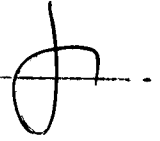


NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)

24 FEB -7 P12 :44

SENATE
S. No. 2538

RECEIVED BY: _____



Introduced by Senator Christopher Lawrence "Bong" T. Go

AN ACT
PROVIDING FOR A MAGNA CARTA OF GOVERNMENT ACCOUNTANTS

EXPLANATORY NOTE

Article XI, Section 1 of the 1987 Constitution underscores the State's policy of promoting transparency and accountability in the public sector. It states that "Public office is a public trust. Public officers and employees must, at all times, be accountable to the people, serve them with utmost responsibility, integrity, loyalty, and efficiency; act with patriotism and justice, and lead modest lives."

The Magna Carta of Government Accountants aims to align with this constitutional mandate by defining and safeguarding the rights of government accountants, who play a pivotal role in ensuring the financial integrity of government operations. By establishing a clear set of rights and responsibilities, the bill aims to empower government accountants to carry out their duties with diligence, independence, and adherence to the highest ethical standards.

The importance of government accountants cannot be overstated, as they are crucial in maintaining fiscal discipline, preventing fraud and corruption, and ensuring that public funds are utilized for the benefit of the citizenry. Their role extends beyond traditional financial reporting to encompass strategic financial management, risk assessment, and the promotion of efficient resource allocation.

Further, the proposed measure seeks to provide government accountants additional compensation and incentives such as subsistence allowance, longevity pay, and compensation for injuries.

In view of the foregoing, approval of this bill is earnestly sought.

SENATOR CHRISTOPHER LAWRENCE "BONG" T. GO

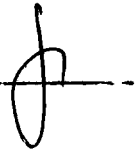
A handwritten signature in black ink, appearing to be 'Bong T. Go', written over the printed name.

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AN ACT
PROVIDING FOR A MAGNA CARTA OF GOVERNMENT ACCOUNTANTS

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

1 Section 1. Title - This Act shall be known as the "Magna Carta of Government
2 Accountants".

3 Sec. 2. Declaration of Policy. - The State shall maintain honesty and integrity
4 in the public service and take positive and effective measures to develop and install
5 a sound and effective government accounting system consistent with the
6 requirements of public accountability and transparency. The State hereby declares
7 the Government Accountants a protector and vanguard of financial and material
8 resources of the Government. To this end, the State shall endeavor to improve and
9 promote their social and economic status, living and working conditions, terms of
10 employment, professional growth, and career advancement.

11 Sec. 3. Definition Terms. - As used in this Act, the following terms shall be 13
12 constructed to mean as follows:

13 a) Government Accounting - refers to the whole system of recording, classifying
14 and summarizing financial transactions, the establishment of adequate
15 accounting and financial information system, the establishment of sound and
16 integrated system of internal financial and administrative controls, and such

- 1 other related functions aimed towards improving fiscal controls and
2 management;
- 3 b) Government Accountant - refers to any government employee holding
4 position belonging to any level of the career service and performing function
5 and/or works pertaining to government accounting;
- 6 c) Government Accounting Staff - refers to a group of government accountants
7 assigned in a particular organizational unit which includes, but not limited to,
8 an office, division, section or equivalent, performing government accounting
9 functions;
- 10 d) Certified Public Accountant (CPA) - refers to one who has passed the
11 licensure examination given by the Board of Accountancy of the Professional
12 Regulation Commission, has taken his oath and possesses no disqualification
13 to practice his profession;
- 14 e) Head of Agency - refers to the chief operating officer of a department, office,
15 agency, 3 bureau, state university and/or college, local government unit,
16 government-owned and controlled corporation and such other governmental
17 instrumentalities;
- 18 f) CSC - refers to the Civil Service Commission;
- 19 g) COA - refers to the Commission on Audit;
- 20 h) DBM - refers to the Department of Budget and Management; 11
- 21 i) AGAP - refers to the Association of Government Accountants of the
22 Philippines, Inc.;
- 23 j) Geographical Reassignment - refers to the movement of official station from
24 one geographical location to another;
- 25 k) Compulsory Retirement - refers to the cessation and/or termination of service
26 by the Government Accountants with the Government in accordance with law
27 or as may be 19 provided under this Act;
- 28 l) Overloading - refers to a condition when a Government Accountant is
29 assigned tasks/works above normal workload level;
- 30 m) Understaffing - refers to a condition when a number of authorized positions in
31 an organizational unit performing government accounting function is less than
32 the required number of positions.

1 Sec. 4. Coverage. - This Act shall cover all officials and employees holding
2 permanent positions in the Government, its subdivisions, agencies, and
3 instrumentalities, including government-owned and controlled corporations
4 performing accounting, budgeting, internal audit and other related government
5 accounting functions.

6 Sec. 5. Recruitment and Qualification. - The selection and appointment of
7 Government Accountants shall be strictly in accordance with the merit and fitness
8 principle and the minimum qualification requirements as may now or thereafter be
9 prescribed by the CSC: Provided, That the CSC may develop and administer
10 specialized examination for purposes of providing appropriate eligibilities to positions
11 not requiring a certified public accountant eligibility.

