



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

MAY 06 2021

MEMORANDUM CIRCULAR
NO.: 2021-056

**GUIDELINES AND PROCEDURES ON THE RETRIEVAL AND RECOVERY OF
PNP-ISSUED FIREARMS FROM FORMER PNP PERSONNEL
WHO WERE SEPARATED FROM POLICE SERVICE**

1. REFERENCES:

- a. Presidential Decree No. 1445 entitled: "Government Auditing Code of the Philippines";
- b. PNP Memorandum Circular (MC) No. 2020-036 entitled: "Guidelines and Procedures in the Implementation of the PNP Logistics Data Information and Management System (LDIMS)" dated June 4, 2020.
- c. PNP MC No. 2018-033 or the "Policy on the Permanent Issuance of Handgun" dated August 22, 2018;
- d. Letter of Instruction 001/2002 "BAWI" dated March 26, 2002; and
- e. TDL Memorandum with subject: "Nationwide Property Acknowledgment Receipt (PAR) Renewal of Firearms and Mobility" dated August 28, 2019.

2. RATIONALE:

In general, police officers carry government issued firearms to perform their mandate "to serve and protect" the country and the Filipino people. The Philippine National Police (PNP) adopts a policy of permanently issuing at least one short firearm for every policeman. Long firearms are sometimes issued to individual policemen under strict regulations.

With a regular recruitment program, the PNP also pursues a regular firearms procurement program, to attain the 1:1 ratio of short firearm per police officer, and with enough allocation for spares, should the need therefor arises. It is important for the PNP to be able to continuously equip all its active police personnel with appropriate firearms.

While it is relatively easy to retrieve firearms carried over by active PNP personnel from one place of assignment to another, for purposes of retention, it is more difficult to recover PNP-issued firearms from former uniformed personnel, so that the same may be re-issued to active policemen.

In either case, the failure of the command to retrieve or recover PNP-issued firearms contravenes the policy of the state that all government resources should be managed, expended, or utilized in accordance with laws and regulations, and safeguarded against loss or wastage, through illegal or improper disposition. Needless

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to state, this situation does not contribute to the aim of ensuring economy, efficiency, and effectiveness in government operations.

3. SITUATION:

In the past, Letter of Instruction (LOI) 001/2002 (BAWI) was implemented through its three phases of implementation which focused on the recovery of PNP-issued firearms which were being carried over by active PNP personnel from one place of assignment to another. Some provisions of the aforesaid LOI were later repealed by Standard Operating Procedure (SOP) No. 2005-02, which provides for the permanent issuance of short firearms. Under SOP No. 2005-02, the issuance of short firearms to individual PNP personnel with the use of Acknowledgement Receipt of Equipment, now termed as Property Acknowledgement Receipt (PAR), was centralized, thus, addressing the problem of double issuance of firearms. Later on, PNP Memorandum Circular No. 2018-033 was issued to provide more exhaustive policies and procedures on the permanent issuance of handgun.

However, as of June 2020, the Directorate for Logistics (DL) discovered that there are still 1,603 firearms for recovery which remain to be classified as personal accountabilities of concerned PNP personnel. Data from the Directorate for Personnel and Records Management (DPRM) also shows that, as of July 2020, there are 527 PNP personnel who were separated from police service particularly those who were on "Absent Without Official Leave" (AWOL) status and who may have not surrendered their PNP-issued firearms, owing to the failure of the head of office/unit to take custody or control thereof or the failure of or refusal by the concerned personnel themselves to turn in or surrender the said firearm. Likewise, some of these PNP personnel who were separated from police service sometimes failed to turn in their PNP-issued firearms, to the detriment of the police service. Worse, there are reports that firearms issued by the PNP to personnel who were separated from police service were sometimes used illegally to commit offenses.

This situation runs contrary to one of the focus directives of the PNP to account all PNP-issued firearms and pursue the retrieval and recovery thereof from PNP uniformed personnel who were separated from police service. Hence, the issuance of this MC, in order to properly manage, expend, utilize, and safeguard PNP-issued firearms and to thwart the use of these government properties as instruments in the commission of crimes.

