

**MALACAÑANG
MANILA**

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 219

**DELINEATING THE FUNCTIONS, POWERS AND JURISDICTIONS OF
THE PRESIDENTIAL ANTI-CRIME COMMISSION, THE NATIONAL
PEACE AND ORDER COUNCIL, THE NATIONAL LAW
ENFORCEMENT COORDINATING COMMITTEE AND THEIR
IMPLEMENTING AGENCIES**

WHEREAS, pursuant to Executive Order No. 3 dated 7 July 1992, as amended by Executive Order No. 221 dated 23 January 1995, the Presidential Anti-Crime Commission (PACC) was established with the principal task of directing and coordinating the activities of various law enforcement agencies to effect a more vigorous campaign against criminality;

WHEREAS, pursuant to Executive Order No. 309, dated 11 March 1988, as amended, the National Peace and Order Council (NPOC) was reorganized to fully coordinate the government efforts and enlist the participation of the citizenry in effectively preventing and suppressing criminality;

WHEREAS, pursuant to Executive Order No. 829, dated 11 September 1982, as amended by Executive Order No. 41 dated 9 December 1992, the National Law Enforcement Coordinating Committee (NALECC) was created to serve as the venue for the coordination of all law enforcement activities of various government law enforcement agencies; and

WHEREAS, to prevent the overlapping of functions, streamline the operations, and identify the responsibilities of the various law enforcement agencies involved, it is necessary to clarify the authority and extent of powers and functions of the PACC, the NPOC and the NALECC, and likewise delineate the functions of their various implementing agencies;

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:



Section 1. Presidential Anti-Crime Commission (PACC)

(a) Responsibility/role as a Collegial Body - The Presidential Anti-Crime Commission, as a collegial body, shall have the primary responsibility of providing policy guidelines, unified operational direction and general supervision of the government and community efforts in the campaign against the following crimes:

- i. those committed by organized/syndicated crime groups
- ii. those which are considered heinous
- iii. those committed by military and law enforcement personnel
- iv. other offenses which the President may refer to the Commission.

In this role, the PACC shall orchestrate, integrate and coordinate the operational activities of the various implementing agencies and non-government organizations involved in the common fight against the aforementioned crimes.

(b) Authority of the Chairman - The Chairman of the PACC shall be the Chief Executive Officer of the Commission. As such, he shall provide general supervision and policy direction over implementing agencies engaged in the anti-crime campaign. He shall likewise provide the leadership, the central direction and the harmony required for the unified government and community efforts against criminality within the PACC's cognizant jurisdiction. In case of urgency, the PACC Chairman shall also be responsible for the allocation of tasks and delineation of responsibilities and functions of implementing agencies on specific criminal incidents.

Cases not covered by this order, or pertinent laws, rules and regulations, and the resolution of conflicts between implementing agencies shall be governed by policy memoranda to be issued by the Commission.

Sec. 2. The National Peace and Order Council (NPOC) - The Council shall be responsible in preparing and providing broad policies, strategies, thrust and measures that would effectively address peace and order problems, especially criminality and insurgency. It shall coordinate and monitor the implementation of the corresponding peace and order plans, projects and activities of the government agencies, local government units and non-government organizations to ensure public safety and proper enforcement of the

107

laws, and effectively prevent and suppress criminality. It shall elicit the participation and support of the citizenry in the campaign against criminality and shall provide policy guidelines, unified operational direction and general supervision of government and community efforts against criminality in general.

Sec. 3. National Law Enforcement Coordinating Committee (NALECC)

(a) Responsibility/Role in the Anti-Crime System - The NALECC Chairman (Chief, Philippine National Police) shall enhance the coordination and cooperation of all implementing agencies at the operational level by intensive and vigorous interaction through the NALECC forum. The Chairman shall adopt measures to improve the NALECC Coordination Centers for better day-to-day operational coordination of the implementing agencies.

(b) Relationship with PACC and NPOC - The NALECC shall assist/support the PACC and NPOC in the formulation and operationalization of inter-agency operational guidelines, and in the efficient and effective implementation of their respective mandates and programs/plans/projects/activities.

Sec. 4. Concerned Government Agencies

(a) Delineation of Functions - To make law enforcement and anti-crime operations more effective and efficient, the functions and responsibilities of the following implementing agencies are hereby delineated, as follows:

1. Philippine National Police (PNP) - As a front-line and territorial police agency, it shall

(a) Conduct general law enforcement;

(b) Enforce all laws and ordinances relative to the protection of lives and properties;

(c) Maintain peace and order and take all necessary steps to ensure public safety; and

(d) Investigate and prevent crimes, effect the arrest of criminal offenders, bring offenders to justice and assist in their prosecution.



