

August 20, 2008

COL. CARMELO ESPINA VALMORIA
Police Senior Superintendent
Provincial Director
Cebu Police Provincial Office

Dear Col. Valmoria:

This has reference to your letter dated August 15, 2008, requesting legal opinion on the legitimacy or legality of the creation of the City of Bogo Anti-Crime Task Force through City Ordinance No. 020-2007 of Bogo.

In reply thereto, please be advised that a law or an ordinance is presumed valid until declared otherwise by the court. Hence, as it is right now, Bogo City Ordinance No. 020-2007 creating the City of Bogo Anti-Crime Task Force is valid, unless and until it is declared invalid by the court. Despite its passage, the Philippine National Police should continue to perform its duties, powers and functions under Section 24 of the Republic Act No. 6975. And as can be gleaned from the copy of the ordinance attached to your letter, nothing in their that strips of the police of its powers functions and duties. Moreover, a local legislation cannot amend, repeal or supersede a national law or an act of Congress.

Truly yours,

PEDRO A. NOVAL, JR.
Regional Director

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