRDD	-	Member
TCL	-	Member
D HPG	-	Member
D CLG	-	Member
D LS	-	Member
C PIC	-	Member
C LED/DO	-	Secretariat

The Oversight Committee at the National level will be supported by a Secretariat to be headed by Chief, Law Enforcement Division, Directorate for Operations and assisted by Chief, Public Safety Division, Directorate for Operations as Assistant Head. It shall be supported by the following as members:

AC PCC	-	Member
DDO, HPG	-	Member
DDO, CLG	-	Member
C, PPD, DPCR	-	Member
C, CMD, DIDM	-	Member
C, UTED, DHRDD	-	Member
C, SMD, DL	-	Member
C, Budget, DC	-	Member

The Regional Oversight Committee shall be headed by the Deputy Regional Director for Operations (DRDO) as Chairman with the Chief Regional Operations and Plans Division as Vice-Chairman and the counterpart Regional Staff as members.

### b. Procedures and Guidelines:

#### 1) Screening for Driving Under the Influence of Alcohol

- Upon personal determination of probable cause, a deputized police officer shall flag down the motor vehicle, direct the driver to step out of the vehicle, and determine whether or not the driver is drunk or drugged. If the police officer has reasonable

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grounds to believe that the driver is drunk, the police officer shall expressly inform the driver of his assessment and the driver shall be directed to perform all of the three field sobriety tests (eye contact, walk-and-turn, and one-leg) stand on site.

- b) The deputized police officer shall record the driver's responses to the field sobriety tests above enumerated, which record shall form part of the records of the case;
- c) If the driver passes all of the three field sobriety tests, the driver shall be apprehended for the other traffic offense only and not for violation of this RA No. 10536.
- d) If the driver fails any of the field sobriety tests, the police officer shall proceed to determine the driver's BAC level, through the use of the ABA, on site;
- e) A driver of a motor vehicle who refuses to undergo the mandatory testing as required shall be penalized by the confiscation and automatic revocation of his/her driver's license, in addition to other penalties provided herein and/or other pertinent law after compliance with the requirement of due process.
- f) A driver who, after ABA testing, registers a BAC higher than the prescribed limit shall be put under arrest and the motor vehicle impounded. The police officer shall observe the proper procedure in effecting the arrest and bringing the driver to the nearest police station for detention. The motor vehicle shall also be brought to the nearest (TC) impounding area until the same is claimed by an authorized representative of its registered owner.
- g) In case of a BAC within the allowed limit, the driver shall be apprehended for the other traffic offense only and not for violation of this RA No. 10536.
- h) Under no circumstance shall a driver, who has undergone and passed the field sobriety test and/or ABA test, be subjected to a drug screening test afterward; and
- i) The deputized police officer shall accomplish the following preparatory to the turnover of the case to the police officer-on-duty of the nearest police station:
  - i. A complaint/charge sheet;
  - ii. Results of the field sobriety tests/ABA test in the prescribed format;
  - iii. Inventory of items under temporary custody (to include motor vehicle when necessary); and
  - iv. Other pertinent documents.

**2) Screening for Driving Under the Influence of Dangerous Drugs and Other Similar Substances**

- a) Upon personal determination of probable cause, a deputized police officer shall flag down the motor vehicle, direct the driver to step out of the vehicle, and determine whether or not the driver is drunk or drugged. If the police officer has reasonable grounds to believe that the driver is drugged, the police officer shall expressly inform the driver of his assessment and shall bring the driver to the nearest police station;
- b) At the police station, the driver shall be subjected to a drug screening test, in accordance with existing operational rules and procedures, and if found positive, a drug confirmatory test shall be conducted under RA No. 9165;
- c) Under no circumstance shall a driver, who has undergone and passed the drug be subjected to a field sobriety test and/or ABA test afterwards;
- d) After a positive drug confirmatory test, the deputized police officer shall accomplish the following preparatory to the turnover of the case to the police officer-on-duty of the nearest police station:
  - i. Results of the conduct of the Drug Recognition Protocol in the prescribed format;
  - ii. Inventory of items under temporary custody (to include motor vehicle when necessary); and
  - iii. Other pertinent documents;
- e) Without a positive drug confirmatory test, the driver shall be apprehended for the other traffic offense only and not for violation of RA No. 10586.

**3) Mandatory Alcohol and Drug Testing of Drivers Involved in Motor Vehicular Accidents**

- a) A driver of a motor vehicle involved in a vehicular accident resulting in the loss of human life or physical injuries shall be subjected to on-site field sobriety test and ABA testing whenever practicable and thereafter chemical tests, including a drug screening test and, if necessary, a drug confirmatory test as mandated under RA No. 9165, to determine the presence and/or concentration of alcohol, dangerous drugs and/or similar substances in the bloodstream or body. A deputized police officer may use other alcohol testing equipment, such as Gas Chromatography Mass Spectroscopy (GCMS) whenever the use of an ABA is not practicable under prevailing circumstances;
- b) A driver of a motor vehicle who refuses to undergo the mandatory testing as required shall be penalized by the

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confiscation and automatic revocation of his or her driver's license, in addition to other penalties provided herein and/or other pertinent laws.