4. PURPOSES:

This MC aims to provide specific guidelines and procedures in the retrieval and recovery of PNP-issued firearms so that the same shall not remain to be property accountabilities of former PNP personnel who were separated from police service. Specifically, this MC aims to:

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- a. Emphasize that the retrieval of PNP-issued firearms from former PNP personnel who were separated from police service is first and foremost an administrative function;


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- b. Institutionalize mechanisms for the recovery of PNP-issued firearms from former PNP personnel who were separated from police service, in the event all retrieval efforts fail; and
- c. Establish an accurate recording, accounting, and inventory of PNP-issued firearms in the possession of former PNP personnel for retrieval and recovery.

5. DEFINITION OF TERMS:

For purposes of this MC, the following words and phrases are defined as follows:

- a. Firearms In Possession of Personnel Separated from Police Service (FIPPSS) Database – refers to the structured set of data on PNP-issued firearms that remain to be in possession of former PNP personnel, despite being separated from police service which is being maintained by Supply Management Division (SMD), DL, through the PNP Logistics Data Information Management System (LDIMS).
- b. Former PNP Personnel – refer to uniformed personnel who were separated from the police service for reasons such as, but not limited to, AWOL, Drop from Rolls (DFR), dismissal, resignation, or attrition, for which reason their ties to the PNP have been severed.
- c. PNP-Issued Firearms – refer to any short firearm recorded in the inventory of the PNP, regardless of source or mode of acquisition, that is covered by corresponding Supply Directives and was issued to individual PNP personnel through the PAR, to include long firearms that have been issued in accordance with the existing rules and regulations.
- d. Recovery – refers to the collective administrative, intelligence, and investigative effort of the Firearms Recovery Team (FRT), duly activated by heads of PNP offices/units, to reclaim and regain possession of PNP-issued firearms, through coordinated law enforcement action, from former PNP personnel who were separated from police service.
- e. Retrieval – refers to the effort spearheaded by Administrative Officers, jointly with the Logistics Officers and the Supply Accountable Officer (SAO) or Responsible Supply Police Non-Commissioned Officer (RSPNCO), as the case may be, to recall all PNP-issued firearms, through conduct of regular administrative activities, from former PNP personnel who were separated from police service and who are under their respective jurisdictions.
- f. Separated from Police Service – refers to the severance of ties with the PNP by a uniformed personnel for reasons such as, but not limited to, being placed on AWOL status; having been DFR, dismissed from police service, resignation, attrition, or retirement.

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6. GUIDELINES:

a. General Guidelines:

- 1) Heads of PNP offices/units, at all levels of command, shall take vigorous steps in the retrieval and recovery of PNP-issued firearms from former PNP personnel who were separated from police service and whose last unit of assignment was under their respective areas of jurisdiction.
- 2) A Firearms Retrieval and Recovery Management Committee (FRR MANCOM), headed by DL as the office of primary responsibility, shall be created to ensure implementation of this MC. It shall be supported by a Secretariat and shall convene once every month, or as often as may be necessary, to monitor the progress of firearms retrieval and recovery efforts at subordinate PNP offices/units.

b. Specific Guidelines:

- 1) The retrieval of PNP-issued firearms from former PNP personnel who were separated from police service is generally an administrative function which should be spearheaded by concerned Administrative Officers.
- 2) When retrieval phase has been exhausted but to no avail, successful recovery of PNP issued firearms from former PNP personnel shall require law enforcement action that necessitates collective administrative, intelligence, and investigative efforts.
- 3) FRTs shall be activated in the different subordinate PNP offices/units to pursue the successful recovery of PNP issued firearms from former PNP personnel.
- 4) All PNP offices/units shall submit a status report of the firearms retrieval and recovery efforts of their respective FRTs, every quarter, to the FRR MANCOM, through DL, for purposes of maintaining a FIPPSS Database. The SMD, DL shall maintain the FIPPSS Database, through the PNP LDIMS, with the assistance of the Chief, IT Resource Management Section (ITRMS), SMD, DL.