12 Sec. 6. Performance Evaluation and Merit Promotion. - Heads of agencies
13 shall prepare a uniform Career and Personnel Development Plan applicable to all
14 Government Accountants in their respective agencies. Such Career and Personnel
15 Development Plan shall include provisions on merit promotion, performance
16 evaluation, in service training, grants and incentive award system.

17 The Performance Evaluation Plan shall consider foremost the improvement of
18 individual employee's efficiency and organization effectiveness: Provided, That each
19 employee shall be informed regularly of his performance evaluation.

20 The merit promotion plan shall be in consonance with the rules of the CSC.

21 Sec. 7. Transfer or Geographical Reassignment Government Accountants. -
22 Government Accountants shall not be transferred or reassigned except, when made
23 in the interest of public service, in which case, the employee concerned shall be
24 informed of the reasons therefor in writing. If the Government Accountant believes
25 that there is no valid ground for the transfers or reassignment, he may appeal the
26 order to the CSC; and pending appeal, such transfer or reassignment shall be held in
27 abeyance: Provided, That no transfer or reassignment whatsoever shall be made
28 three (3) months before any local or national elections: Provided, further, That
29 Government shall pay for the necessary expenses of the transfer or reassignment of
30 the Government Accountant and his immediate family.

31 Sec. 8. Security of Tenure. - Government accountants holding permanent
32 positions shall not be terminated except for cause as may be provided by law and

1 after due process: Provided, That any government accountant found by the CSC to
2 be unjustly dismissed from work shall be entitled to reinstatement without loss of
3 seniority rights and to back wages with twelve (12%) percent interest computed
4 from the time the compensation was withheld up to the time of reinstatement.

5 Sec. 9. Discrimination Prohibited. - A Government Accountant shall not be
6 discriminated against with regard to gender, civil status, creed, religious or political
7 beliefs, and ethnic groupings in the exercise of his profession.

8 Sec. 10. No Understaffing/Overloading of Government Accounting Staff. -
9 There shall be no understaffing or overloading of Government Accountants. A
10 Standard Staffing Pattern for government accounting staff shall be established;
11 taking into consideration the total appropriation, number of funds, number of
12 agencies units with individual sets of books of accounts, organization's manpower
13 force, and such other factors as may be determined by the DBM, CSC and COA.

14 In line with the above policy, substitute officers or employees shall be
15 provided in place of officers or employees who are on leave for over three (3)
16 months.

17 Sec. 11. Safeguards and Disciplinary Procedures. In every disciplinary
18 proceeding, a Government Accountant shall be accorded the following rights:

- 19 a) The right to be informed in writing of the charges against him;
- 20 b) The right to full access to evidence;
- 21 c) The right to defend by himself or by counsel of his own choice and/or his
22 organization;
- 23 d) The right to confront witnesses presented against him and summon witnesses
24 in his behalf;
- 25 e) The right to appeal to designated authorities; and
- 26 f) Such other rights as will ensure fairness and impartiality during proceedings.

27 In case the Government Accountant is exonerated or the charge against him
28 is dismissed, he shall be entitled to reimbursement of reasonable expenses incurred
29 in his defense.

30 Sec. 12. Overtime Work. - Where the exigencies of the service so require, any
31 Government Accountant maybe required to render service beyond the normal eight
32 (8) hours a day, including Saturdays, Sundays or non-working holidays. In such

1 case, the Government Accountant shall be paid an additional compensation in
2 accordance with existing laws.

3 Sec. 13. Night Shift Differential. - Any Government Accountant who is
4 required to work on a shift with working hours going beyond ten (10) o'clock in the
5 evening up to six (6) o'clock in the morning shall be entitled to a night shift
6 differential pay of ten percent (10%) of the regular wage for each hour performed
7 during the night shift.

8 Sec. 14. Salaries. - The salary of the highest government accountant position
9 shall be equal to the salary of the third ranking official of any government agency:
10 Provided, that the salary grade intervals down the rank shall not be more than two
11 (2) salary grades and shall progress whenever there is a salary increase or across
12 the board adjustment granted by the National Government.

13 SEC. 15. Additional Compensation and Incentives. - Notwithstanding Section
14 12 of Republic Act No. 6758, otherwise known as the "Compensation and Position
15 Classification Act of 1989," Government Accountants shall receive the following
16 allowances:

- 17 a) Subsistence allowance which may be computed in accordance with prevailing
18 circumstances as may be determined by and in consultation with AGAP;
- 19 b) Longevity pay which shall be equivalent to five percent (5%) of the monthly
20 basic pay for every five (5) years of continuous, efficient and meritorious
21 services rendered as certified by the Head of Agency commencing with the
22 service after the approval of this Act;
- 23 c) Laundry Allowance shall be granted to those who are required to wear
24 uniform regularly at the rate of Three Hundred Pesos (P300.00) per month:
25 Provided, That this rate shall be reviewed periodically and increased
26 accordingly by the Secretary of Budget and Management in consultation with
27 the appropriate government agencies concerned;
- 28 d) Remote Assignment Allowance shall be extended to those who accept
29 assignment in remote areas or isolated stations, which for reasons of far
30 distance or hard accessibility, such positions had not been filled for the last
31 two (2) years prior to the approval of this Act, equivalent to fifty percent
32 (50%) of their basic pay inclusive of the reimbursable cost of reasonable