**4) Nationwide Random Terminal Inspection and Quick Random Drug Tests**

The PNP, in close collaboration with LTO, other concerned government agencies, and terminal owners of PUVs shall conduct random terminal inspections and quick random drug tests of public utility drivers to ensure a drug-free workplace in compliance with Executive Order No. 66, series of 2018. A driver of a motor vehicle who refuses to undergo quick random drug tests as required shall be penalized by the confiscation and automatic revocation of his or her driver's license, in addition to other penalties provided herein and/or other pertinent laws.

**c. Tasks**

**1) DO**

- a) OPR in the implementation of this MC;
- b) Ensure strict observance of the protocol on the conduct of anti-drunk and drugged operations;
- c) Conduct periodic assessment on the operational activities of HPG and PPOs related to this MC;
- d) Provide Secretariat to the PNP Anti-Drunk and Drugged Driving National Oversight Committee who shall consolidate all reports and compliances of tasked units;
- e) Prepare additional operational guidelines, if necessary, to be followed in processing apprehended drivers; and
- f) Perform other tasks as may be directed.

**2) DI**

- a) Gather and collate intelligence reports from the field and provide these to the operating units;
- b) Conduct continuing background investigation/record check on PNP who shall be deputized to implement this MC;
- c) Strengthen Counter Intelligence Operations particularly on deputized personnel involved in extortion, misconduct, abuse of authority, corruption, dishonesty, use of dangerous drugs and other similar substances before and during the period of deputation, and other unlawful acts similar to and analogous to the foregoing; and

d) Perform other tasks as may be directed.

**3) DIDM**

a) Supervise the monitoring of the investigation documentation, filing and cases against apprehended drunk or drugged drivers and maintain case folders;

b) Conduct investigation and filing of appropriate charges against deputized PNP personnel committing irregularities in the conduct of anti-drunk and drugged driving operations or in the prosecution of apprehended drivers for violation of RA No. 10586; and

c) Perform other tasks as may be directed.

**4) DPCR**

a) OPR in the nationwide information campaign to gain support for the attainment of the objective of this MC.

b) Establish and maintain collaborative linkages with different Non Governmental Organizations (NGOs) and LGUs on drug prevention and education program;

c) Monitor and disseminate all PNP activities and programs relative to the campaign against drunk and drugged driving through the TRIMP in coordination with the media networks;

d) Establish a 24/7 complaint center to receive reports, complaints, and information related to drunk and drugged driving from the public (landline, cellphone, email, social media, etc.) and

e) Perform other tasks as may be directed.

**5) DPRM**

a) Monitor and facilitate the early resolution of the administrative cases filed against PNP personnel involved in committing irregularities in the conduct of anti-drunk and drugged driving operations;

b) Issue orders and appropriate awards to all police personnel who have invaluable participation and accomplishments on this campaign; and

c) Perform other tasks as may be directed.

**6) DL**

a) Include in its next procurement plan the acquisition of ABAs, speed guns and other essential equipment/materials needed by the different units for the successful implementation of this MC.

and in compliance to the provision of Section 9, R.A No. 10586;  
and

b) Perform other tasks as may be directed.

**7) DPL**

a) Liaise with both Houses of Congress to generate political support for the legislative proposals of the PNP to strengthen its campaign; and

b) Perform other tasks as may be directed.

**8) DC**

a) Include in its next budget proposal the allocation of funds acquisition of ABAs, speed guns and other essential equipment/materials needed by the different units for the successful implementation of this MC, and in compliance to the provision of Section 9, R.A 10586; and

b) Perform other tasks as may be directed.

**9) DHRDD**

a) Train the lower units, in coordination with LTO, for the deputation of PNP personnel whose present work assignments are directly and actually related to traffic management and control;

b) Conceptualize training necessary to enhance the skills of PNP personnel, such as competencies on the implementation of traffic-related laws and investigation of road crash incidents for the effective implementation of this MC; and

c) Perform other tasks as may be directed.

**10) HPG**

a) Coordinate all anti-drunk and drugged operations at all levels of command;

b) Ensure strict implementation of protocol on the conduct of anti-drunk and drugged operations;

c) Maintain close coordination with district, city and stations traffic enforcement units on the progress of all anti-drunk and drugged operations;

d) Conduct vetting of operatives through the national intelligence division before they are dispatched to various jurisdictions;

e) Submit weekly assessment to the PNP Anti-Drunk and Drugged Driving National Oversight Committee.

- f) Require Regional Officers to actively participate in the meetings and assessment of the Regional Anti-Drunk and Drugged Driving Oversight Committees; and
- g) Perform other tasks as may be directed.