c. Responsibilities:

- 1) **Directorate for Logistics (DL)**
 - a) Act as the OPR for the smooth implementation of this MC;
 - b) TDL to act as Chairman of the FRR MANCOM;
 - c) Through SMD, DL, maintain the FIPPSS Database, through the PNP LDIMS;

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- d) Ensure the designation of competent Logistics Officers in all PNP offices/units to act as complainants in PNP-issued firearms recovery efforts of FRTs; and
 - e) Perform other tasks, as directed.
- 2) **Directorate for Personnel and Records Management (DPRM)**
- a) Through TDPRM, act as Vice-Chairman of the FRR MANCOM;
 - b) Provide fortnightly an updated list of PNP uniformed personnel who were separated from police service;
 - c) Issue appropriate orders for the composition of the FRR MANCOM and its Secretariat; and
 - d) Perform other tasks, as directed.
- 3) **Directorate for Investigation and Detective Management (DIDM)**
- a) Through TDIDM, act as Member of the FRR MANCOM;
 - b) Ensure the designation of competent Investigation Officers in all PNP offices/units to act as Chairmen of FRTs;
 - c) Take the lead in all efforts to recover PNP-issued firearms;
 - d) Determine the liability and accountability of Administrative Officers and other personnel concerned in case there is failure in the immediate retrieval of PNP-issued firearms from PNP personnel separated from police service; and
 - e) Perform other tasks as directed.
- 4) **Directorate for Intelligence (DI)**
- a) Through TDI, act as Member of the FRR MANCOM;
 - b) Ensure the designation of competent Intelligence Officers in all PNP offices/units to act as Vice-Chairmen of FRTs;
 - c) Assist DIDM in all PNP-issued firearms recovery efforts; and
 - d) Perform other tasks, as directed.
- 5) **Directorate for Comptrollership (DC)**
- a) Through TDC, act as Member of the FRR MANCOM;
 - b) Provide budget support to FRTs for the conduct of recovery efforts of PNP-issued firearms; and
 - c) Perform other tasks, as directed.

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- 6) **Logistics Support Service (LSS)**
 - a) Through D, LSS, act as Member of the FRR MANCOM;
 - b) Provide necessary logistics support to the FRR MANCOM and FRTs, as may be needed; and
 - c) Perform other tasks, as directed.
- 7) **Legal Service (LS)**
 - a) Through D, LS, act as member of the FRR MANCOM;
 - b) Through its Legal Officers, provide necessary legal support to the FRR MANCOM and FRTs, as may be needed; and
 - c) Perform other tasks, as directed.
- 8) **SAO, PNP-Wide**
 - a) Act as member of the FRR MANCOM; and
 - b) Perform other tasks as directed.
- 9) **C, LPPD, DL**
 - a) Act as Assistant Secretariat of the FRR MANCOM; and
 - b) Perform other tasks, as directed.
- 10) **C, SMD, DL**
 - a) Act as Head, Secretariat of the FRR MANCOM;
 - b) Manage the FIPPSS Database, through the PNP LDIMS;
 - c) Provide Accounting Division, DC and Commission on Audit copies of the list of PNP-Issued firearms tagged in the FIPPS; and
 - d) Perform other tasks, as directed.
- 11) **C, FAS, SMD, DL; C SSPS, LPPD, DL; C, ITRMS, SMD, DL; and SAO, LSS**
 - a) Act as Members, FRR MANCOM Secretariat; and
 - b) Perform other tasks, as directed.
- 12) **Administrative Officers**
 - a) Jointly with the Logistics Officers or SAOs and RSPNCOs, as the case may be, take the lead in the FIPPSS immediate retrieval of PNP-issued firearms from their personnel separated from police service;

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- b) Immediately inform their respective Logistics Officers of the Separation Orders of former PNP personnel under their jurisdiction; and
- c) Perform other tasks, as directed.

