



Republic of the Philippines
City Government of Muntinlupa
CITY OF MUNTINLUPA
Office of the City Mayor



EXECUTIVE ORDER NO. 33
Series of 2020

**PROVIDING FOR GUIDELINES IN THE DEPUTIZATION OF LAW ENFORCEMENT
AGENTS, PURSUANT TO CITY ORDINANCE NO. 2020-114**

WHEREAS, Article IV, Section 9(b)(3) of Republic Act No. 7926, otherwise known as the Charter of the City of Muntinlupa, provides that the City Mayor shall *"issue such executive orders for the faithful and appropriate enforcement and execution of laws and ordinances;"*

WHEREAS, on 05 August 2020, the *Sangguniang Panlungsod ng Lungsod ng Muntinlupa* enacted City Ordinance No. 2020-114, also known as the Ordinance Establishing the Procedure in the Implementation of City Ordinances, which, under Section 3 thereof, enunciates the issuance of a City Ordinances Violation Receipt (COVR) by a deputized agent to an individual person or entity acknowledging the commission of a violation of a specific City Ordinance;

WHEREAS, Section 12, *supra*, reads as follows:

"SECTION 12. Deputization of Enforcement Agents.

To assist the City law enforcers, the Local Chief Executive may deputize the following:

- a. *Members of the Philippine National Police;*
- b. *Barangay officials including Barangay Tanods, upon completion of the required training;*
- c. *Homeowners' Association Board of Directors or its authorized representative (i.e., security guards), upon recommendation by the Barangay Chairperson and completion of the required training; and*
- d. *Other individuals as may be deputized by the Local Chief Executive as additional agents in the enforcement of City Ordinances, subject to completion of the required training;"*

WHEREAS, it is imperative to provide the guidelines in the faithful and appropriate enforcement and execution of the aforementioned City Ordinance;



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NOW, THEREFORE, I, Jaime R. Fresnedi, City Mayor of Muntinlupa, by virtue of the powers vested in me by law, do hereby order and decree that:

Section 1. Scope and Coverage.

These guidelines shall apply for purposes of deputization of identified government and non-government personnel and entities, or agents, as provided by City Ordinance No. 2020-114.

Section 2. Deputization Process.

- a. Determination of the person who shall be deputized as a law enforcement agent and who shall meet the following minimum qualifications, namely:
 - i. At least 21 years old and not more than 60 years old;
 - ii. Bona fide resident of Muntinlupa;
 - iii. Physically and mentally fit to perform the attendant duties and responsibilities; and
 - iv. Has not been convicted of a crime or offense involving moral turpitude;
- b. The Punong Barangay, the Department Head, or any authorized representative of a department or office shall endorse to the Office of the Mayor the names of individuals for deputization along with a cover letter recommending and attesting to their qualification to perform the attendant duties and responsibilities;

Other documents as proof of the qualification shall also be attached, such as, but not limited to, a valid government-issued ID bearing the name and complete address of the concerned agent;

- c. Individuals subject to deputization shall undergo a training and/or attend an orientation conducted by the authorized representative from the Office of the City Mayor. Methods of assessment, such as an oral interview, a written test, among others, may further be done to fully determine the qualification of the concerned agent.

Only those who completed the required training/orientation and other methods of assessment, if applicable, shall be considered for deputization;



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- d. The City Mayor shall issue a Deputization Order distinctly identifying, or, in case of multiple entries, clearly enumerating the complete names of the deputized agents for a specific purpose and for a distinct period.

The Deputization Order, once signed and issued, shall be copied and transmitted to the Office of the City Administrator (OCA) and the City Human Resources Management Department (CHRMD) for purposes of record-keeping and monitoring.

Section 3. Required Complete Training and Impartial Assessment.

Complete training on law enforcement and related fields shall be conducted by an expert or authorized representative from the Office of the City Mayor, in order to achieve the following, namely:

- a. the uniform dissemination of the general and technical information necessary in the proper discharge of the attendant duties and responsibilities; and
- b. the fitness of the concerned agent in the proper discharge of the attendant duties and responsibilities, which shall be the subject of an impartial assessment of the expert or authorized representative above-mentioned.

Section 4. Duties and Responsibilities.

Deputized law enforcement individuals or entities shall perform the following attendant duties and responsibilities, namely:

- a. Enforce existing local laws enacted, and rules and regulations issued by the *Sangguniang Panglungsod*;
- b. Implement the provisions of City Ordinance No. 2020-114, otherwise known as An Ordinance Establishing the Procedure in the Implementation of City Ordinances, including the issuance of the City Ordinance Violation Receipt (COVR) to violators of any local law, rule or regulation;
- c. Participate in court processes, which includes giving testimony under oath, when warranted, for the expeditious and proper prosecution of any charge against the alleged violator; and



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- d. Perform such other actions necessary and incidental to his/her duties and responsibilities, subject to the limitations under the Deputization Order and applicable national and local laws, rules, and regulations.

Section 5. Effectivity of Authority.

The authority of the deputized law enforcement agent shall be effective for one (1) year from date of issuance, or as such period specifically provided under the Deputization Order, unless revoked at an earlier date for valid reasons.

The authority aforementioned, upon recommendation of the superior of the deputized individual or entity, which may be the Punong Barangay, the Department Head, among others, may be extended for one (1) month beyond the expiration thereof; *Provided, however,* that the extension must be applied for and duly approved at least two (2) months prior the date of expiration.

Section 6. Incentive Scheme.

The City Government and the Barangay Government concerned shall be authorized to grant a form of monetary incentive to the deputized law enforcement individual or entity, which shall be drawn from the fines collected, subject to availability of funds and to existing and applicable accounting and auditing laws, rules, and regulations.

Section 7. Termination and Administrative Liabilities.

The appointment as deputized law enforcement individual or entity shall be revoked on the following grounds, namely:

- a. Expiration of the Deputization Order, as indicated thereon;
- b. The deputized law enforcement agent has violated any term and condition of his appointment in the Deputization Order, as indicated thereon;
- c. The deputized law enforcement agent has violated a national and/or local law, including any rule or regulation related thereto, or has reneged on his/her sworn oath in the proper discharge of the attendant duties and responsibilities;



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- d. The deputized law enforcement agent has failed to perform his/her duties and responsibilities within legal bounds. Under no circumstance shall extra-judicial methods be tolerated and accepted;
- e. The deputized law enforcement agent has committed an act which constitutes disqualification for the appointment; and
- f. Issuance by the City Mayor of a Termination Order or similar document prior to the expiration of his/her authority due to other valid and legal reason/s.

Section 8. Repealing Clause.

Any order or similar directive inconsistent with any provision herein found shall be deemed repealed, revoked or amended accordingly.

Section 9. Separability Clause.

If in the event any provision herein found shall be judicially declared illegal or administratively struck down infirm, untouched provisions shall continue to be in full force and effect.

Section 10. Effectivity Clause.

Upon signing, this Executive Order shall take effect immediately, and it shall remain in full force and effect until repealed, revoked or amended accordingly.

DONE AND EXECUTED on this 17th day of September 2020 in the City of Manila.


JAIME R. FRESNEDI
City Mayor 