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NHQ-PCG/CGIG-IAS

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**CIRCULAR**  
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**COAST GUARD INSPECTOR GENERAL AND INTERNAL AFFAIRS  
SERVICE GUIDELINES AND GOVERNING PROCEDURES IN THE  
PERFORMANCE OF ITS FUNCTIONS**

**I. AUTHORITY:**

- A. RA 9993 and its implementing Rules and Regulations
- B. RA 6713 or "Code of Conduct and Ethical Standards for Public Officials and Employees"
- C. RA 3019 or "Graft and Corrupt Practices"
- D. RA 1379 or "Law on Forfeiture of Unlawfully Acquired Property"
- E. Crimes Committed by a Public Officers as defined in the Revised Penal code (RPC) and other pertinent laws
- F. Fraud Against the Government (AW 95)
- G. HPCG/CGIAS Circular Number 05-16 dated 30 august 2016 (Code of Conduct and Discipline for PCG Uniformed Personnel)
- H. NHQ-PCG/CGIAS Circular Number 13-19 dated 18 November 2019 (Revised Guidelines and Procedures on Disposition of Violations of Code of Conduct and Discipline for PCG Uniformed Personnel)

**II. REFERENCES:**

- A. Code of Conduct and Ethical Standards for Military Personnel in the AFP
- B. PNP Internal Affairs Service Manual 2008
- C. AGPCR2 44-99 Delineation of Functions of the IGS, O/ESPA, PM and JAGS in the AFP dated 30 September 1999

### III. PURPOSE:

This Circular prescribes the guidelines and governing procedures of the Coast Guard Inspector General and Internal Affairs Service relevant to the performance of its inherent tri-service functions: the Inspection and Audit, Provost Marshal and the Ethical Standards and Public Accountability in the organization.

### IV. DEFINITION OF TERMS

As used in this Circular, the following terms shall mean and be interpreted as hereunder indicated:

- A. **COAST GUARD INSPECTOR GENERAL (CGIG)** – is the head of CGIG IAS, independent service and command of the Philippine Coast Guard organization, and vested with police authority to conduct and direct investigation, inspection and audit pertaining to administrative and criminal irregularities within the PCG. The CGIG is the personal staff of the Commandant, PCG. Act as the Ex-Officio Chairman in the conduct of Annual General Inspection.
- B. **Inspection and Audit Unit** - The CGIG-IAS unit primarily in-charge of inspection and audit of the agency's operations in order to discover and investigate cases of misconduct, waste, fraud and other abuses of government procedures occurring within the agency.
- C. **Internal Affairs** - The internal affairs refers to a unit of a law enforcement agency that investigates incidents and possible suspicions of law breaking and professional misconduct attributed to the personnel of the organization.
- D. **Coast Guard Provost Marshal (CGPM)** - the CGIG-IAS unit primarily in charge in enforcing laws, orders and regulations of the organization for the promotion and maintenance of good order and discipline among personnel of the Philippine Coast Guard. The unit has the police authority to arrest, confine and subpoena all concerned parties in a complaint or case at hand.
- E. **Ethical Standards and Public Accountability Unit (ESPAU)** – The CGIG-IAS unit primarily in-charge in minimizing graft and corruption in the Philippine Coast Guard. It conducts integrity monitoring, education and enhancement of ethical standards, facilitate values formation and file appropriate charges for violations of laws in relation to the functions of the said office in order to maintain good order among PCG personnel.
- F. **Legal Division** - CGIG-IAS unit primarily responsible for rendering advice on the application of relevant laws, rules and regulations in the enforcement and performance of the powers and functions of CGIG-IAS and its units.
- G. **Provost Marshal Unit (PMU)** - the Sub-Units deployed in various Coast Guard Commands/Units/Services/Bases/Installations to perform and cater the tri-service functions of the CGIG-IAS. The PMU is headed by Deputy Provost Marshal.