**11) LS**

- a) Assist PNP personnel charged administratively or criminally during the conduct of legitimate anti-drunk and drugged driving operations and implementation of other traffic-related laws;
- b) Monitor the cases filed against these PNP personnel;
- c) Provide Legal Officers to operating units at the district, city, and municipal station levels;
- d) Perform other tasks as may be directed.

**12) IMEG**

- a) Initiate law enforcement operations against rouge PNP personnel involved in irregularities during the implementation of this campaign plan; and
- b) Perform other tasks as may be directed.

**13) PIO**

- a) Assist the news media particularly in covering routine news stories;
- b) Prepare and distribute news releases;
- c) Arrange for and assist at, news/press conferences;
- d) Serve as the official liaison between media representatives and the different PNP units and assist other officers/personnel in dealing with the media;
- e) Coordinate all public information activities of the PNP and its different Units; and
- f) Perform other tasks as may be directed.

**14) Other Directorial Staff, NOSUs and NASUs**

- a) Provide all necessary operational and administrative support to concerned units to ensure the successful implementation of the programs/projects provided in this MC; and
- b) Perform other tasks as directed.

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**15) PROs**

- a) Supervise the implementation of this MC in your respective AOR;
- b) Coordinate with LTO and other concerned government agencies for the proper and effective implementation of this campaign plan;
- c) Conduct investigation on administrative cases against PNP personnel allegedly involved in extortion, misconduct, abuse of authority, corruption, dishonesty, use of dangerous drugs and other similar substances before and during the period of deputation; and other unlawful acts similar to and analogous to the foregoing;
- d) Designate DIRDO as Chairman of the Regional Oversight Committee on Anti-Drunk and Drugged Driving and other members as prescribed in this MC;
- e) Ensure strict implementation of the protocol on the conduct of anti-drunk and drugged driving operations;
- f) Conduct counter-intelligence operations, investigation, and file appropriate charges against PNP personnel committing irregularities in the conduct of this campaign plan;
- g) Craft a Standard Module/Manual in the conduct of massive anti-drunk and drugged driving awareness activities in coordination with other Law Enforcement Agencies, LTO, MMDA, Philippine Drug Enforcement Agency (PDEA), Dangerous Drugs Board, LGUs taking into consideration the peculiarities of your Areas of Responsibility (AORs);
- h) Institute drug prevention measures/programs to ensure drug-free workplaces in all transport facilities and/or terminals under respective AOR;
- i) Conduct media relations and community involvement activities for the propagation of PNP operational activities against erring drivers to gain community support;
- j) Coordinate with LTO for the conduct of Random Terminal Inspection and Quick Random Drug Tests to drivers and employees to ensure a drug-free workplace;
- k) Direct the PNP Mobile Force to provide security assistance to PNP units during the conduct of anti-drunk and drugged operations in areas with security threats;
- l) Include anti-drunk and drugged driving-related topics in the conduct of Police Information Continuing Education;

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m) Submit after operations reports to DO (Attn: Secretariat) within 24 hours after each operation and

n) Perform other tasks as may be directed

**d. Coordinating Instructions:**

- 1) All deputized PNP personnel by the LTO shall be assigned to the traffic enforcement unit. They shall be evaluated periodically by their respective Counterintelligence units;
- 2) Issued TOPs by LTO shall be surrendered to the Chief of Police/Head of Office in case the deputized police officer has been transferred to other units;
- 3) Joint operations with LTO, MIDA, PDEA, DPWH, and other concerned agencies are encouraged;
- 4) The pre-operation form for planned operations must be accomplished, submitted to and approved by the unit commander or his designated action officer prior to the conduct of operation;
- 5) Assistance of other police officer units in the execution of their respective mandates is encouraged to sustain unified and coordinative actions;
- 6) All operations shall conform with the provisions of RA No. 10586 and other related laws, the Rules of Court and with due observance of human rights;
- 7) Arrested foreign nationals involving drunk and drugged driving and violation of other related laws shall be reported immediately to the DI;
- 8) Maximum inter-agency and agency coordination is required in high risk areas. For high risk and high resistance targets, the operating units shall request for support from the Armed Forces of the Philippines in accordance with the existing Joint Letter Directives;
- 9) Lateral coordination is highly encouraged to ensure the success of this MC and;
- 10) All tasked units shall submit their respective IMPLANS within 15 days upon receipt of this MC and shall strictly observe this MC

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**7. ADMINISTRATIVE LIABILITY:**

PNP personnel who through act or omission, commit any violation of this MC shall be investigated for appropriate administrative sanctions.

**8. REPEALING CLAUSE:**

All existing Letters of Instructions, Directives, Memoranda, Circulars, and other issuances which provisions are contrary to or inconsistent with this MC are hereby rescinded or modified accordingly.

**9. EFFECTIVITY**

This MC shall take effect immediately.

**Distribution**  
Command Group  
Directional Staff  
DIPOs  
P-Staff  
NSUs  
PROs

  
**EUSEBIO M. SINAS**  
Police General  
Chief PNP  
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