2. National Bureau of Investigation (NBI) - As an investigative agency, it shall have the following functions:

(a) pursuant to its charter, undertake investigations of crimes and other offenses against the laws of the Philippines, upon its own initiative and as public interest may require; including the investigation of:

- i. bank frauds and computer crimes;
- ii. crimes cognizable by the Office of the Ombudsman
- iii. crimes against public interests (Article 161 to 189, Title Four, Book Two of the Penal Code, as amended);

(b) Render assistance, whenever properly requested in the investigation or detection of crimes and other offenses;

(c) Act as a national clearing house of criminal and other informations for the benefit and use of all prosecuting and law enforcement entities of the Philippines, and identification records of all persons without criminal convictions;

(d) Give technical aid to all prosecuting and law enforcement officers and entities of the Government as well as the courts that request its services; and

(e) Extend its services, whenever properly requested, in the investigation of cases of administrative or civil nature in which the Government is interested;

Where the law vests the investigation of violations of specific laws in another agency, the NBI shall investigate such violations only upon request of such agency. Where the investigation of cases are already handled by other agencies, the Bureau shall exercise a supportive or coordinative role, unless otherwise directed by the President or the Secretary of Justice or when required by law to conduct an independent investigation. Further, it shall provide technical investigative support to other concerned or requesting agencies.



3. Bureau of Customs, Bureau of Internal Revenue, Economic Intelligence and Investigation Bureau, Bureau of Immigration and Deportation, Forest Management Bureau, Bureau of Fisheries and Aquatic Resources and Similar Agencies - As special law enforcement agencies, they shall primarily and exclusively enforce the special laws appertaining to their respective mandates/charters. The PNP, NBI and other agencies may take cognizance of said special laws only when called upon to render assistance on request or by deputation, or by direction of competent authority.

(b) Support Role of the Armed Forces of the Philippines (AFP) and Other Agencies

1. The AFP shall:

(a) Provide intelligence support to law enforcement agencies, through its Intelligence Service (ISAFP), in the drive against syndicated crimes and those committed by uniformed service personnel.

(b) Provide other forms of assistance that may be necessary and/or requested by law enforcement agencies.

2. All other agencies shall provide assistance that may be necessary and/or upon request by law enforcement units.

(c) Inter-Agency Operational Guidelines - To avoid conflict or deadlock, the implementing agencies shall observe the following operational guidelines:

1. Where two or more police/law enforcement agencies have concurrent jurisdiction on a crime incident, the first agency that takes cognizance of the case shall primarily handle the investigation thereof, with the other agencies merely coordinating and supporting, unless otherwise directed by the President or by the PACC.

2. Where an information concerning a violation of law is received by an agency which has no jurisdiction over the case, such agency should immediately refer such information to the concerned agency having jurisdiction over the same for its appropriate action.



3. The lead agency having jurisdiction over an investigation shall be the exclusive authority to release any public information on the status of investigation of the case, unless otherwise elevated to the level of PACC as part of integrated efforts against criminality.

4. Cooperation and coordination among and between police/law enforcement agencies are enjoined in all aspects of the law enforcement operations.

Sec. 5. Command Responsibility - The President of the Republic of the Philippines as the Chief Executive and as Commander-in-Chief of all Armed Forces shall have ultimate responsibility for the conduct of the anti-crime campaign by all government and non-government agencies. The Vice-President, in his capacity as Presidential Adviser on Crime Prevention and Law Enforcement shall be the principal assistant of the President in the exercise of this responsibility. The President may authorize the PACC Chairman to create special task forces under the operational control of the PACC to enable it to directly influence the anti-crime drive on critical problem areas. The heads of line departments, chiefs of offices and AFP/PNP commanders at all levels shall retain command responsibility over all their personnel, units and offices detached and placed under operational control of other commands, offices and agencies pursuant to directives from competent authority.

Sec. 6. Rescission - All provisions of previous Administrative and Memorandum Orders in conflict with this Administrative Order are hereby rescinded.

Sec. 7. Effectivity - This Administrative Order shall take effect immediately.

Done in the City of Manila, this *4th* day of *October*, in the year of Our Lord, Nineteen Hundred and Ninety-Five.



BY THE PRESIDENT:



RUBEN D. TORRES
Executive Secretary