



**Department Of Transportation and Communications**  
**Philippine Coast Guard**  
**HEADQUARTERS COAST GUARD DISTRICT NCR-CENTRAL LUZON**  
Muelle Dela Industria, Farola Compound  
Binondo, Manila 1006



19 March 2015

**HCGDNCR-CL**

**MEMORANDUM CIRCULAR)**  
**NUMBER . . . . . 11-2015)**

**DISCIPLINARY ACTION FOR NON-PERFORMING**  
**PHILIPPINE COAST GUARD AUXILIARY ELECTED OFFICERS**

**I. AUTHORITY:**

1. Section 3 (q), Section 11 of the Republic Act No. 9993, otherwise known as "The Philippine Coast Guard Law of 2009".
2. Rule 3 (q), Rule 11.1, Rule 11.2 and Rule 11.4 of the Implementing Rules and Regulations (IRR) of R.A. No. 9993.
3. Section D (5), Chapter 4, 2012 PCGA Manual.

**II. SCOPE:**

This Memorandum Circular applies to all Coast Guard Auxiliary District NCR-Central Luzon (CGADNCR-CL) elected officers.

**III. PURPOSE:**

This Memorandum Circular prescribes the procedures in enforcing the disciplinary action for non-performing elected officers of CGADNCR-CL. This is intended to correct the misfeasance and nonfeasance of elected leaders who are expected to exercise their leadership skills and management qualities to implement the programs and activities of the Philippine Coast Guard Auxiliary (PCGA).

**IV. DEFINITIONS OF TERMS**

1. Philippine Coast Guard (PCG) – is an armed and uniformed service attached to the Department of Transportation and Communications (DOTC). The PCG has twelve Districts all over the country ensuring maritime safety and addressing environmental concerns in coordination with other government agencies and non-government organizations.
2. District Commander - the commanding officer or head of the Coast Guard District which has several Stations / Substations, District Support Units (Administration and Personnel, Operations, Marine Environmental Protection Unit or MEPU, Special Operations Group, K9 Unit, etc.).
3. Philippine Coast Guard Auxiliary (PCGA) – is a uniformed non-government organization under the supervision of the Philippine Coast Guard.

4. Director Auxiliary District - is the head of Auxiliary Squadrons with a District Staff for Administration/Personnel, Operations, Plans and Programs, Logistics, MARSAR, MAREP, MARSAR and MCOMREL.
5. Philippine Coast Guard Auxiliary (PCGA) – is a uniformed non-government organization under the supervision of the Philippine Coast Guard.
6. Director Auxiliary District - is the head of Auxiliary Squadrons with a District Staff for Administration/Personnel, Operations, Plans and Programs, Logistics, MARSAR, MAREP, MARSAR and MCOMREL.
7. Director Auxiliary Squadron – is the head of the squadron which is composed of two (2) divisions comprising 20 officers and auxiliaries per division. This is the minimum requirement to organize and maintain its active status as a squadron.
8. Officer – refers to the elected PCGA squadron/district member
9. Superior – refers to the next higher ranking officer
10. Investigating Director – refers to the highest elected officer in the organization.
11. Reasonable Time – time as is necessary under the circumstances for a reasonably prudent and diligent man to do, conveniently, what the contract or duty requires that should be done, having a regard for the rights and possibility of loss, if any, to the PCGA

## **V. GENERAL PROVISIONS:**

The following are the grounds to discipline a non-performing PCGA elected officer:

1. Maladministration or willful, intentional neglect and failure to discharge the duties of the office;
2. Failure of the Director Auxiliary Squadron (DAS) to conduct one (1) squadron meeting for three (3) consecutive months;
3. Failure of the DAS to attend the regular auxiliary district meetings for six (6) consecutive months; and
4. Inability to collect and remit membership dues within 30 days from directives or collection.

### **Procedural Due Process:**

1. A complaint against the elected officer shall not be given due course unless it is in writing and signed by the complainant/s. No anonymous complaint shall be entertained unless there is obvious truth or merit to the allegations therein or supported by documentary or direct evidence, in which case, the elected officer shall be required to file an answer.
2. The complaint shall be filed with the elected officer's immediate superior.
3. A petition to impeach a DAS must be filed directly with the Director Auxiliary District (DAD).

4. Within five (5) calendar days from receipt of a complaint, which is sufficient in form and substance, the elected officer's superior shall require the concerned officer to submit an answer within five (5) calendar days from receipt.
5. If necessary, the investigating DAD may request for a clarificatory meeting with the complainant and the officer complained of, separately.
6. Within fifteen (15) days from the termination of the investigation, the investigating DAD shall submit the investigation report and his recommendation to the Commander, Coast Guard District National Capital Region-Central Luzon (CGDNCR-CL).
7. If the recommendation is for the exoneration of the complaint, the DAD can immediately close the investigation and inform the complainant of the findings why the respondent officer should be exonerated.
8. If, upon investigation, the DAD finds cause to remove the DAS from office, the DAD shall endorse his recommendation to the Commander, CGDNCR-CL, for his approval within fifteen (15) days from the termination of the investigation.
9. Within five (5) days from receipt of the recommendation of the DAD, the Commander CGDNCR-CL must act thereon by affixing his approval or disapproval.
10. Removal from office of any DAS can be effective only upon the approval of the Deputy Commandant, when so recommended in writing both by the Commander, CGDNCR-CL and the DAD.

## **VI RESCISSION CLAUSE**

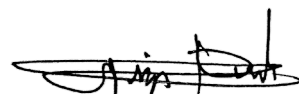
All Memorandum Circulars inconsistent with this Memorandum Circular are hereby rescinded.

## **VII EFFECTIVITY**

This Memorandum Circular shall take effect immediately upon approval.

**BY COMMAND OF COMMO GARCIA PCG:**

**OFFICIAL:**



**MIZAR R CUMBE**  
**P/ENS PCG**  
**District Adjutant**

**ERNESTO NUÑEZ**  
**CDR PCG**  
**Chief of Staff, CGDNCR-CL**