13) Logistics Officers

- a) During retrieval efforts, ensure tender of Demand Letter to former PNP personnel for the surrender, turn in, or return of all their PNP-issued firearms;
- b) During recovery efforts, act as Complainant for the PNP in applying for search warrants or other appropriate legal remedies before the courts, in order to recover the PNP-issued firearms; and
- c) Perform other tasks, as directed.

14) SAOs/RSPNCOs

- a) During retrieval efforts, provide complete report on all PNP-issued firearms accountability of former PNP personnel to Administrative Officers;
- b) Encode all PNP-Issued firearms which were not surrendered by the former PNP personnel to FIPSS database;
- c) Act as Members of FRTs;
- d) During recovery efforts, act as witnesses in applying for search warrants or other appropriate legal remedies before the courts, in order to recover the PNP-issued firearms; and
- e) Perform other tasks, as directed.

15) Criminal Investigation and Detection Group (CIDG)

- a) Assist in the conduct of case build-up and in the filing of appropriate criminal charges relative to FIPSS retrieval and recovery efforts; and
- b) Through its regional and provincial criminal investigation and detection teams, assist in the service of Demand Letters, Subpoenas, Search Warrants, Warrants of Arrest, and other legal papers in connection with the FIPSS retrieval and recovery efforts under this MC; and
- c) Perform other tasks, as directed.

16) Intelligence Group (IG)

- a) Support the CIDG through intelligence and counter-intelligence operations and surveillance activities; and
- b) Perform other tasks, as directed.

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17) Crime Laboratory (CL)

- a) Validate if the make, model and serial number of the recovered firearms are not tampered or obliterated through macro-etching examination; and
- b) Determine whether the recovered firearms are serviceable and used in the commission of any crime through Firearms Identification System /Integrated Ballistics Identification System.
- c) Maintain a record of all examined recovered firearms, indicating details whether the PNP-issued firearm was used in the commission of any crime or not; and
- d) Perform other tasks, as directed.

18) Heads of PNP Offices/Units

- a) Serve as primary implementers of retrieval and recovery efforts of PNP-issued firearms from former PNP personnel in their areas of jurisdiction.
- b) Activate FRTs, as may be needed;
- c) Submit to the FRR MANCOM, through its Secretariat, quarterly reports of the status of all retrieval and recovery efforts; and
- d) Perform other tasks, as directed.

7. PROCEDURES:

a. Creation of FRR MANCOM and FRR MANCOM Secretariat:

- 1) An FRR MANCOM at the National Headquarters with the following regular composition shall be created:

TDL	Chairman
TDPRM	Vice-Chairman
TDI	Member
TDIDM	Member
TDC	Member
D, LSS	Member
D, LS	Member
SAO, PNP-Wide	Member

Except for the Chairman, the Vice Chairman and SAO, PNP-Wide, the foregoing Directors may designate alternate members, who are likewise authorized to act and decide on, and participate in the deliberation, firearms retrieval and recovery concerns, in the absence of the regular members.

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- 2) The FRR MANCOM shall be supported by a Secretariat, herein created, with the following composition:

Chief, SMD, DL	Head
Chief, LPPD, DL	Assistant Head
Chief, FAS, SMD, DL	Member
Chief, SSPS, LPPD, DL	Member
Chief, ITRMS, SMD, DL	Member
SAO, LSS	Member

The Head may designate additional members from DL or LSS personnel to support the Secretariat, as may be necessary.

b. Activation of FRTs

- 1) Should retrieval efforts fail, heads of PNP offices/units shall activate their respective FRTs to pursue active recovery of PNP issued firearms from former PNP personnel, through law enforcement action, if necessary.
- 2) The FRTs shall be chaired and vice-chaired by a competent Investigation Officer and Intelligence Officer, respectively. The SAO or RSPNCO, as the case may be, shall always be a Team member. The remaining composition of the FRTs shall be left to the discretion of the head of PNP office/unit. As far as practicable, the FRTs shall seek legal guidance from the Legal Officer assigned to their respective areas of jurisdiction, if there be any. Otherwise, if there are no Legal Officers in their respective areas of jurisdiction, FRTs shall endeavor to seek legal guidance from the PNP Legal Service.

c. Retrieval and Recovery Phases

Implementation of this MC shall be done in two phases. Phase 1 shall be the Retrieval Phase while Phase 2 shall be the Recovery Phase.

