

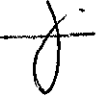
SIXTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Third Regular Session)



Senate
Office of the Secretary

'15 AUG. 26 P5:18

SENATE
S. No. 2920

RECEIVED BY: 

Introduced by Senator Miriam Defensor Santiago

AN ACT
REQUIRING ALL GOVERNMENT EMPLOYEES TO PROVIDE NOTICE ON ANY
CHARGES OR CONVICTION AGAINST THEM TO THEIR DEPARTMENT OR
AGENCY HEAD

EXPLANATORY NOTE

A public servant must exhibit the highest sense of honesty and integrity not only in the performance of his duties but also in his personal and private dealings with other people in order to preserve the Government's name and standing.

A civil servant's conviction of a crime involving moral turpitude is a disqualification to promotion or appointment. As a matter of fact, under Section 46 of the Revised Administrative Code, a conviction of a crime involving moral turpitude is a ground for disciplinary action. This is congruent with the mandate of the Constitution that appointment in the civil service shall be made only according to merit and fitness. Merit and fitness in the civil service system, includes educational qualification, training and relevant experience of the proposed appointee, his adaptability to the job to be performed, and his general efficiency which are generally depicted by the moral uprightness of the civil servant.

The proposed Bill seeks to require all Government employees to provide notice to their department or agency head any criminal charge or conviction filed against them in order for the department or agency concerned to monitor the merit and fitness of its employees.¹


MIRIAM DEFENSOR SANTIAGO
RP

¹ This bill was originally filed in the Fourteenth Congress, Third Regular Session.



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*Be it enacted by the Senate and the House of Representatives of the Philippines in
Congress assembled:*

1 SECTION 1. *Short Title.* – This Act shall be referred to as the “Notification of
2 Charges or Conviction Act.”

3 SECTION 2. *Duty to Report.* – An employee in Government service who is
4 charged in an information or criminal complaint with any crime in any court or who is
5 convicted of a crime in any court shall immediately provide the head of the department or
6 agency employing the employee with notice of the charges or the conviction.

7 SECTION 3. *Notice.* – The written notice shall in no case be later than thirty (30)
8 calendar days from knowledge thereof and shall identify the date that the charge or
9 conviction occurred.

10 SECTION 4. *Penalties.* – Any person who violates any provision of this Act shall
11 be subject to a fine of not less than Ten Thousand Pesos (P10,000.00) and suspension
12 from service for a period of not less than six (6) months without pay.

13 SECTION 5. *Separability Clause.* – If any provision or part hereof is held invalid
14 or unconstitutional, the same shall not affect the validity and effectivity of the other
15 provisions hereof.

16 SECTION 6. *Repealing Clause.* – All laws, decrees, orders, and issuances, or
17 portions thereof, which are inconsistent with the provisions of this Act, are hereby
18 repealed, amended or modified accordingly.

19 SECTION 7. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after
20 its publication in the *Official Gazette* or in two (2) newspapers of general circulation.

Approved,

/rapt18August2015