## V. GENERAL GUIDELINES

To effectively perform the tri-service functions; respective missions and primary functions of the Inspection and Audit, Coast Guard Provost Marshal, Office of the Ethical Standard and Public Accountability and Legal Affairs Division, CGIG-IAS are hereby prescribed to avoid overlapping and conflict of functions.

### A. Inspection and Audit Unit

1. Shall conduct proactive inspections to determine the condition, effectiveness, efficiency and utilization of resources of a Coast Guard Command/Units/Service/Bases/Installations when directed only by the Commandant, PCG.
2. Shall be responsible in the conduct of Annual General Inspection (AGI) in Coast Guard Command/Unit/Service/Base/Installations and carry out Operational Readiness, Security Inspection, Test and Evaluation System (ORSITES).
3. Shall conduct monitoring, inquiries, investigations, detect fraud and abuse/waste of government resources and make corresponding reports on matters pertaining to the implementation of command plans and programs, performance of mission, functions, state of discipline, and professionalism in the service.
4. Shall conduct confidential personnel survey to determine and gauge the sentiments and grievances of PCG personnel and submit results with recommended actions for the guidance of leadership.
5. Shall conduct researches, survey, evaluation and studies to assist in the formulation of plans, policies and programs to make the PCG responsive to changing situations and improve the management of PCG resources.
6. Initiate, motu proprio, the investigation of all complaints, allegations or reports on any matter constituting a violation of any law, policy or rules or regulations involving Coast Guard personnel picked up from print, broadcast and social media, concerned individuals or group from any source, anonymous or not, relative to the function of the unit.
7. Its investigative functions shall include cases unearthed in the course of inspection as mandated herein and those specifically directed by the Commandant, PCG involving irregularities or gross violations policies, directives, procedures, discipline, efficiency, economy and the good name, prestige and integrity of the PCG.
8. Provide leadership, coordination and recommend policies for activities designed to promote economy, efficiency and effectiveness in the Coast Guard administration and to prevent fraud and abuse/waste of government resources.

9. Provide a means for keeping the Commandant, Philippine Coast Guard through the CGIG fully and promptly informed about problems and deficiencies relating to the administration of such programs and operation.
10. May recommend filing of administrative case/s against active and/or retired PCG personnel whose offense or violation of penal laws and other special laws is committed during the active service.
11. Perform other functions as the CGIG may direct.

**B. Coast Guard Provost Marshal (CGPM)**

1. Shall oversee the maintenance of order and discipline in Coast Guard Districts/Bases/Installations/Stations and enforce all applicable administrative law, rules and regulations and safety programs of the PCG.
2. Shall effect the arrest, confinement and investigate offenders/violators of PCG rules and regulations for appropriate disposition including court-issued warrant of arrest. Only in cases of a valid warrantless arrest found under Rules of Court, Rule 113, Sec. 5, as follows;
  - a) When, in his presence, the person to be arrested has committed, is actually committing, or is attempting to commit an offense;
  - b) When an offense has just been committed, and he has probable cause to believe based on personal knowledge of facts or circumstances that the person to be arrested has committed it; and
  - c) When the person to be arrested is a prisoner who has escaped from a penal establishment or place where he is serving final judgment or is temporarily confined while his case is pending, or has escaped while being transferred from one confinement to another.
3. Shall investigate complaints involving administrative offenses against person and property, vehicular accidents, traffic violations, disturbance of peace and public order, individual violations of laws and regulations, and complaints against PCG personnel for misbehavior/misconduct.
4. Shall conduct investigation on other specific offenses committed by personnel under military control or inside areas of military jurisdiction.
5. Shall investigate Human Rights abuses and related complaints reported or referred to said office.

6. May recommend filing of administrative case/s against active and/or retired PCG personnel whose offense or violation of penal laws and other special laws is committed during the active service.
7. To take into custody all PCG personnel with pending administrative investigation or cases as maybe necessary.
8. Perform other functions as the CGIG may direct.

