



Republic of the Philippines
Supreme Court
Office of the Court Administrator
Manila

OCA CIRCULAR NO. 61-2018

TO : ALL JUSTICES OF THE SANDIGANBAYAN, JUDGES OF THE REGIONAL TRIAL COURTS, SHARI'A DISTRICT COURTS, METROPOLITAN TRIAL COURTS, MUNICIPAL TRIAL COURTS IN CITIES, MUNICIPAL TRIAL COURTS, SHARI'A CIRCUIT COURTS AND MUNICIPAL CIRCUIT TRIAL COURTS

SUBJECT : ISSUANCE OF COURT PROCESSES RELATIVE TO RECORDS ON PERMIT TO CARRY FIREARMS OUTSIDE OF RESIDENCE

Acting on the concern of Police Director General Ronald M. Dela Rosa, Chief, Philippine National Police, that "the subpoenas from several courts [are] being served to the Permit to Carry Firearms Outside of Residence (PTCFOR) Secretariat requiring its records custodian to appear before the court and testify on the existence of PTCFOR to establish the offense of the accused," all judges are reminded that the Supreme Court has held that "[the] court may rely on the certification of the Chief, Firearms and Explosives Division, PNP, on the absence of a firearm license."¹

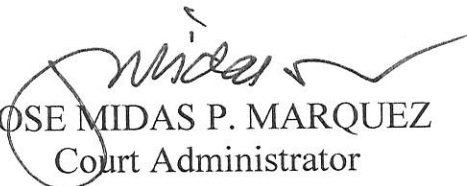
Hence, in OCA Circular No. 11-2011, all lower courts were "directed to desist from issuing subpoenas, summonses, or other processes requiring the personal appearance of the Chief, Records Section, Firearms and Explosives Office (FEO) and shall admit the certification issued by the FEO Records Section as sufficient proof of the fact of possession or non-possession of a valid license to own or possess firearms or explosives in the offense of Illegal Possession of Firearms without further need of requiring the appearance of the FEO records personnel to testify on the authenticity thereof."

¹ *Rosario v. People*, G.R. No. 142295, 31 May 2001.

It appearing that the records on the existence or non-existence of a PTCFOR are with the records custodian of the PTCFOR Secretariat under the Office of the Chief, PNP, all concerned are hereby directed to likewise desist from issuing subpoenas, summonses, or other processes requiring the personal appearance of the records custodian of the PTCFOR Secretariat and may admit the certification issued by the PTCFOR records custodian as sufficient proof of the fact of possession or non-possession of a valid PTCFOR without further need of requiring the appearance of the PTCFOR records personnel to testify on the existence or non-existence of a PTCFOR.

This Circular shall take effect immediately.

22 March 2018


JOSE MIDAS P. MARQUEZ
Court Administrator