1 transportation to and from such remote post or station, upon assuming or
2 leaving such position and during official trips: Provided, That tour of duties in
3 remote areas shall not exceed two (2) years for their transfer, or they prefer
4 to stay in such post in excess of two (2) years;

5 e) Medical Examination - shall be provided compulsorily free of charge upon
6 entry in the government service and every year thereafter during his tenure
7 of employment: Provided, That where medical examination shows that
8 medical treatment and/or hospitalization is necessary, medicines shall also be
9 provided free by the Agency, regardless of whether the Government
10 Accountant is confined in government or private hospital: Provided, further,
11 That the cost of such medical examination and treatment shall be included as
12 automatic appropriation in the Agency's annual budget;

13 f) Compensation for Injuries - Government Accountants shall be protected
14 against the consequences of employment injuries in accordance with existing
15 laws. Injuries incurred while doing overtime work shall be presumed work
16 connected; and

17 g) As withholding and collecting agent of BIR, GSIS, HMDC, a Government
18 Accountant shall be allowed honorarium as remitting officer.

19 Sec. 16. Right to Self-organization. - Government Accountants shall have the
20 right to freely form their own organization, to affiliate with or assist other
21 organizations or government workers for purposes not contrary to law, in order to
22 defend and protect their mutual interests and to obtain redress of their grievances
23 through peaceful concerted activities: Provided, That under no circumstances shall
24 they be allowed to declare, stage or join any strike or cessation of services.

25 Sec. 17. The Right to Attend Periodic Workshops, Dialogues, Conferences,
26 Seminars and Conventions. - Government Accountants being instrument of
27 management of the various government agencies in graphing or directing the proper
28 course of action towards the attainment of their respective plans and projects have
29 the right to be properly updated of the continuing plans and strategies in maximizing
30 the resources of government to obtain the best results at minimum costs. Heads of
31 Agencies shall allow Government Accountants to attend training workshops,
32 dialogues-conferences or seminars and conventions on official business. They shall

1 also have the right to be informed periodically of the Agency's plans, programs and
2 strategies.

3 Sec. 18. Freedom from Interference or Coercion. - Government Accountants shall
4 be guaranteed from interference and coercion from authorities outside his agency.

5 Sec. 19. Human Resource Development Management Study. - The CSC in
6 coordination with the Association of Government Accountants of the Philippines shall
7 conduct periodic human resource development/management study along the
8 following areas:

9 a) Adequacy of modern and updated facilities and supplies to render quality,
10 timely and reliable financial reports;

11 b) Opportunity for government accountant staff to grow and develop their
12 potentials and to attain a sense of worth and dignity of their work;

13 c) Staffing patterns and standards of accounting offices or units attuned to
14 contemporary requirements and trends;

15 d) Ways and means of enabling the government accountants to avail themselves
16 of educational opportunities for personal growth and development; and

17 e) Upgrading of working conditions, reclassification of position and salaries to
18 correct disparity vis-a-vis other professions.

19 Sec. 20. Prohibition Against Elimination and/or Diminution of Benefits. - Nothing
20 in this Act shall be construed to eliminate or in any way diminish benefits being
21 enjoyed by Government Accountants of the time of the effectivity of this Act.

22 Sec. 21. Prohibition Against Double Recovery of Benefits. - Whenever other laws
23 provide for the same benefits covered by this Act, the Government Accountant shall
24 have the option to choose which benefits will be paid to him except when such
25 benefit is considered part of an incentive package extended for the extra effort
26 and/or time devoted by the Government Accountant.

27 Sec. 22. Appropriations. - The amount necessary to implement the provision of
28 this Act is hereby authorized to be appropriated out of any funds not otherwise
29 appropriated. Thereafter, such sums shall be included in the General Appropriation
30 of the government agencies or instrumentalities concerned.

31 Sec. 23. Rules and Regulations. - The Civil Service Commission (CSC), in
32 consultation with the Association of Government Accountants of the Philippines

1 (AGAP), Inc. and such other professional organizations of government accountants,
2 shall promulgate necessary rules and regulations to implement the provisions of this
3 Act.

4 Sec. 24. Separability Clause. - If any provision of this Act is declared
5 unconstitutional or invalid, the remainder thereof not affected thereby shall continue
6 to be in full force and effect

7 Sec. 25. Repealing Clause. - All laws, decrees, orders, rules and regulations or
8 other issuance or parts thereof inconsistent with the provision of this Act are hereby
9 repealed, amended or modified accordingly.

10 Sec. 26. Effectivity. - This Act shall take effect fifteen (15) days after its
11 publication in at least two (2) newspapers of general circulation.

Approved,