During the Retrieval and Recovery Phase, the concerned FRT may coordinate and seek assistance with the FRTs from other PNP office/unit which has jurisdiction over the place where the last known address of the former PNP personnel is located or where the latter is presently residing.

- 1) The following procedures shall be observed during Phase I – Retrieval Phase:
 - a) Whenever a PNP personnel failed to report to work for duty for three consecutive calendar days, the concerned AdmOs/C, ARMDs/C, RPRMDs should direct the Administrative PNCO to endeavor to locate, through any means practicable, said PNP personnel and remind them that their PNP-issued firearms shall be their personal accountability, in case they should be placed as separated from police service.

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- b) Upon receipt of Separation Orders of former PNP personnel under their jurisdiction, concerned AdmOs/C, ARMDs/C, RPRMDs shall immediately inform their respective Logistics Officers and request the SAO or RSPNCO, as the case may be, for complete report of all the subject former personnel's PNP-issued firearms accountability. Upon receipt of the complete report, the Administrative Officer shall verify if the corresponding PNP-issued firearms were duly surrendered, turned in, or returned by the former PNP personnel.
- c) If the corresponding PNP-issued firearms were surrendered, turned in, or returned by the former PNP personnel to the AdmOs/C, ARMDs/C, RPRMDs, he shall duly inform the Logistics Officer thereof, to ensure that the same will no longer be included in the FIPPSS Database.
- d) If verification shows that the corresponding PNP-issued firearms were not surrendered, turned in, or returned by the former PNP personnel, the AdmOs/C, ARMDs/C, RPRMDs shall duly inform the Logistics Officer, to ensure that the same will be included in the FIPPSS Database. Further:
- d.1) The AdmOs/C, ARMDs/C, RPRMDs shall request the Logistics Officer to ensure that a Demand Letter is tendered to the person of the former PNP personnel, at his last known address on file, and demand him to surrender, turn in, or return all PNP-issued firearms that remain to be his personal accountability, within five (5) days from receipt thereof.
- d.2) If the former PNP personnel cannot be personally located at the last known address, the Logistics Officer shall ensure that the Demand Letter is received and duly acknowledged by the nearest kin located at the last known address, as reflected on file. If the nearest kin is not available, the Demand Letter should be left with a person of suitable age and discretion residing at the last known address, who can be considered to have enough discernment to understand the importance of the Demand Letter
- d.3) The Logistics Officer shall coordinate with the concerned barangay officials and request them to act as witnesses during attempts to tender the Demand Letter to the person of the former PNP personnel, or his nearest kin located at his last known address on file, or whenever the Demand Letter shall be left with a person of suitable age and discretion residing thereat. As far as practicable, the Logistics Officer shall take pictures together with the Barangay Official/s during the tender of demand letter.