**C. Office of the Ethical Standard and Public Accountability**

1. Shall ensure the implementation of the Code of Conduct and Ethical Standards for Public Officials and Employees (RA 6713) especially its integration, internalization and institutionalization.
2. Shall pursue a continuous organizational development process to suit PCG's ultimate vision to eradicate graft and corruption in the PCG organization.
3. Shall conduct continuous education and information dissemination program towards the professionalization of the PCG.
4. Shall collect, manage, maintain records and conduct analysis in all submitted sworn statements of assets, liabilities and net worth (SALN) of Uniformed and Non-Uniformed Personnel of PCG.
5. Shall receive complaints/reports and conduct overt/covert investigation on violations by Coast Guard personnel of the RA 6713 (Code of Conduct and Ethical Standards for public officials and employees), RA 3019 (The Anti-Graft and corrupt Practices Act), RA 1379 (Law on Forfeiture of unlawfully Acquired Property), crime committed by Public Officers as defined in The Penal Code and AW 96 (Fraud against the Government), and other pertinent laws with regards to active Coast Guard personnel.
6. May recommend filing of administrative case/s against active and/or retired PCG personnel whose offense or violation of penal laws and other special laws is committed during the active service.
7. Perform other functions as the CGIG may direct.

**D. Legal Affairs Division, CGIG-IAS**

1. Shall provide legal opinion on matters relating to CGIG-IAS functions
2. Shall conduct review on all cases and determine legal sufficiency and make appropriate recommendation.
3. Shall prepare position paper and administrative orders/policies and propose amendments on existing CGIG-IAS policies.

4. Shall endorse to CGLS all appealed cases for review and appropriate action.
5. May recommend filing of administrative case/s against active and/or retired PCG personnel whose offense or violation of penal laws and other special laws is committed during the active service.
6. Conduct lectures, seminar and information drive on the relevant laws, rules and regulations governing the conduct of PCG personnel.
7. Legal advice or opinion to PCG investigation/summary hearing bodies to ensure that they work within the framework of legal processes and procedures.
8. Perform other tasks as may directed by CGIG

E. Unit Commanders shall investigate complaints involving their organic personnel, which may be resolved in accordance with Title XX. Disciplinary Powers of Commanding Officers of HPCG/CGIAS Circular 13-19 dated 18 November 2019 (Revised Guidelines and Procedures on Disposition of Violations of Code of Conduct and Discipline for PCG Uniformed Personnel). Units stationed in far flung areas and considerably in isolation from their mother unit can conduct investigation and even dispose of serious and urgent cases especially when it affects the accomplishment of mission of unit morale and welfare.

F. Other Units/Staff/Offices whose assistance are requested by the investigating unit shall extend maximum support and cooperation. Such assistance may be in the form of technical assistance or making witnesses available, records and documents for speedy administration of PCG justice system.

## **VI. OPERATIONAL GUIDELINES**

### **A. Inherent powers**

- (1) CGIG-IAS has the power to subpoena the persons and documents, while observing with utmost confidentiality of the subpoenaed documents and testimony, and subpoena enforcement provisions.
- (2) CGIG-IAS is vested with police and law enforcement authority to apprehend, confine, investigate and prosecute erring personnel
- (3) CGIG-IAS is authorized to access all records maintained by or available in any Coast Guard units and offices and other entity relating in any way to the unit duties and responsibilities.
- (4) CGIG-IAS can access any head of any public entity, when necessary for any purpose pertaining to the unit duties and responsibilities.

- (5) CGIG-IAS can access testimony or documents from any Coast Guard personnel, Units and offices relating to the unit duties and responsibilities.
- (6) CGIG-IAS can require Coast Guard personnel to report to the unit to obtain information regarding fraud, waste, corruption, illegal acts and abuse.

## **B. Confidentiality**

The vested authority, authorized the CGIG-IAS to maintain appropriate confidentiality of records and to the extent practicable, of the identities of individuals who provide information to the CGIG-IAS, unless it is necessary to make such records or identities public in the performance of his/her duties. The vested authority will impose penalties for breach of confidentiality.

## **C. Whistleblower Protection**

The vested authority should provide protection to complainants who, as a result of their complaints to the CGIG-IAS, might be subject to retaliation of the person, the family, friends and relatives of the accused.

## **D. Independence**

The vested authority contains provisions to help establish and maintain the independence of the Inspector General and the CGIG-IAS:

- (1) **Appointment and removal** – the appointment of the Inspector General and the removal of the Inspector General will only be for a just cause.
- (2) **Selection** – the Inspector General will be selected from the senior line officers with known integrity, probity and competence.
- (3) **Term** – The Inspector General is appointed with a fixed term of three (3) years or as the Commandant, PCG deems necessary.
- (4) **Organizational placement** - The CGIG-IAS is placed as a special and personal staff of the Commandant, PCG on the command organizational structure to maximize exercise of independence in fact and experience from operation, programs, policies and procedures over which the CGIG-IAS has authority. In view thereof, the Provost Marshal Unit (PMU) personnel shall not be given collateral duties and responsibilities in order to perform their mandates efficiently.
- (5) **Funding** – The CGIG-IAS should be funded through the Annual Procurement and Budget of the PCG to effectively perform its mission without subjecting to commentary.

## VII. PROCEDURES

### A. Disposition of complaints

- (1) Complaints made verbally or in writing or ventilated through tri-media and social media articles are the usual basis of administrative investigations. Complaint shall be accompanied by supporting documents and required the complainants to execute statement to the effect that their charges are true before any further investigation is conducted.
- (2) Complaints and grievances of personnel to enhance wholesome and desirable PCG personnel management relations shall be handled and disposed of in accordance with the PCG Grievance Committee.
- (3) Anonymous complaints shall be handled and disposed of in accordance with Memorandum Circular No. 11, Office of Ombudsman dated 09 May 1995 re: Anonymous or Fictitious complaint in relation to Sec 12 of RA 3019 otherwise known as the Anti-Graft and Corrupt Practices Act and other related command policies.
- (4) Complaints received from whatever sources found to be with merit shall be referred to the unit of agency concerned and shall be recorded as pending complaint before this Service.
- (5) Information regarding any complaint i.e., action taken, status or final disposition shall be relayed by parties concerned immediately after the resolution of the issue with approval of the PCG.
- (6) Any report and/or complaint received by any of the above stated investigative offices which do not fall under their investigative function shall be immediately forwarded to the cognizant office. However, in no case will an office entertain any complaint not within this authority to investigate except as directed by higher authority.
- (7) In case of doubt as to which investigating office or unit has jurisdiction over a certain case, the same shall be resolved by referring it to CGIG-IAS for appropriate action.
- (8) If during investigation, a new offence/s other than the specified charge is/are discovered, this will be taken-into-account and included as a separate offence even if the original offence is subsequently proven to be without basis.
- (9) Cases originally filed and resolved in the lower units of their IGU, CGPM or ESPAU but were later refiled/revived by the complainant for reinvestigation shall not be referred back to the lower units but shall be acted upon by the CGLS.

(10) Administrative investigation of certain complaint shall proceed independently and simultaneously from the civil or criminal proceeding/investigation pending in the Civil Court/PNP respectively even though both arose from one and the same complaint.

### **B. Submission of Reports**

Reports of investigation shall be submitted by the IAU, CGPM, ESPAU and LEGAL directly to CGIG and eventually to the CPCG for appropriate disposition.

### **C. Prohibition**

Complainants and respondents are prohibited in making follow-up of the development of their case through phone calls and text messaging. A letter request for the status of investigation/case shall be forwarded to CGIG-IAS for its appropriate action.

## **VIII. RESCISSION CLAUSE**

All previous policies, orders or instructions in conflict with the provisions of this directive are hereby rescinded or modified accordingly.

## **IX. EFFECTIVITY**

This directive shall take effect upon publication.

**BY COMMAND OF COAST GUARD ADMIRAL ABU:**

OFFICIAL:

**TITO ALVIN G ANDAL**  
**CG COMMO**  
Chief of Coast Guard Staff

  
**JAYSIEBELL B FERRER**  
**CG CDR**  
Coast Guard Adjutant