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- e) The Logistics Officer shall submit updates to the AdmOs/C, ARMDs/C, RPRMDs of the response of the former PNP personnel to the Demand Letter.
- e.1) If the PNP-issued firearms were surrendered, turned in, or returned, the Logistics Officer shall inform the AdmOs/C, ARMDs/C, RPRMDs that the same will no longer be included in the FIPPSS Database. In said case, the SAO or RSPNCO, as the case may be, shall request for cancellation of the PAR for the corresponding PNP-issued firearms that were surrendered, turned in, or returned.
 - e.2) Otherwise, if the PNP-issued firearms were not surrendered, turned in, or returned, the Logistics Officer shall recommend the activation of an FRT to the AdmOs/C, ARMDs/C, RPRMDs.
- f) Upon recommendation of the Logistics Officer, the Administrative Officer shall recommend the activation of an FRT and its composition, for approval of the head of PNP office/unit.
- g) The head of PNP office/unit shall submit to the FRR MANCOM, through its Secretariat, a quarterly report of the status of all retrieval and recovery efforts.
- 2) The following procedures shall be observed during Phase 2 – **Recovery Phase**:
- a) Whenever a PNP-issued firearm is included in the FIPPSS Database, the Logistics Officer shall furnish the Intelligence Officer with details thereof, for the conduct of intelligence operations on its location for purposes of recovery and to initiate active monitoring of the former PNP personnel.
 - b) As chairman and vice-chairman of the FRTs, respectively, the Investigation Officer shall be assisted by the Intelligence Officer in taking the lead in all efforts to recover PNP-issued firearms.
 - c) At the onset, the FRT shall determine the issuing PNP office/unit or SAO or RSPNCO, as the case may be, of the PNP-issued firearms subject for recovery. In case the said PNP-issued firearm was issued by the SAO or RSPNCO of another PNP office/unit, the FRT shall proceed with its recovery efforts, in coordination with the issuing PNP office/unit or SAO or RSPNCO, as the case may be.
 - d) Supported by intelligence and counter-intelligence operations, surveillance, and case build-up, the FRTs may apply for search warrants or other appropriate legal remedies to recover the PNP-issued firearms, through coordinated law enforcement actions. The SAO or RSPNCO, as the case may be, shall act as witnesses in

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civil, criminal, or administrative cases and in all other legal processes applied before the courts. The Logistics Officer or, in his absence, the officer duly designated by the head of PNP office/unit shall act as the Complainant for the PNP.

- e) The investigator-on-case shall prepare his Investigation Report and draft the complaint affidavit of the Logistics Officer and the affidavits of SAO or RSPNCO, as the case maybe. As far as practicable, the Legal Officer shall review the same prior to its submission to appropriate PNP offices/units or filing before the Prosecutor's Office.
- f) In case coordinated law enforcement actions lead to the recovery of firearms, the Investigation Officer shall endorse the same to the Crime Laboratory (CL), for examination of authenticity of its serial number and to determine whether it was used in the commission of any crime.
 - f.1) For Recovered PNP-Issued Firearm: Whenever the recovered firearm matches with the details reflected in the FIPPSS Database, and the CL certified the authenticity of its serial number and other firearms markings, it shall be declared as a recovered PNP-issued firearm, to be delisted from the FIPPSS Database and shall be turned over to LSS for reissuance.
 - f.2) For Recovered Firearms Not PNP-Issued Firearms: In case the recovered firearm does not match with the details reflected in the FIPPSS Database, the CL shall examine its serial number to determine ownership and whether it was used in the commission of any crime. Further, the following shall be observed:
 - i. If the recovered firearm was not used in the commission of a crime, it shall be turned over to the FEO, for appropriate action.
 - ii. Otherwise, if the recovered firearm is determined to have been used in the commission of a crime, the CL shall relay such information to DIDM or CIDG, as the case may be, for appropriate action.

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Thereafter, the process of recovery of the PNP-issued firearm shall be repeated by the FRT.

8. PENALTY CLAUSE:

Any violation of the provisions of this MC may be a ground for an administrative charge pursuant to NAPOLCOM MC No. 2016-002 or the 2017 Revised Rules on

Administrative Cases in the Civil Service (RRACCS), as the case may be, or be the basis for the filing of appropriate criminal or civil cases, as evidence warrants.

9. REPEALING CLAUSE:

The provisions of existing MCs and other issuances that are inconsistent with this MC are deemed repealed or modified accordingly.

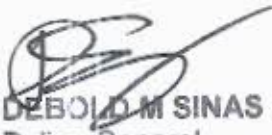
10. AUTOMATIC REVIEW CLAUSE

On the fifth year following the effectivity of this MC, and every five years thereafter, the Logistics Plans and Programs Division, DL shall automatically review the provisions hereof, to determine possible updating, revision, amendment, or repeal, as may be necessary.

11. EFFECTIVITY:

This MC shall take effect after 15 days from the filing of a copy thereof at the UP Law Center in consonance with Section 4 Chapter 2, Book VII of Executive Order No. 292, otherwise known as "The Revised Administrative Code of 1987", as amended.




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